



Farmers vs. Wage Earners

ORGANIZED LABOR IN KANSAS, 1860–1960

R. ALTON LEE

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Preface

The labor wars, which lasted over six decades from the Great Upheaval in 1877 to the sit-down strikes during the New Deal, “secured for the working-man a right which he had been previously denied, totally or partially, the right to collective action.” Once this obviously reasonable milestone was achieved, workers gained the power to secure great improvements in the protection of women and children in the workplace, workmen’s compensation insurance, unemployment compensation, a living wage, Social Security, Medicare, and a host of similar reforms. Kansas laborers participated directly in these wars and made contributions to the cause of labor, although they fought a losing battle for decades thereafter. Current and future generations owe much to these hardy common folk who were imbued with the American spirit to fight and to sacrifice to obtain their rights. All who now enjoy Social Security, Medicare, a decent wage, a forty-hour week, and overtime pay must celebrate the battles organized labor fought for all Americans, and we also must always guard these precious privileges.¹

On Labor Day 1999, I began the formidable task of studying the history of organized labor in Kansas. Several motives prompted me: First, I am a native Kansan, born and reared on a farm and in a small agricultural community where I spent the weekends and summers of my youth employed by my father and other farmers. Here I first learned of the evils of child labor and, to paraphrase Harry Truman, encountered the problem of minimum wages. In addition, during my undergraduate collegiate career, I was exposed to a number of different job experiences, including helping to rebuild the Katy Railroad following the disastrous flood of 1951, working in a supermarket in Kansas City, and working as an assembly-line inspector for Beech Aircraft in its Herington Air Base plant during the Korean War. Consequently, I have belonged to several national labor unions, including the Brotherhood of Railway Workers, the Hodcarriers, the Retail Clerks, and the National Education Association during my stint as a public-school teacher. I believe I can discuss workers and their problems with some understanding and certainly with empathy.

One personal experience with unions should be noted. While working

my way through college, I was employed at one point by the J. C. Nichols company in Kansas City, building houses south of Prairie Village. Being a farm boy and burdened with financial problems, I resented having to pay the Hodcarriers union for a permit to work card for the summer, an experience exactly like that of farmers a few years previously during World War II, who resented paying for permission to work on a high-paying job building defense facilities. During the first week of my course in labor economics with Stillman P. Vincent or Vince, as he was commonly called on the Kansas State Teachers College campus, I expressed my resentment over this episode. He exploded with "young man, I want you to know that union did not give a damn whether or not you worked" and proceeded to explain the principles of trade unionism in a way that I never forgot.

My experiences stimulated a fascination for the lot of the men and women who worked for wages and for the organized labor movement, especially its democratic aspects such as required attendance at scheduled meetings and other political activities. All this inspired me to write political histories of the Taft-Hartley and Landrum-Griffin laws and the right-to-work movement in South Dakota. Finally, an interest in Kansas history aroused a curiosity to determine if my mostly rural native state followed the national pattern of development in the organized labor movement or if it deviated from it in significant ways. It turned out that, as in other categories of its history, Kansas demonstrated both. I was surprised to find that Kansas labor has a far richer history than I had anticipated.

Apart from the chapter on the iwws (Industrial Workers of the World), which necessitated the study of migrant farm work because of the nature of the organization and its ties to the oil industry, I have not discussed farm labor. That topic requires a separate study. Likewise, flour milling is not dealt with because of the unique nature of its close relationship between workers and owners, who worked side by side. Milling was a significant industry in the late nineteenth century when every sizeable community had a small mill, but the labor force was not sufficiently large nor were the problems and abuses prevalent enough to attract unionism. Around 1900, the milling industry centered in Kansas City, but small mills producing five hundred barrels daily with one or two workers could still compete with the large ones by operating around the clock.²

The question of dealing with Kansas City poses a special problem because though the city is divided, its labor history is not. For example, the New Deal relief programs created difficulties when the Building Trades Council represented workers in both Kansas City, Missouri, and Kansas City, Kan-

sas. Because government regulations required that workers had to live in the city in which they worked, transferring mechanics from one job to another caused problems, a situation that could have been eliminated only by creating a greater metropolitan district. The same problem materialized for the War Labor Board in World War II. I have tried to discuss the labor issues of the entire Kansas City area, excluding those that affected only Kansas City, Missouri.

The warp and weft on the loom of history makes it difficult to study one type of development, whether it be an economic, social, political, or cultural pattern, in a vacuum. The threads of the warp provide a more comprehensive and vital picture of one type of growth, but they are dependent on the weft to weave them together into a complete tapestry. I have chosen to study the warp of social and political developments of organized labor in Kansas with the intention of adding to the ability of other historians to weave the weft strands into a more understandable tale of the evolution of industrial-labor relations on the Great Plains during the first century of white settlement. This study illuminates an important phase of history that has hitherto been neglected. I believe this aspect of the history of the West is representative of developments in neighboring states, and perhaps my study will stimulate research and provide a more complete history of the region.

This book is not intended to be a definitive study of the organized labor movement in Kansas. Those seeking details of minor strikes or obscure labor controversies will have to look elsewhere. This is a brief survey of the movement in an attempt to find social meaning in an industrial development that took place in a predominantly agrarian state. I was handicapped in the industrial-relations phase because of a paucity of union documents. In the fall of 1999, I inquired about the archives of the state AFL-CIO, and secretaries at the headquarters informed me that they donated all documentary material to the Kansas History Center each year. When I queried the staff there, they were unaware of such an arrangement except for the printed convention proceedings. Apparently these primary sources are lost. Fortunately, much of the spadework has already been done by scholars of the preceding decades, and numerous books, articles, theses, and other studies detail many of the episodes in Kansas labor history. I had to flesh out and tie together these secondary works with primary sources to weave the story of Kansas workers into a single narrative of how they lived and fought and used their unions to achieve industrial justice and a better life for themselves, their families, and their children.

While predominantly agrarian, the Sunflower State also had four major

industries: coal and mineral mining in southeast Kansas; petroleum and natural gas production centered primarily in the southeastern quadrant and the southern and west-central counties; the meat-packing and automobile industries of Kansas City; and the aviation industry of Wichita. Kansas therefore can be considered to be more than the “wheat state,” a motto that once adorned its license plates.

As many states did, Kansas underwent a change in public, and subsequently legal, attitudes toward unions in the twentieth century. As towns and cities grew, the population increasingly absorbed American middle-class values that progressively embodied less empathy for the working class and its problems. As a result, many farmers, rural folk, and middle-class urbanites are reluctant to observe Labor Day as a holiday, in part because there is no similar day set aside to mark the importance of agrarian values. And there is little support across the state for strikes or other union tactics because of the widespread erroneous belief that union officials force their members to use them. Throughout Kansas history runs the theme of “irresponsible” labor leaders. But officially and politically the sheer number of laborers has commanded respect as shown by the favorable attitude toward laborers in legislative, executive, and judicial circles except during strikes in which activities affected those not directly involved or when some union men sought to achieve their goals through violence.³

The attitude of the state supreme court in the first half-century of Kansas history—and, I believe, of the public generally—was demonstrated in one of its famous labor decisions in 1915, even though it is expressed as a double negative: “labor organizations are generally recognized as beneficent to both the members thereof and to the public. The members are in the meetings taught to aspire to greater efficiency in their vocations. They are also bound to assist the sick, infirm, and unfortunate among the members, and in many other respects are not only not inimical to the best interests of society but are helpful and beneficial.”⁴ Occasionally, the Kansas legislature supported organized labor and its goals in the nineteenth century through favorable legislation, while the same agrarian cluster of solons in their mild opposition, correctly anticipated enforcement of the statutes to be sporadic or nonexistent and thus meaningless to laborers and their employers. On other occasions these agrarians enacted laws that cut against the grain of wage earners interests. The right-to-work question at the end of our century best illustrates this dichotomy.

In the nineteenth century, and continuing into the twentieth in many respects, the legal tradition emphasized the sanctity of property, which included the intangible one of profit. Worker demands for higher wages, shorter hours,

and better working conditions would have had an effect on profits, and capitalists insisted on protecting their property. Organized labor challenged the law and public philosophy by insisting that wages, hours, and working conditions should not be determined only by the capitalists, and they, along with judges and the middle class, rejected this point of view until the New Deal modified the accepted wisdom. In other words, the tactics of striking, picketing, and boycotting alienated the property classes and their basic beliefs. They perceived labor's protests to be striking out against the success of the more capable elements of society whom Providence had blessed.

This public attitude began to harden against wage-earner tactics with the rww's invasion of the wheat and oil fields of prewar Kansas in the post-World War I period of political reaction against what was considered radicalism. The antagonism heightened when the state established the Court of Industrial Relations and supported its philosophy of imposing unilateral settlements on industrial disputes. Nonunion Kansans never really accepted the New Deal principle of supporting the workingman, and while they accepted federal largess eagerly, they were convinced at the same time that it was undermining the American character, except for their own. Negative public attitudes further crystallized in the post-World War II frenzy over the "unfettered power" of union leaders. When the Taft-Hartley Act permitted even more regressive action by states, Kansas became one of nineteen agrarian states to enact right-to-work provisions, what unions described as "Right to Wreck" laws. Antiunion attitudes in the state have not mellowed since that time. Twentieth-century voters appear to have forgotten or have rejected the more tolerant and friendly attitudes of their nineteenth-century forebears toward their fellow workers. This antagonism continued into the twenty-first century.

Research assistance with a project this immense is so great that I can only acknowledge the participation of those who readily come to mind and express the hope that I have not forgotten too many generous people. My sincere apologies to those I omit. The staff at the Kansas History Center was indispensable. Librarians at Hale Library, Kansas State University gave significant assistance, especially John Johnson of the Government Documents Division. Randy Roberts of the Axe Library of Pittsburg State University was helpful as were Kathy Adams and Chuck Davidson of the Ablah Library at Wichita State University and Kristin Eshelman and Mary Hawkins in the Kansas Collections at the Spencer Library at the University of Kansas. I want to thank Julie Kohler Blagg of the Wyandotte County Museum for introducing me to Harry Desko so I could interview him and his colleagues. Similarly, Karen, a secretary in the state office of the AFL-CIO, placed me in contact with Jim

PREFACE

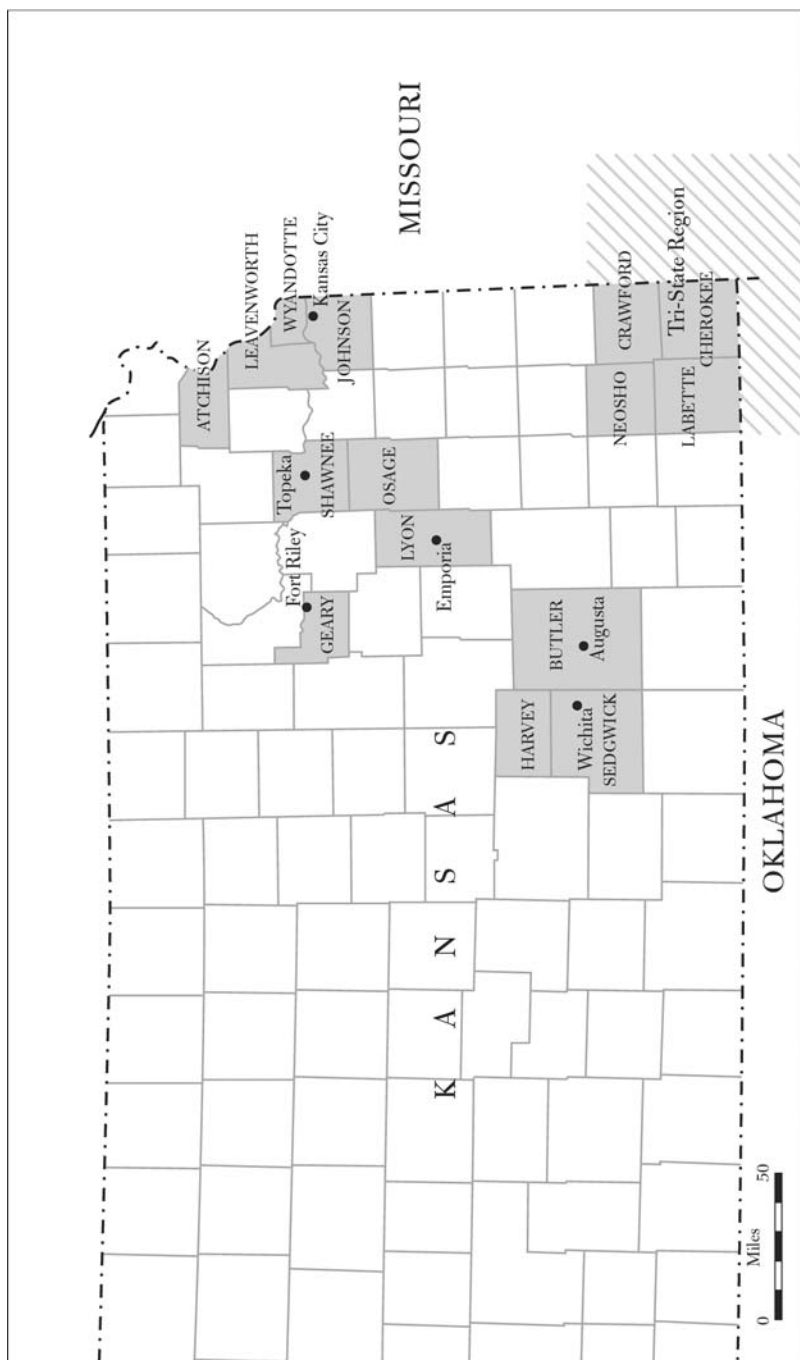
Yount. William Pratt of the University of Nebraska at Omaha was always interested, supportive, and helpful with ideas and bibliographies. Professors Homer Socolofsky and Gerald Wolff and my wife, Marilyn, contributed immeasurably to the final product by reading the manuscript and offering their insights and criticisms. In addition, the University of Nebraska Press had several perceptive readers comment on various versions of the manuscript. I am responsible, of course, for the errors and weaknesses that remain.

Farmers vs. Wage Earners

The Labor Problem Emerges

In July 1877 angry railroad workers in Kansas City derailed a train, causing serious damage to the engine and some freight cars and injuring fellow laborers, the engineer, and the fireman. They then warned other engineers that if anyone else tried to take a train out of the yards they would be shot. Those who ignored this warning heard stentorian voices informing them that it would be advisable to order their coffins. Later, a wild mob advanced through the Bottoms and West End, demanding that all workers quit their jobs and join their violent protest rallies. City officials ordered saloons closed to keep alcohol from adding to the chaos. Large crowds of spectators gathered, some preparing to loot if the opportunity arose; many women and children watched the scenes in awe and fear as their fathers and husbands behaved in unknown ways. In July the heat was oppressive, even for night marches, and the high temperatures contributed to the atmosphere of turbulence. Kansas City, an important frontier rail center, was normally a quiet, placid, rural community. What stirred these passions so violently? What made these good, law-abiding men behave so out of character? It was the advent of the "labor problem" in the Sunflower State, only sixteen short years after its admission to the Union. Although still a raw, developing borderland, Kansas had begun to industrialize, and mostly peaceful family men were led to commit outrageous acts in the name of freedom and justice. The modern labor movement was aborning as a result of the recent economic growth of eastern Kansas.

Kansas was first settled in large numbers by proslavery people from Missouri, who inhabited far-eastern Kansas, and antislavery forces from the North, who formed the New England Emigrant Aid Company and settled Lawrence. The company recruited free-soil settlers who were seeking new land and assisted in their immigration to east central Kansas, helping to support them until they were well established on farms. The spread of agriculture was complemented by the growth of primitive industry in the first half-century of Kansas history, and craftsmen, skilled workers, and common laborers constituted an important segment of this early immigration. Mining and trans-



The Industrial areas of Kansas, 1860–1960

portation soon emerged as important segments of economic life in Kansas, and both contributed to the spread of trade unionism.

Growth in Kansas population was phenomenal during the 1870s; the number of residents increased 170 percent, from 360,000 to 990,000. Over two thousand miles of railroad track were built, and mined coal tonnage increased twenty-fold during that decade. The number of mills and manufacturing concerns increased 90 percent, the third highest gain in the nation, and the augmentation in the growth rate of capital invested in manufacturing led all states. Kansas also attained the third highest rate of expansion of aggregate value in manufacturing. After the Civil War, the supposedly agrarian state was rapidly awakening along with the rest of the nation to industrialization, and this development attracted laborers and ultimately gave rise to unions.¹

The Civil War era laid the foundations for a sea change in American society, especially in its economic life. In 1860 the United States ranked fourth among industrialized nations, but by 1894 it had attained the number-one position that it maintained for the next century. This cauldron of change produced a "profound social revolution that destroyed slavery, reshaped the federal union, and secured the grip of an industrializing elite on the machinery of national government, workers in many occupations had perceived a need to create new organizations and to cultivate a mutualistic code of ethics in defense of their own interests."²

The workers' need conflicted with the position of the judiciary and the public as a whole: that when one agreed to work for pay he accepted employer authority. It was generally agreed that while individuals could refuse to work, they should not spread discontent in the workplace or try to persuade their coworkers to join in a work stoppage. When, in the early part of the nineteenth century, employees decided to organize and bargain collectively with employers who ran city-wide organizations, the laborers were successful in establishing the ten-hour workday rather widely. The Panic of 1837, however, crushed this incipient labor movement until the Civil War. Economic depression brought on, as always, declining wages and unemployment, despite the progress that had been made.³

Following the Civil War, the inchoate industrial revolution had an impact on the workingman in at least two categories. The emergence of monopolies in steel, coal, petroleum, meat packing, railroading, and various types of businesses prompted a national, as opposed to simply a citywide, industrial unionism. Second, the rapidly accelerating rate at which machinery was introduced into manufacturing processes undermined the favored position of skilled workers. The machines broke down their specialized tasks into numer-

ous simple ones that could easily and quickly be taught to unskilled workers. This, combined with the shortage of labor during the Civil War, gave rise to some twenty national unions for various types of skilled workers throughout the North. The carpenters' organization was one of these.

Because carpenters built most structures on the Great Plains frontier in the last half of the nineteenth century with imported lumber, these craftsmen played a central role in the early settlement of Kansas. While woodworking machinery was replacing hand labor in the East, this technology had little impact on the frontier except for the importation of machine-made doors, windows, and moldings. The 1880 census listed almost 7,500 carpenters in the state. Only 1 percent were black, 15 percent were foreign-born, and the remainder, other than five women, were male, white, and native-born. This ratio persisted for much of the next century. The work conditions of carpenters in early Kansas were in many ways similar to those in the East, with a sixty-hour work week and relatively low pay for skilled labor. The labor also differed in the frontier milieu, however, because after a town's "boom" ended, the building tradesmen had to "tramp" to new settlements to follow their trade. In addition, they were exposed to harsh elements on the Great Plains, with the heat, cold, rain, snow, and dust storms. After workers organized their first union in 1884, conditions began to improve with the introduction of hiring halls, shorter hours, and better wages. But the highly mobile nature of the trade tended to keep wages low.⁴

Typographical unions, however, were the first to be established in the state. Like other frontier areas, Kansas boasted its share of newspapers that promoted settlement in the early years of boosterism, although many of them quickly fell by the wayside. Jonathan Meeker published a newspaper at Shawnee Mission in 1835, and less than four months after the Kansas-Nebraska Act created the Kansas Territory in 1854, a second newspaper made its appearance at Leavenworth, forty miles north of the junction of the Kansas and Missouri rivers. With a population of thirteen thousand in 1870, it was and remained the largest city in the state for several years. Printers organized the first trade union in Kansas—Local 45 of the National Typographical Union—in Leavenworth on November 8, 1859.⁵

The Journeymen Cordwainers, shoemakers, became the second union in Kansas on October 22, 1862, and were also located in Leavenworth. They imposed a twenty-five-cent initiation fee, and the preamble to their constitution observed that they were "fully impressed with the truth of the maxim that in union there is safety and strength." If any member divulged injurious information about a fellow member to either an employer or a nonmember, the

miscreant would be fined one to five dollars. There was a one to ten dollar fine for laboring “under wages” or for working for “an unfair shop.” The fine for missing a meeting was ten cents; a second consecutive absence cost twenty cents, and a third one could mean expulsion. Typographical unions soon were chartered in Lawrence, Atchison, and Topeka in 1863 or 1864, 1868, and 1869, respectively. These early unions prospered until the Panic of 1873, the effects of which lasted some six years and wiped them out. Meanwhile they were instrumental in the formation of three governmental agencies to help laborers: one for the railroads, a labor department, and one for miners.⁶

John Alexander Martin, a member of the Atchison Typographical, had an amazingly successful career both in publishing and in politics. Martin emigrated from Pennsylvania to Kansas as a young man and purchased the Atchison *Squatter Sovereign* in 1858, at age nineteen. He changed its name to *Freedom's Champion* and, after the Civil War, to the *Daily Champion*. When Martin was twenty-two the governor appointed him a lieutenant colonel in the Eighth Kansas Volunteers, and the following year he took command of the outfit as a full colonel. After a year of border-patrol service, the Eighth joined the Army of the Cumberland—the only Kansas regiment attached to one of the main Union armies—and fought at Chickamauga and in the Chattanooga campaign and marched to the sea with Sherman. The unit traveled 10,750 miles under his command during the war, fought in fifteen battles and sixteen skirmishes, and had over 60 percent of its men killed or wounded. At the age of twenty-six Martin was breveted brigadier general, the Eighth was demobilized, and he returned home, truly a hero, to resume publication of his newspaper. His experience as a publisher and as a member of his union led him to support the causes of organized labor when he became governor, including a department of labor.⁷

Born in 1839, Martin had to decline his election to the territorial legislature because he was too young to qualify for the office. Before he was eligible to vote, he served as secretary to the convention that drafted the Wyandotte Constitution and wrote four of ten chapters. His newspaper became one of the most—and for a time *the* most—influential papers in the state. He dedicated the paper and himself to the welfare of Kansas. His lifelong ambition to become governor was realized in 1885, at a time when railroad construction was peaking in his state. Republicans twice unanimously nominated him for the office. In the opinion of one of the state's foremost newspapers, “It is probable that no other governor in Kansas history ever retired from the office with a larger number of friends.” He died shortly after his second term.

Two years before Martin was elected governor, in reaction to the nefarious



1. John Martin. Courtesy of the Kansas State Historical Society, Topeka, Kansas.

railroad practice of charging exorbitant rates during this period of monopolistic practices, the Kansas legislature created a board of railroad commissioners. Martin's immediate predecessor, George Washington Glick, became the first Democratic governor of Kansas. By the time of his election, severe competition in the East led railroads to exploit farmers of the Trans-Mississippi West ruthlessly in the areas where they had little or no competition. The railroad legislation to regulate these practices had a long history. Representative Glick

introduced a regulatory proposal in 1881. It passed the lower house in an amended form on February 25, but because of the changes made during the legislative process, Glick voted against his own bill in final form because it provided only for an investigation of railroads and a report to the governor, requirements that he considered entirely inadequate. Glick's first message to the legislature as governor called attention to the vicious plundering of citizens by railroads. They charged "excessive and exorbitant" freight and passenger rates, gave drawbacks or rebates to powerful interests, and used the long and short haul differential as a routine practice.⁸ "Thus our merchants and manufacturers cannot compete with those in other states," Glick lamented. Railroads were common carriers and public highways, the governor argued, and all persons had a right to their use; thus the legislature had the power to regulate them. He asked the solons to outlaw the long and short haul differential, to fix maximum passenger rates at three cents per mile, and to require "fair" freight rates.

After considering a dozen different proposals from the house, the state senate rewrote them into one bill and approved it. The measure went to conference from February 17 to 25 with neither house willing to yield on their provisions. The senate asked the house for another meeting, which again was lengthy, lasting from February 27 to March 3. During these sessions, the Republican majority charged Democrats with attempting to block the legislation in order to have an issue to exploit in the next campaign. Finally, on March 3 Senator William J. Buchan was able to present an acceptable conference report and the upper house approved it 40-0. The house brought this proposal to a vote and passed it 100-14. Governor Glick signed it into law on March 6, 1883.⁹

The act created a three-member bipartisan Kansas Board of Railway Commissioners, each of whom would receive the lucrative salary of \$3,000 annually. The law mandated that passenger rates must not exceed three cents per mile and half that rate for children under twelve. It empowered the commission to supervise all railroad rates and issue annual reports. Railroads could not charge "an unreasonable rate" for freight, and the commissioners could investigate complaints about "unjust, unreasonable, or extortionate" ones. For several years the commission had no enforcement powers and served largely as an advisory body until the members played a significant role in assisting Governor Martin in the great railroad strikes of 1885 and 1886. Because of their action in these conflicts, the commission would continue as a mediating board during future labor conflicts. Through a metamorphosis into many

agencies, it finally emerged in 1933 as the present-day Kansas Corporation Commission.¹⁰

As the industrialization pace accelerated following the Civil War, the number of unemployed grew, "through no fault of their own," and so did the number of strikes, leading many states as well as the national government to establish boards to gather statistics on the conditions of industry and labor. It was fortuitous that this movement occurred during the administration of Governor Martin, a union man. Massachusetts established the first board in 1869. Pennsylvania followed suit three years later, then Ohio (1877), New Jersey (1878) New York, California, Michigan, Wisconsin (1883), and Iowa and Maryland (1884). Congress created the National Bureau of Labor Statistics in 1884, and in that year the Knights of Labor asked all states that had not done so to establish a board similar to that of Massachusetts. Governor Martin promoted the idea, and Senator William J. Buchan of Wyandotte introduced a measure to implement it.¹¹

Buchan represented a workingman's district that had active unions, and his background made him sympathetic to his constituents' needs. Forced to go to work at age twelve in Ohio when his father died, he clerked in a drugstore for several years and then enlisted in the Union army during the Civil War when he reached eighteen. After immigrating to Kansas in 1867, he worked as a brakeman for the Kansas Pacific Railroad on the Kansas City-Junction City run before being admitted to the Kansas bar in 1871 and becoming a trial lawyer. He served three years in the lower house, then was elected to the senate in 1876. Known across the state as Billy Buchan, he was generous with his constituents and friends and, after several years of service, became known as the Dean of the Senate. Buchan introduced his proposal in the upper house early in the 1885 session.¹²

The idea of a labor department in a supposedly agrarian state appeared unusual to rural solons, and the Senate debated the proposal rigorously. R. M. Crane of Marion wanted to economize by adding the suggested duties to those of the existing Bureau of Agriculture. C. H. Kimball of Parsons agreed, noting that the bureau was concerned also with labor. W. M. Congdon, a farmer from Sedgwick County, on the other hand, was adamantly opposed to the dangerous idea of a labor board. Ohio suffered from industrial strife, and he noted, "it is the only state that has a bureau of labor statistics." Undoubtedly that was "the reason for the riots in that state," he added knowingly. Buchan promoted his measure aggressively though, arguing that 40 percent of Kansas citizens (laborers) deserved this assistance, which required a person knowledgeable in labor matters not an agricultural expert. A move to add the duties to the

Bureau of Agriculture lost sixteen to twenty-two, and the measure passed the senate and then the house where it met little opposition.¹³

The law established a Bureau of Labor and Industrial Statistics, headed by a commissioner nominated for a two-year term. His yearly salary was set at one thousand dollars, and the law empowered him to collect and forward labor statistics to the governor annually, especially as they related to "the commercial, industrial, social, educational, and sanitary conditions" of Kansas workers. He was empowered to take testimony, examine witnesses, and compel people to testify in the process of gathering his information. A member of Buchan's district in Wyandotte, Frank H. Betton, received the appointment as commissioner. Betton was a former Greenback supporter and a current member of the Knights of Labor and was recommended by Knights lodges in Wyandotte, Topeka, Pomeroy, Kansas City, and "elsewhere." He remained in this position until 1893, a remarkable tenure for a political appointee in Kansas and a measure of his leadership in labor problems. John Cougher, a Knight organizer in Kansas City, was made his assistant. Betton attended the third annual convention of state bureaus of labor statistics in Boston in 1885 and found it to be "very informative" in giving him ideas for preparing forms for gathering information on labor issues.¹⁴

In his first report to Governor Martin in 1885, Betton noted that the daily wage earners in Kansas "have no truer friend than yourself," and this was not the typical obeisance to a superior. He surveyed the number and strengths of labor unions in Kansas at that time and found that the trade unions with the largest memberships in the country as a whole were represented rather extensively in Kansas. The Knights of Labor were the largest national union with thirty locals scattered throughout the state, with most of them located in the eastern part. Betton recorded several units of the International Typographical Union (which had since recovered from the depression of the seventies), five organizations of cigarmakers, with fifty members in Topeka, thirty in Leavenworth, twenty-two in Humboldt, seventeen in Marysville, and seven in Fort Scott; and he included the Patrons of Husbandry (Grange) in his list. Also organized at this time were the Brotherhood of Railway Conductors, the powerful Brotherhood of Locomotive Engineers, with fifteen thousand members, and the Brotherhood of Locomotive Firemen, with seventeen thousand members. Commissioner Betton noted that the Amalgamated Association of Iron and Steel Workers was not represented in Kansas and that there were "no organizations of Anarchists, Communists, or Socialist-Labor in Kansas, to the knowledge of the Bureau."¹⁵

In January 1885, however, unbeknownst to Betton, a group of Washburn

Occupation	Wage (\$)	Annual Surplus over Costs (\$)
Bookbinder	6.85 (weekly)	29.57
Bookkeeper	27.33 (monthly)	41.22
Clerk, dry goods	6.76 (weekly)	54.66
Clerk, office	28.80 (monthly)	53.08
Domestic	2.40 plus room and board	24.00
Dressmaker	7.09 (weekly)	51.28
Hotel, restaurant worker	12.57 room, board (monthly)	33.83
Laundress	6.81 (weekly)	49.67
Milliner	8.25 (weekly)	61.75
Printer (compositor)	6.49 (weekly)	45.36
Stenographer	7.66 (weekly)	55.00
Teacher	46.91 (monthly, 9 months)	82.71
Cigar maker	6.15 (weekly)	45.70

College students organized a club in Topeka to investigate the principles of socialism. By August this preliminary interest had progressed to the point of establishing the Missouri Valley Division of the International Workmen's Association. The group's primary mission was to promote social revolution by publishing and circulating labor literature. According to a report made later by the labor commissioner, the group's emblem, the Red Flag, "signifies the gospel Paul preached on Mar's hill, that God 'had made of one blood all nations' and that it is the banner of *one* blood—the emblem of Fraternity." By the following October, they had organizations in thirteen Kansas counties.¹⁶

One of the early surveys of the Bureau of Labor and Industrial Statistics produced some revealing numbers on wages in an agrarian state in the last decade of the nineteenth century. As could be expected, women were paid comparatively less than men. Women worked nine to ten hours for these wages, and teachers reported working several hours daily over the legal six for which they were paid.¹⁷

By contrast, Joshua Rosenbloom lists the median regional ratio of 104 (based on 100) for this west-north-central area with carpenters at 96, painters at 94, and common laborers at 110. To understand these statistics of laborers better, it should be kept in mind that during this period unskilled workers constituted a majority of the population in Kansas. Less than a decade earlier, the bureau found that these workers averaged \$100 income annually, labored

an average of 239 days, and were idle 79. Their family expenses were \$310, meaning that for them to survive, members other than the breadwinner had to produce some income.¹⁸

Not revealed in these statistics were the wage conditions of the miners in the southeastern part of the state. Although there were known deposits of coal, oil, and other minerals in the region, they remained untapped by Kansans until after the Civil War when lead, zinc, and coal were produced in what became known as the Tri-State region in the southeastern corner of the state. The first coal mine was opened in 1866, and by World War I the annual production exceeded 7.5 million tons with over fourteen thousand miners involved. A large vein of bituminous coal in western Missouri extended some fifteen miles into Crawford and Cherokee counties in Kansas. The strip in north-central Cherokee County actually contained two beds, a two and one-half foot stratum 50 feet deep and ideal for strip mining later, and a four-foot stratum 250 feet deep. At the turn of the century, these deposits were producing one-third of Kansas's total output. The mines in Cherokee and Crawford counties accounted for 50 percent of this output, and Osage county produced another 33 percent. The Leavenworth area also enjoyed an extensive underground bed of coal; private mines and one owned by the state were in production there, with the latter worked by convicts from the state prison in Lansing, about five miles to the south. The legislature designated coal from this mine to be used to supply the needs of the various state institutions.¹⁹

The first census in Kansas in 1860 revealed that settlers from Ohio, Indiana, and Illinois provided the largest number of people from any part of the United States. Ethnically, they came basically from the British Isles. But during the 1850s Germans replaced the Irish as the main European source for immigrants, and they composed "the largest foreign ethnic component" in the state. Soon after, Scandinavians began immigrating to Kansas in large numbers. These groups assimilated well except for the first-generation Germans who retained certain cultural elements of their original society, such as language, marriage patterns, and religion. Like those cultural influences of the early settlers from New England, they also tended to produce a stabilizing culture, both socially and politically.²⁰

Settlement in the Tri-State mining area differed significantly from this general pattern. Recruitment of a labor force in this sparsely populated area followed the same pattern as that of the agrarian settlers. Friends and relatives who had come previously informed friends and relatives on where and how to immigrate and often helped them financially. Immigration studies indicate that mine foremen encouraged their workers to "bring in friends or relatives"

for employment, especially the Austrian, Belgian, and French employees. Occasionally the company advanced transportation costs for immigrants if employees would guarantee repayment. Homesick immigrant workers who visited their native countries often served as mine representatives and recruited workers.²¹

Native-born labor tended to be agrarian while foreign-born labor accounted for a greater percentage of the work force in manufacturing, transportation, and mining. A group of those who emigrated from southeastern Europe to the United States in the later nineteenth and early twentieth centuries found their way to the coal fields of northern Cherokee and eastern Crawford counties, with some of them coming first to the eastern coal fields of Pennsylvania, Kentucky, and West Virginia. Most native-born Americans who had earlier settled in the region avoided this low-paying, dangerous occupation, but those who had labored in the European mines, or who arrived in this country poverty-stricken, were eager for such a job. Eventually the foreign-born accounted for half of the mining work force just before the turn of the century, the remainder being a significant number of blacks and a few white natives. In 1880 Cherokee and Crawford counties had about two thousand foreign born but the number jumped to five thousand a decade later. As a result, these coal fields became a melting pot of different nationalities and languages. At the time of the Balkan wars in Europe from 1912 to 1914, the unruly reputation of this area prompted the governor to describe it as "the Balkans of Kansas."²²

The original black settlers in the Tri-State were part of a unique settlement in the Jayhawk state. Benjamin "Pap" Singleton, a mulatto from Memphis, felt a call from Providence to help the freedmen in his area following the Civil War. When they tried to buy land in Tennessee, whites raised the price to as much as sixty dollars per acre to prevent their gaining ownership. Opposing the "back to Africa" movement, Pap believed that his people could find cheaper farms in Kansas, "the Promised Land," and should remain in their native country. He and friends formed the Tennessee Real Estate and Homestead Association and began looking for a place to colonize. In 1873, he led some three to four hundred blacks to Cherokee County, where land was selling for \$1.50-\$2.00 per acre, and the association bought one thousand acres near Baxter Springs and Spring Valley. He reported to a U.S. Senate investigating committee in 1880 that these people were happily settled on three, four, or as much as ten acres of land with a small cottage, milch cows, pigs, sheep, and occasionally a brace of horses to work their and their neighbors' land. When they found employment in the area, it was casual labor; they did not seek work in the mines. Singleton's success here led "various Kansas railroads . . . to



2. Coal mine explosion. Courtesy of the Kansas State Historical Society, Topeka, Kansas.

send immigration agents into Tennessee and Kentucky to recruit more blacks, while simultaneously reducing fares from Memphis to Topeka.”²³

The Census of 1880 revealed that Mineral Township, Cherokee County, had a population of 1,030. Blacks and mulattos accounted for 233 or almost 20 percent, over half of whom emigrated from Mississippi and Texas (in addition to Singleton’s group); and foreign-born constituted another important segment with a majority coming from the British Isles. Thirty-three listed Ireland as their origin with another 194 boasting of their father’s origin from the Emerald Isle, 15 from Wales, 12 from Scotland, and 10 from England. Most of the males reported “miner” or “working in the mine” as an occupation. A scattering came from Prussia, Germany, and France, with one from Austria. Most of the remainder of the white population of native-born listed themselves as “farmers” or “laborers.”²⁴

Working conditions in the mines were difficult and dangerous: safety precautions were nonexistent, drinking water was usually contaminated, and deadly gases were a constant threat. In addition, children were brutally exploited: “In all, more than a thousand children, most of them under fifteen, were at work in the mines of Kansas by 1889, receiving average wages of four dollars a week,” according to a medical authority.²⁵

Coal mining was not only a dangerous occupation but also one that permitted the operators to exploit their workers without them having any recourse. Typically men worked in pairs or sometimes more when young sons went into

the mines with their fathers. It was quite common for the oldest son to go into the mine in order to help put bread on the family table. The men had to purchase their tools and powder from the management. They would blast the seam, load the broken coal into wheeled boxes with their names on them, and push them to the entry to be lifted, or hoisted to the surface. The coal was then screened, weighed, and credited to the proper miners.

Child labor was badly exploited in this industry with boys often entering the mines at an early age. Kansas did not specifically outlaw child labor until 1905, when it forbade working children under fourteen in any factory, packing house, or "in or about any mine." In addition, the statute forbade children under sixteen being employed in any place or occupation that was "dangerous or injurious to life, limb, health, or morals." The first Bureau of Mines report listed John Patterson, age fifteen, as being killed when a large rock from the roof of a Burlington coal tunnel fell on him. The agency described Thomas Cooper, "a boy," as "bruised and burned" by a premature explosion, and noted that George Brown, "a boy mule driver," lost a finger in a mine accident, incidents quite common, especially for the young and inexperienced.²⁶

One reporter described living conditions as "only rivaled by the worst of city slums." Writing for a Girard, Kansas, newspaper in 1911, she analyzed a typical camp that was similar to what one would have found in the area three decades earlier. Three consecutive houses each rented for \$5 monthly. Unit Z sheltered two adults and three children. The man worked two days weekly. The house was bare except for a bed in the front room, and the wife and children were ragged. A mule driver, who worked two to three days per week, lived with his family in unit U. Again, the house was empty except for a bed and a braid rug in the front room, and the woman was dressed in rags. Unit S contained a couple with five children. The father worked two days weekly. The floors were bare, the bed ragged, and the woman barefoot. The reporter noted, "coal soot has blackened the walls and ceilings that never knew paint or varnish. Or ragged paper flutters from the walls." She continued, "rough pine floors with yawning cracks, worn knobby over projecting knots, discourage cleanliness in the best of housewives among these miners. Through the broken roof and frail sides the rains ruin the few possessions of the miner's family and drip down on his wretched bed. The 'streets' had no sidewalks, trees, or grass."²⁷

On wash days the children often missed school because they had to go naked until their one set of clothes dried. There was no amusement in the camp for children or adults—not even a five-cent movie. When the men did not work, there was nothing to do except sit around and squabble, with a

killing occasionally occurring. The polluted water they drank resulted in one-fifth of the inhabitants being sick with typhoid. A guitar in a black miner's house, an accordion in an Italian's, and a rare phonograph were the only musical diversions. Frequently the community enjoyed the pleasure of a marriage ceremony. The reporter witnessed one nuptial in which an Austrian girl wore a pink, often-washed gingham dress and some artificial flowers in her hair. The groom was undistinguished for the occasion, except that he sported a white tie. The wedding dance began Saturday night and lasted until Monday morning when it was time to go back in the mines.²⁸

While work in the mines was hard, dangerous, and sporadic, conditions for miners' wives were even more stultifying. Unlike middle-class women in Pittsburg, those in the company towns surrounding it had no clubs such as Queen Esther or Worthwhile; their lives centered wholly in their homes. The appearance of a woman at a mine entrance "conveyed the immediacy of numerous mine accidents for miners' families" in a time of meager, if any, survivors' benefits. They had the daily ritual of preparing the hot bath for the tired, filthy miners when they came home from work. These women were rarely employed outside the home because the demands of their domestic duties, at a time without appliances or modern conveniences, precluded wage work. Like farm wives, they raised large gardens and tended a few chickens, giving them something to trade among themselves. They also had the care of numerous children who arrived, it seemed, like clockwork. They had a higher incidence of smallpox, measles, scarlet fever, typhoid, malaria, pneumonia, and other respiratory diseases than in nearby Pittsburg. Stews and soups made of home-grown vegetables served as substitutes for more nutritional meat. A Dunkirk schoolboy once began an essay on cows with the sentence, "The meat of a cow is called soupbone."²⁹

Hours and pay in the mines varied. The state mine inspector used the term "pauperize" in his report in 1885: "If any man thinks the word pauperize is too strong, let him take his wife and two or three children, rent a house, support his family, send his children to school and keep out of debt on less than \$1.00 per day, and he will soon find his spirit of independence getting to a very low ebb." During the winter months when demand was high, employment rose: in December 1884 Kansas mines employed 3,716 men, and then the number dropped to 2,072 in June when the market declined during the summer. They earned a wage as low as three and one-half cents per bushel of coal in the summer and as much as eight cents in the winter with a normal annual rate of six cents. In 1884, miners averaged \$217.00 in take-home pay. One miner who was supposedly employed full time, told the commissioner that he dug

about seventy-five bushels of coal daily at a wage of four cents a bushel; he worked seven months and received a total of \$420.00; the price of powder and tools came to \$70.00, and his cost of living ran \$350.00. He concluded that he was one of the lucky ones who broke even that year. His pay at the time was similar to that of a city laborer who earned \$1.50–\$2.00 daily. It was much less, however, than urban carpenters and house painters at \$2.50–\$3.00 or a bricklayer at \$3.00–\$4.00. But he did have the advantage of his wife being able to plant a large garden to supplement the family diet, which was often impossible for city dwellers. Some miners were unemployed for a sufficient length of time during the growing season that they were able to farm a few acres.³⁰

Mine accidents chiefly resulted from falling rock, mostly from the roofs of tunnels. In blasting or other activities, miners often were negligent in surveying their surroundings. Over half of all mine accidents, the Mine Inspector discovered, came from workers' carelessness. They could also be subjected to brutal exploitation. Miners usually found that if they did not rent company housing for their families, which was substandard for the cost, they were soon unemployed. In addition, the men complained about competition from convict labor. The state contracted 245 convicts annually to private enterprise, and 547 convicts worked in state enterprises, with an average 235 of them working the Leavenworth prison coal mine during the 1880s.

Kansas used the Auburn system, which was the popular national pattern for handling convicts. The Auburn plan isolated prisoners in their cells except when working or eating. Authorities required them to remain silent, allowing them to speak only when necessary; they were expected to work hard, meditate on their sins, be penitent, and reform. Hard labor was an element in every sentence handed down in Kansas. The state frequently hired out convicts to private contractors. One Lansing entrepreneur, a wagon and buggy manufacturer, employed convicts for some twenty years, and a few of them became valuable skilled workers. These capitalists paid Kansas approximately sixty cents per day for ten hours of work from each man. The state justified this system on the grounds that it cost approximately seventy-five cents daily to feed, shelter, and guard them and it had to pay the men three and three-fourths cents daily, so this pittance helped pay for their care. Skilled laborers, of course, currently could demand \$3.00–\$4.00 per day on the outside, so this proved to be a most profitable arrangement for the contractor. The men were "sold into bondage," as a report from the Department of Labor and Industry expressed it.³¹

The same report listed the rules under which the men worked. There could

be no communication of any kind with one another. Permission had to be obtained before one could speak with the foreman or guard, carry anything in or out of the workplace, or pass tools. Only one man at a time could go to the water closet or water bucket, and they had to go singly to see the doctor. They must work "constantly," facing the officer's stand and all communications or complaints had to go through him. There could be no loud or unusual noises. A bell signaled quitting time, and at that point they were to wash and get ready to leave. At the second bell, they would stand in line with their arms across their breast, first making sure that their tools and benches were in order. They then marched out in single file with their right hand on the shoulder of the man in front. This system was more demoralizing than bondage, but Americans at the time considered it to be an important way to deter to crime and to rehabilitate the evildoers and make them decent citizens again, ready to take their place in society.³²

The first warden of the state penitentiary in Lansing, Henry Hopkins, "was concerned with maximizing profits because he interpreted financially favorable reports to mean 'efficiency.'" He initiated the dreadful work system and also established a state farm in 1885 to occupy the convicts' time and in 1889 began a twine factory at the penitentiary. The efficiency of this factory and the coal mine plus the cheap convict labor made these state industries profitable and highly competitive with private enterprise, so much so that Kansas exploited Oklahoma's surplus convicts by housing them for a fee and hiring out their labor.³³

A disaster in Carbondale in 1881 resulted in the creation of the third bureau that would assist laborers in nineteenth-century Kansas. A shaft caught fire in an Osage County mine, and with only one opening, there was no escape route for the miners. The tragedy claimed five lives, which shocked the public, and the miners petitioned the state legislature for action. The legislature established the office of a state inspector of mines in 1883 and required all mine shafts to have two openings. The furnaces used for ventilation had to be made of brick or stone and insulated with fireproof materials. Heretofore the "furnaces" were often only crude fires laid on the ground and could spread easily. They amended the law two years later to reduce the number of annual inspections from four to two, but operators had to make quarterly reports to the state inspector. To protect the miners further, the statute limited them to taking five pounds of powder into a mine at any one time, and they were required to keep it in a tightly enclosed box until used. John W. Braidwood of Pittsburg, a civil engineer and experienced miner, was appointed inspector, and he and Governor Martin "were eager to see that the law was obeyed and

the health and lives of the miners protected.” They also believed that the inspector might be able to promote better relations between the operators and their laborers and thus eliminate conditions that led to strikes, which were quite common in the industry; but this was not to be. As was the case in most reform efforts, the problem lay in the enforcement of the law’s provisions.³⁴

The first law in Kansas aimed specifically against child-labor abuses came as an amendment to this coal-mining statute. It forbade employment of children under age twelve in coal mines. Youngsters between the ages of twelve and sixteen could be employed only if they demonstrated they could read and write and presented a certificate from a teacher that they had attended school for at least three months during the previous year. Those who employed minors in disregard of these requirements could be fined \$50.00 for each “willful” offense. Ten years later the commissioner of labor concluded that authorities were not enforcing the law. Part of the problem, of course, was the difficulty of enforcing a statute banning willful violations. Another difficulty lay in the lack of cooperation of parents who needed their children’s wages to supplement the family income and connived with employers in ignoring the age requirements.³⁵

Miners often lost income when their coal was screened, and they claimed a large amount of coal was screened out with the debris and salvaged later by the company. But they really were hurt financially by companies issuing script, or “clacker” the men called it. Paying workers in script was such a widespread practice in Crawford and Cherokee counties that “a large majority of the population—businessmen and workingmen alike” demanded legislative action “to abolish the evil.” The commissioner of labor received complaints, for example, that miners often received their pay half in cash and half in clacker that merchants hesitated to accept and that a \$2.00 pair of working shoes cost \$2.20 in script at any private enterprise, but \$2.75 at the company store. The company was cheating them two ways: through cheap clacker and higher prices. The private companies were forced to discount the questionable script, and if the miners did not patronize the company store, or the “pluck me system” some called it, they risked being fired. This arrangement aggravated another problem for miners. Frequently they needed funds for something other than purchases in neighborhood stores. To secure money before the next payday a miner could draw script and exchange it for cash at a discount with the saloon keeper.³⁶

As a result of these conditions, on January 16, 1885, John N. Ritter of Columbus, Cherokee County, introduced a measure in the state senate requiring that Kansas workers be paid monthly and in lawful U.S. money. Sen-

ator T. L. Marshall of Osage City and chairman of the Committee on Mines, carefully marshaled support for the measure, and it passed the senate unanimously. J. R. Burton of rural Dickinson County, however, feared such a restriction might discourage industrial development and successfully fought it in the house. Late in the session, the lower house amended it with the clause "provided that nothing herein contained shall impair the right of the employee to assign the whole or any part of his claim against his employer, nor impair the right of any employee to contract with his employer as to the time, character and manner of payment." This meant that the miners would have the right to contract for substandard wages in whatever form the employer desired to impose, emasculating the measure and killing it in the house.³⁷

The *Topeka Daily Commonwealth*, advertising itself as a champion of the laboring man, lamented that the script bill was defeated "because of a want of a correct knowledge of the wants and needs of a very important class of laborers in Kansas." The bill would hold "no terrors for honest employers," the newspaper added. "The more the State shows interest in these laborers," the editor concluded, "the less danger there is of trade riots and disturbances." But mine owners continued the injurious practice of paying in script because it proved so profitable for them. All these appalling conditions created a situation that the United Mine Workers of America were able to exploit when they began organizing there before the turn of the twentieth century.³⁸

Smelters in the Argentine district also had grievances at this time, and they struck on May 15, 1886. The Kansas City Smelting and Refining Company established its headquarters on the south bank of the Kansas River, three miles from the point where it empties into the Missouri, with refineries also in Leadville and El Paso. It employed four hundred men in Argentine and was the world's largest refining concern, producing approximately one-fifth of the American production of silver and lead. It built a number of cottages in its company town to house workers who worked long hours in noxious fumes while refining Kansas lead and Colorado gold. The men finally walked out, demanding a reduction in hours from twelve to eight a day with no cut in pay. In addition, they resented paying the company a "hospital tax" of \$1.00, and sometimes \$2.00, a month. When they got "leaded," as they called it, they required medical assistance immediately and the hospital tax was designed to meet this need. The company did not have a hospital but, instead, sent the sick men to a physician in Kansas City. The smelters claimed this doctor was difficult and sometimes impossible to find. As a result, they usually had to seek help from another physician that they had to pay out of their own pocket because they needed immediate attention. The company responded

that those demands would require three shifts daily rather than two and a subsequent increase of 33 1/3 percent in labor costs and quickly rejected them. The company did agree later to rescind the hospital tax. Frank Betton, the labor commissioner, journeyed to Argentine and conferred with both parties. After discussing their grievances with him, the men called off the strike. Meanwhile, to guard its property, the company brought in armed men who were later described by witnesses as “bummers” or “loafers” from Kansas City. It was reported that “most” of the men who had walked out were reemployed, but the company made them apply individually as new hires, and the supervisor declared he would refuse to hire the strike leaders. Prior to these events, a national labor union was making its way into Kansas, which would fight for better conditions and bring success to the workingman.³⁹

The National Labor Union (NLU) had a very short history in Kansas because it became progressively more involved in political issues than in workplace grievances. Skilled workers grew increasingly restive over its political involvement, feeling that it neglected their physical concerns. As a result, they began leaving the NLU in great numbers and joining skilled trade unions, causing NLU’s ultimate collapse and the migration of its currency-minded members to the Greenback-Labor Party.⁴⁰

A Leavenworth newspaper observed that the NLU convention in Topeka in 1866 “should command the respect and active sympathy of the great masses of our people. So general a feeling of wrong and oppression as has taken hold of the laboring classes, [that] there must be some deep seated cause.” This cause, the editor insisted, came from laws the U.S. Congress had recently enacted that were “dictated by the monopolists of the East—at the expense of the South and West,” an assumption that was fraught with provincialism but not too far from accurate.⁴¹

At this point unions were still weak. The railroad brotherhoods were primarily concerned with insurance issues, and this left the Workingmen’s Party or League as the only viable national labor force. Many German liberal immigrants who had fled their country following the Revolution of 1848 were often pro-Marxist, and with their numbers concentrated in Chicago, the party made that city its headquarters. This motley collection, with Albert Parsons providing leadership, was the one group that helped focus the railroad protests of 1877.⁴²

David Montgomery claims that the Labor Union Party of Kansas, which chartered twenty-one subordinate bodies, grew out of a “violent dispute” between settlers on the Cherokee Neutral Tract and the national government over railroad land grants. Hugh Cameron, who came to Kansas through the



3. Ruins of Minersville Knights of Labor Hall. Courtesy of the Kansas State Historical Society, Topeka, Kansas.

Emigrant Aid Company and later was active in the General Co-Operative Board of the Knights of Labor, was the Labor Union Party's foremost local spokesman. Montgomery describes the Kansas organization and "the less rural one" in Nebraska as "instruments through which labor's currency reform doctrines reached the farmers of the Great Plains."⁴³

During 1877, Kansans were introduced to the phenomenon known in the East as the "labor problem," the struggle between workers and capitalists arising from the nation's emerging industrialization. Middle- and upper-class Americans in the large cities of the East denounced strikes and the laborers who participated in them. Public attitudes were quite different though in the small industrial towns of Kansas. One scholar describes the division in public opinion as threefold:

- (1) some individuals, of course, condemned all strikes as evil and strikers as anarchists and communists;
- (2) others viewed strikes as legitimate devices that workers reluctantly used as the last resort for gaining redress of grievances, which was accurate; and
- (3) some citizens were ambivalent, viewing the strike as a necessary tool for addressing the imbalance of power between workers and management, but deploring the accompanying violence that came from both sides,

the capitalists insisting on protecting their property and the laborers maintaining their right to employment and to express their legitimate grievances over that job.

When the government used troops to break a strike, some towns applauded this use of force while others denounced it as an invasion of the towns' authority to manage their own affairs. Usually the reaction was based on the size of the town. Small communities in Kansas tended to draw workers and nonworkers together with social and political ties, and the nonlaborers normally offered considerable support to strikers of large companies whose owners often lived in the East. In larger cities where local community ties had been submerged, the attitudes were similar to those in the cities of the East. This division would intensify as towns grew into cities.⁴⁴

A crisis in the Kansas labor problem first arose in the railroads, an industry that was particularly attractive to nineteenth-century workers because of the relatively lucrative pay, the opportunities for advancement, and the prestige in that type of work. But the jobs held special perils. One authority listed these dangers as payless paydays, capricious supervisors, erratic employment, long hours, and "the ever present and pressing threat of accidents and the high probability of injury and death." Engineers on the Atchison, Topeka and Santa Fe, which owned a large percentage of the Kansas mileage in the 1880s, received an average of \$3.50 per day, while conductors were paid monthly, normally about \$60.00. Their day began when they left the depot and ended when they arrived at their scheduled destination, regardless of the time involved. When the company reduced wages in early 1877 by 5 percent, a strike resulted, but management proved adamant, forcing the strikers' return to work at the lower rate. Later that year labor's attitudes hardened.⁴⁵

In the six years following the Panic of 1873, laborers saw their wages decline an unprecedented 20 percent, which was generally not accompanied by any kind of public empathy. Wages did not need to be cut, but doing so was an accepted practice when a surplus of labor existed, as in the depression at this time. There were 1 million jobless workers in a population of 45 million. A crisis arose in the summer of 1877 when the United States experienced its worst strike ever, a period that became known as the Great Upheaval. The movement began in the East on July 17 when the men of the Baltimore and Ohio and the Pennsylvania railroads spontaneously struck. In Martinsburg, West Virginia, events got out of hand, and officials finally required two hundred federal troops to restore order. The rioting that accompanied this dispute proved contagious, and it spread rapidly from city to city and westward

from state to state, arriving in Kansas City in late July, resulting in many people being killed and scores wounded.

Most of the press emphasized the strikers' violence, which arose from a sense of need for vengeance. Eric Hobsbawn's study of avenging bandits noted that their appeal stemmed not from their being "agents of justice but . . . [as] men who prove that even the poor and weak can be terrible." Colin Davis carries this thesis another step by noting that "striker groups embraced such a doctrine in exacting vengeance on those who transgressed community standards. Similar to the Molly Maguires, they set out to punish both invaders (strike breakers) and traitors (shopmen who continued to work) thus displaying to the victim and surrounding citizenry the required standards of behavior." The strikers loosed their fury and frustrations on their enemies to show them and the community that their betrayal of the labor cause was unacceptable.⁴⁶

The crowds that participated in the ensuing violence were composed of citizens who were venting their frustrations against railroads encroaching into their neighborhoods. Rail lines in the nineteenth century often ran down major city streets, and property owners and shopkeepers resented this intrusion. Locomotives with their whistles created havoc. Runaway horses with wagons and carriages careened down streets and "killed and injured people with stunning regularity" and created access problems for saloon keepers and merchants. Thus there were many reasons for urban people, strikers and non-strikers, to hate railroads and "to participate in crowd behavior" that injured the railroad lines. In addition to the noise and pollution that trains generated in cities, nearly six hundred people were killed annually at grade crossings in Chicago in the 1890s. Often strikers had to restrain nonstrikers who wreaked their vengeance on railroads as part of community uprisings, all of which helps account for the large number of boys, women, children, and "others" in the crowds who committed violence as the strikes of 1877 continued and spread.⁴⁷

News of the spreading strife dominated Kansas papers for two weeks, and the fever of violence proved contagious on the Great Plains. For example, on July 20 the *Atchison Daily Champion* carried a story that the B & O strike had spread to the Pennsylvania line. The following day the newspaper devoted three columns of its front page to strike news. On July 22 four and one-half columns described events of the "most stupendous strike ever known." In this issue, though, editor John Martin tried to calm restive local citizens with the advice that "the best thing for everybody to do in these troubled times of strikes and riots is to keep cool. We are out of range of tumult in Kansas. We have few unemployed men, and wages are generally fair. This State is the

most prosperous in the Union.” On July 24, the editor used four front-page columns, two and one-half more on page 2, and an additional one and two-thirds on page 3 for the progress of the strike. That same day, under a “Topeka July 24” dateline, the paper reported, “no trouble is expected here” because the employees of the Atchison, Topeka and Santa Fe were “friendly with the road.” But in the same issue it printed news of strike activities in Kansas City. Strikers there visited packing-house and grain elevator workers, compelling them to quit work in their support. “A Kansas City mob is in control of that town,” the *Daily Champion* warned, and as a result, city officials ordered saloons closed at 7:00 p.m.⁴⁸

The excitement spread quickly and widely. A group of young lads, the oldest perhaps fifteen, who were employed in a Leavenworth factory, insisted on an increase of twenty-five cents per week and marched into the streets proclaiming that “their manhood should be respected.” In some Kansas towns, railway employees demanded a moderate wage increase, which was granted and which, perhaps, prevented the strike from spreading too broadly.⁴⁹

On July 24, engineers in Kansas City moved their locomotives into round-houses and extinguished their fires. Strikers often “killed” the engines because it was a very effective tactic. One man would draw buckets of water from the tender while another disconnected the hose from the tender to the engine. This effectively disabled the locomotive, and if it was left on the track, no other traffic could move on the line. The fever spread, and other employees stopped work in sympathy. The following day tensions eased in some towns and worsened in others. A wage increase in Leavenworth and Atchison satisfied rail workers, but in Emporia firemen and brakemen spiked and turned some switches, and workers roughed up a company sympathizer. When the Kansas City railroad men decided to call off the strike, men across the river in Missouri promised to invade and make them continue the walkout because they believed solidarity was essential for success. That day, Gov. George T. Anthony, a cousin of Susan B. Anthony, entered the fray. Unfortunately, or perhaps fortunately, he had no state troops available for action, had he decided to use force.

W. H. Ryans, Wyandotte County sheriff, wired the governor: “matters look serious here we fear no trouble from our own citizens but are fearful of the mob on the other side of the state line. They have threatened to come over this afternoon cant you send us two companies of regular troops at once it may safe [*sic*] lives & property it is not the railroad men but the thieves our people fear.” Four hours after receiving this telegram, the adjutant general wired the governor that “troops would be useful in city crisis at Wyandotte as at other

railroad towns in the state.” But Governor Anthony responded to Ryan that he had “no state troops have asked General Pope if regular troops can be had is mob committing depredations on either side of line keep me posted.”⁵⁰

Federal troops were needed for the riots in the East and Gen. John Pope could only order the commander at Fort Leavenworth to issue one thousand rounds of ammunition to the Wyandotte County sheriff for his deputies. Senator William Buchan, always a reliable observer for the governor, described the situation in Wyandotte to him: “as you will in all probability be informed, things are in a quite a foment here and there is some danger of trouble in this locality. Not so much from strikers proper but from a lawless mob who take advantage of the situation. This mob compelled the K.P. shop to shut down yesterday against the express will of the employees.” He noted a “good attitude among all workmen but all work stopped.” He also added that there were between two and three hundred Springfield “muskets” around Wyandotte County that belonged to the state, and he suggested they should be collected for “safekeeping.” That same day he and three other Wyandotte citizens wired the governor that “we do not need any outside aid here and can take care of our own matters for the present See letter.” T. J. Oaks, general superintendent of the Kansas Pacific railway, telegraphed Topeka for troops. Governor Anthony replied, “I understand that the United States is to undertake your protection in the operation of the road” and informed him that he was receiving differing reports. The Wyandotte County sheriff had asked for help, but Buchan and others said, “they can care for themselves.” With this conflicting advice, the governor wisely decided to do nothing until it was required; he had few other choices.⁵¹

On July 26, a mob of railroad workers and “others” visited West Kansas City and the Bottoms where the rail yards and stockyards were located, to compel more workers to join them. The railroad men soon quit the “squad,” however, and “the affair degenerated into a wild mob,” as was happening so often in the eastern disorders. Most of the remaining men, a newspaper reported, “have not done a day’s work in years” but were involved in the uproar for adventure or possible loot. Later “the mob was loudly denounced by railroad men at the depot and in all parts of the city.” The violence, in this case, turned the tide against the demonstrators, and by remaining calm, the local authorities were able to maintain order.⁵²

By July 28, the worst had passed and many of the railroads in Kansas were dismissing their men in the freight departments temporarily “as the roads had no business moving East where the strike [was] heaviest,” a development that certainly cooled the overheated atmosphere. This great uprising not only

stemmed from the desire of workers for a living wage but also demonstrated deep-seated frustrations of workers over what they viewed as their lack of recourse to social and political justice. As a result, they became more brash and willing not just to talk about their grievances but to act on their demands, thus driving the wedge between employee and employer ever deeper. But the fear engendered by this strike led Kansans to consider what might have happened if local authorities had been unable to control these tense situations as they arose. As the editor of the *Emporia News* expressed it, "ample provision will be made by states to maintain domestic peace and order" because of this tumult, and the state proceeded to develop a more effective militia.⁵³

News of the greatest strike in American history dominated the Kansas tabloids for several days after the crisis ended. Most editors agreed that wretched conditions caused by "great Money despots" and "soulless cormorants" (such as railroad magnate Jay Gould?) prompted the massive violence. John Martin's *Atchison Daily Champion* lamented the harsh conditions that forced workers to commit violence but denounced the lawlessness that was propelling the country toward what he believed was "poverty, suffering and finally annihilation." The *Daily Patriot* of the same city saw the strike as "a noble contest to win adequate wages" but censured "loafers about town" and "alien vagabonds" and urged readers "to kill all the tramps, thieves and vagabonds that are now pillaging the country." The *Topeka Daily Commonwealth* denounced "rings and rings within the rings of railroad magnates" who cut wages in order to "add to their own wealth" but added that the workers "were not justified in trying to right their wrongs by violent means."⁵⁴

Strike fever remained in the Kansas air, and one month after the Great Upheaval, coal miners in Osage County struck. Low pay and frequent unemployment led the workers to walk out in August. On the twenty-fourth a miner succinctly summed up the workers' reason for the walkout: "all they ask is a price for their labor that will allow them to live and support their families." Mine owners responded that their employees should accept the "going rate" set by the law of supply and demand. In this case, Osage City found its prosperity threatened, and the local newspaper concluded that both sides in the dispute were wrong. By striking, the men were taking bread out of their own mouths, yet they deserved a just price for their work.⁵⁵

Some of the strikers traveled to Carbondale where they plied their colleagues there with beer and produced "a general drunken row." When troops were requested, Governor Anthony responded that he would send them if the county sheriff failed to control the situation. Fortunately, when the Carbondale men sobered up, they declined to join the movement. With public opin-

ion against them, strikers slowly returned to work, and with a face-saving one-fourth cent pay raise, all the men returned to the mines for fall production.⁵⁶

Concurrently, the Kansas Central was building a line westward from Leavenworth. By 1877, construction had reached Holton, approximately sixty miles away, when the company faced a financial crisis and could not pay the laborers their monthly wages. Like many railroads of this period, the Kansas Central financed its construction largely through local communities voting bonds to entice the line to come through their area. Occasionally, when the road did not bring the expected prosperity, the town, township, or county reneged on its bonds, which happened in this case. The matter was further complicated when one of the subcontractors, Bill Hartman, sought to exploit the situation. The men agreed to work another month with the expectation of receiving two months' pay, but at month's end they received only half of what was due. Bill Hartman knew the company intended to pay the other half as soon as possible, so he began buying the "time checks" for seventy cents on the dollar, expecting to pocket the difference when the second checks arrived. Extremely agitated by the railroad's inaction, 150 men quit, "vowing no pay, no track laying."⁵⁷

Determined to break the strike, company president Len Smith contacted the Jackson County sheriff to raise a posse and hired a gang of men in Leavenworth who were willing to work as strikebreakers. William Sloan Tough, who was known as "the paladin of the Kansas border" for his actions in hunting the infamous Quantrill and who reputedly was a born horseman and crack shot, led these men. In the ensuing fracas, some of the posse opened fire on the strikers, and one of the stray shots killed Hartman, who was agitating the angry construction workers to demand their pay so he could collect on his investment. These activities of Smith and Tough enraged the citizens of Holton and Circleville, and at several subsequent public meetings, they expressed their support for the strikers and their contempt for "the drunken ruffians" from Leavenworth. The rumor spread that Tough had murdered Hartman, and mobs began gathering, demanding his arrest. The sheriff apprehended him; he gave bond to appear at the next term of the court and left for Leavenworth. He later obtained a change of venue, and a Shawnee County jury acquitted him. Len Smith resolved the problem when he promised the men their back pay, and they returned to work. The *Leavenworth Times* responded that the rural folks were inciting "mob violence to override all . . . civil authority." But the smaller towns resented this invasion of their right to preserve their own "law and order," and the residents empathized with the strikers.⁵⁸

The real crisis in Kansas brought on by the Great Upheaval came the fol-

lowing year when, on April 4, 1878, management of the Atchison, Topeka and Santa Fe cut engineers' wages 10 percent, even though most of them were receiving less than the rate agreed upon in January 1877. Most engineers and firemen walked off the job immediately, shutting down the railroad for five days. Turmoil reigned, especially in Emporia and Topeka. Insults, beatings, rock throwing, and the display of pistols marked the following three days of disorder in both towns. A former engineer and a fireman took out a stalled train with the Shawnee County sheriff and deputies aboard. The sheriff was hit with a stone and lamed, putting him out of action temporarily. The deputy sheriff read a proclamation to the assembled crowd the next day, but strikers ignored this reading of the "riot act" and refused to allow freight trains to leave Topeka. The town had a population of about nine thousand at that time, and sufficient class division had developed so that the "better elements" had no sympathy for strikers. With the support of newspapers and public opinion, the mayor refused to permit strike leaders to use the city opera house to explain their views and actions, and Topekans formed two militia companies to assist local law-enforcement officials. "Captain" C. F. Morse, superintendent of the Santa Fe line, led one of these, and they trained on the grounds of the state capitol. Morse also posted notices on railroad property that if the men did not return to work, they would be fired. Coal miners in Osage City were currently on strike, and they offered to come to the capital in support of the trainmen. The Topeka engineers and firemen declined their proposal, however, as they said "it was none of their business," and they also wanted to avoid the violence for which the miners were notorious, justly or unjustly.⁵⁹

Gov. George T. Anthony recalled the terrible riots in the East the previous year, with their destruction of property and the massacre of civilians. He determined not to let this happen in his state, and he immediately ordered Capt. J. B. Ziegler of Independence and Capt. J. C. Walkinshaw of Leavenworth to ready their companies and proceed to Topeka. When some employees tried to take trains from Topeka to Emporia, strikers attacked them with pistols and shouts of "scab, you better order your coffin" and "we'll be sorry for your face when you return." Twelve engineers and firemen from Kansas City came to the scene and offered their services, and most Topeka citizens welcomed the militia from Leavenworth and Independence. The editor of the *Leavenworth Times* reported the departure of the troops from that town as

the voices of the captains and the shouting, calling the people to arms, the shrill squeak of the fife blended with the anthems of the choir, and the roll of the war-drums drowned the parson's words of peace [that

Sunday]. There was hurrying in hot haste, there was a social of revelry at the depot . . . and then the troops—brave, gallant men, who appreciated the dangers before them, but who marched forth with courage undaunted and with a fixed determination to face death as bravely as they ever faced a barkeeper.

By the time they arrived in the towns, though, officials appeared to have the situation under control, and it was widely believed the strike was broken. The *Topeka Commonwealth* lauded the governor's decision to call out the troops, saying he wisely "used the last remedy."⁶⁰

Community reaction to the strike in Emporia, a town of some three thousand souls, was quite different from that in the capital, where strikers were supported with public sympathy and encouragement. While railroaders constituted only about 10 percent of the population, merchants, town leaders, and politicians viewed their own interests as tied to those of the laborers. In addition, the railroad ran directly through the residential district, creating strained relations with the populace. John Thatcher, Charles Fletcher, and Thomas J. Tarsney were the strike leaders, the division superintendent having discharged the latter two at the end of March. On the second evening of the strike, the three called a public meeting at the Lyon County courthouse to discuss their grievances. They emphasized that the pay cut was not their only complaint. The company also had recently increased their hours and responsibilities, endangering their health and safety with longer runs and resulting longer hours. Many of their complaints centered on William H. Pettibone, the division supervisor of the western half of the line, located in Newton. They accused him of favoritism by hiring incompetents and then promoting them over deserving employees. They insisted that he hated union men and believed he was "systematically trying to weed out all members of the Brotherhood of Locomotive Engineers" (BLE). They again leveled well-known charges that he had opened the mail of a BLE member and used its contents against him. Also it was commonly known that he had fired a telegraph operator who refused to reveal the contents of a wire sent by strikers in an earlier walkout. On the other hand, Fletcher and Thatcher played a key role in 1876 in founding the local BLE, to which most Santa Fe engineers belonged. Fletcher was the second-ranking officer in the union, and thus the strike assumed some prestige as an official one, although it was a local and was never sanctioned by the national leadership.⁶¹

Interestingly, railroaders west of Newton never took part in the walkout, indicating their satisfaction with Pettibone. The strikers' charge that the district

superintendent unjustly dismissed engineer J. W. Winters found no support among the westerners who believed the Emporia men were overly ambitious and possessive of the BLE. They had their own leaders who tended to support Pettibone. Following the strike, the Emporia lodge expelled many of the western engineers, which lends support to the idea that there was "a clique of influential but arrogant men controlling the Santa Fe BLE local." One authority concluded from this action that lines of support for the strike "appear to have been drawn [more] by personality and place than by principle."⁶²

Emporia officials, in contrast to those in Topeka, were slow to act against the strikers. They were reluctant to intervene when the first train tried to leave town. That same night the Neosho water tank was disabled, and three locomotives were derailed. Santa Fe company men met with city and county officials to discuss this apparent tolerance of violence. Mayor John S. Watson insisted that no disorder had taken place under his jurisdiction, which was technically true as strikers made certain that all disturbances occurred outside the city limits. Lyon County sheriff H. Connor refused to recruit a larger force, saying the strikers had been orderly and were opposed to violence. The Santa Fe posted two dozen section workers to protect property though, and railroad officials appealed to Governor Anthony for state intervention. J. D. Gunn, district supervisor for the eastern half of the Santa Fe, said he called on national officials for help, but the U.S. marshal viewed the affair as being primarily a family feud and responded that he would insure only that the mail was delivered. At this point events occurred that changed the governor's view of the situation in Emporia.

Strikers laid siege to local railroad officials who sought refuge in the roundhouse and the depot. The supervisors began moving engines out of the roundhouse, saying they feared that the building would be burned. Some strikers, brandishing pistols, took possession of the locomotives, quenched their fires and drained their boilers. They also ran some of the engines off the track, drained the water tanks, and damaged the facility's water-well pump. This embarrassed the governor, who had promised Santa Fe general manager William B. Strong that he would protect his property, and he determined not to have his word broken further. Given these developments, Strong easily persuaded the chief executive to wire the mayor and the sheriff to recruit an additional fifty men to protect the railroad. Connor found only half that many men and requested additional weapons from the governor to arm them. The company then began to restore locomotives for duty. The governor, however, remained nervous and prepared a telegram that requested President Rutherford B. Hayes to send troops, although he never sent it.⁶³

By Sunday morning, the sheriff and his men had repaired the water tank, and although no trains left the town, the violence seemed to have subsided. The Newton men had refused to join the strike, and the national brotherhoods had declined to sanction it. "Captain" Morse and his men were keeping Topeka quiet. Possibly all that was needed at this point was an order to start moving the trains. Connor's men could have handled any resistance, and the strike would have collapsed. Unaware that the crisis had passed, though, Governor Anthony saw each passing hour as increasing the threat of violence. He finally assumed that local authorities would not act decisively and ordered Captain Walkinshaw to move his company to Emporia and take command of the town. He compounded his mistake by failing to notify the Emporia officials of his actions until just a few hours before the troops arrived. When he finally wired that he was sending help, Sheriff Connor thought he meant the guns he had requested. The governor also telegraphed the sheriff that his deputies would muster into state service, further angering Connor as he had no intention of relinquishing his authority in this manner. This imposition of outside power enraged Emporians, who believed their officials had the situation under control. The mayor, county attorney, county commissioners, and sheriff immediately telegraphed the governor and Santa Fe general superintendent Morse, protesting this invasion as an insult to their ability to maintain law and order. They appealed for removal of the militia, warning that if the troops remained, "we will not answer for the consequences." Walkinshaw wired Morse that the trains were now moving without interference and the local citizens were highly incensed. "The militia are coming, was on the lips of every man, woman, and child yet met," a local newspaper reported, and the townspeople gathered "to see the monsters as they . . . sw[u]ng their muskets fore and aft . . . used big cusswords, and charged an old lady's clothesline and left it bare." State officers had already arrested Tarsney and Thatcher to remove them from Emporia, where they were popular, and incarcerated them in the Taft House in Topeka until they could be safely moved to the Shawnee County jail. The mayor refused use of the Opera House for a meeting, so Tarsney addressed a crowd outside the Taft House. It was an orderly meeting, and he called on the crowd not to cause any disturbance or to resort to violence.⁶⁴

The Emporia mayor ordered the troops to leave town and again wired the governor that local authorities had been, and would continue to be, able to protect railroad property. Anthony refused to recall the militia though until he was certain the need for them had ended. The editor of the paper in Chase County, immediately west of Lyon County, one dominated by cattlemen, de-

scribed Anthony's actions as "a divinely inspired blessing." Newspapers in Topeka and other towns tended to defend the governor's actions, but this would soon change. Then tragedy struck. O. J. Shannon, a Congregational minister, was visiting the Leavenworth troops in their railroad cars. He felt remorse over the un-Christian reception his townsmen had accorded them, and he wished to console them for having to leave home and workplace to travel to a town that resented their presence. A seventeen-year-old militiaman was carelessly handling his pistol. It accidentally discharged and blew Shannon's brains out. The lad jumped up, exclaiming, "My God! I did not know it was loaded." A flurry of angry telegrams inundated the governor's office, and he ordered Walkinshaw and his troops to vacate the county immediately. Superintendent Morse, sensing the hostile mood of crowds in the area, wired the governor that he had already assumed the responsibility of moving Walkinshaw's company to Reading, a nearby town. The shooting episode garnered widespread support across the state for the beleaguered Emporians. Governor Anthony's actions in this crisis, in the opinion of one state historian, generated such extensive unrest that his administration could not survive the following election, and he became the first governor after the Civil War to fail to win two terms.⁶⁵

Much recrimination ensued over the governor's actions, especially in the Emporia press. Witty and caustic D. R. Anthony, of the *Leavenworth Times*, a rival of his governor-cousin's newspaper said the governor had "made an ass of himself." He added that use of the militia had placed an unnecessary burden on the state treasury (the cost came to about \$2,500) and outrageously insulted the people of a county. The executive office, he concluded, had become "a competitor with the lunatic asylum." The *Emporia Sun*, published in a town that previously had been an Anthony stronghold, more moderately observed that the chief executive's actions should have caused "a tear to trickle down the cheek so long unaccustomed to be thus dampened."⁶⁶

The *Emporia News* devoted many columns to describing details of the events of those five days, publishing the official documents and editorial opinions. The editor believed that the week had been perhaps the most eventful in Emporia history. The governor had not been "in the habit of making an unfavorable exhibition of himself" but "an impartial jury" would find nothing for which to compliment the "judgment, discretion, and dignity" displayed during the crisis. A citizen reported that the capital "was filled with the most blood-curdling rumors about the conditions" in Emporia, but Anthony had failed to consult his friends there or to investigate personally, although he was only sixty miles away with two trains running daily. (Strikers were careful to

allow passenger trains to operate normally during the walkout.) He appeared “unwittingly to join the plot of Santa Fe officials to discredit the union.” It was true there was a good deal of sympathy for the strikers in Emporia. The editor admitted some of them had resided there “for years” and were “known . . . to be good, honest, quiet, and peaceable men.” One of the governor’s “toadies” had sent a message across the country, the writer noted, claiming the chief executive had “taken the strike by the nape of the neck and accomplished by prompt and decisive action, what might have been done at first” (by local authorities). “Twaddle,” the editor scorned, “the softest kind of twaddle.” After the strike was over, he accused the governor of sending “a half a hundred lads here, mostly boys,” with the outcome of “the death of an innocent and useful minister by the utter lack of common sense, and military uses and skill in one of his ‘awkward squad.’” The people of Emporia “were astonished beyond measure by the arrival of the troops,” especially when they immediately identified three of them as “recently discharged convicts from the penitentiary” in Leavenworth.⁶⁷

The following week the editor of the *News* again referred to the governor’s “blunder.” He recalled that several months earlier the controversy in the lead mines in Galena and Empire City led the mayor of Galena to request the governor send troops there. Governor Anthony replied, in that situation, which was “much more aggravated than ours” [in Emporia], that officials must “first exhaust all the civil power of your city and county before I can lawfully interfere.” In the case of Emporia, the governor sent the troops against the advice and despite the protest of the local authorities and refused to recall them in response to their request. “It seemed as if it required the sacrifice of one of our purest men to bring him to his senses.” The editor concluded that the Santa Fe officials “probably felt . . . keenly alive to the danger their road might be in, and were justified in resorting to all honorable means in protecting their property.” But the governor, he added, also had duties other than protecting property, and he had exceeded his power as commander in chief by sending troops prematurely before the civil force was exhausted. It seemed fitting that, with his failure to win another term, the Santa Fe officials employed George Anthony as a superintendent of their Mexican affiliate line, in appreciation of his efforts on their behalf in 1878.⁶⁸

The state legislature responded to this bizarre episode with restrictive legislation. The Kansas constitution permitted workers to form a union by merely filing a copy of their charter with the secretary of state. In addition, the right to strike was interpreted to mean that one could cease to work on a job as long as no violence was committed or one did not conspire with others to damage

property. At the first legislative meeting following the Santa Fe strike, solons introduced a bill in the lower house to prevent the obstruction of the operation of railroads, the lifeline of commerce in the young state. The measure moved swiftly through the agrarian-dominated legislature, with the house approving it 90-8, and the senate doing so 23-2.⁶⁹

This law basically removed the right of railroad workers to strike. Section one forbade any engineer to abandon his locomotive "willfully and maliciously" at any point other than the scheduled destination. Section two prohibited any person or persons from "willfully and maliciously" impeding or obstructing the business of a railroad or other firm or corporation. Section three outlawed two or more people from conspiring to obstruct or impede the operation of a railroad, firm, or corporation. Without specifically forbidding strikes, the state provided for punishment for "willfully and maliciously" interfering with its commercial traffic such as occurred the year previously. This measure, when applied to other business areas, would shape the course of Kansas labor history.⁷⁰

John P. St. John, whom Anthony helped to become his successor in the statehouse, faced a situation similar to the engineers' fracas two years later in a coal strike. In February 1880 mine operators ordered a wage cut for their employees in Stilson and Scammonville. Some 150 miners, members of a "union" or "league," shut down the mines in protest. A standoff ensued for several weeks until J. A. Brovard, leader of the mine owners, determined to bring in 100 black "exodusters" to break the strike in the Stilson mines. The movement of thousands of impoverished blacks from the South in the years 1879-1880 meant a steady supply of strikebreakers. For example, Jay Gould's company hired blacks as scabs in Arkansas, but they were soon organized in a local assembly of Knights of Labor. Most of the exodusters landed in Leavenworth because Kansas City, Kansas, further downstream refused to accept them, and they had Kansas, not Kansas City, Missouri, as a goal, as the Sunflower State seemed to them to be the Promised Land.⁷¹

As early as 1861, abolitionists in Leavenworth helped blacks establish a labor exchange to assist them in finding employment. They distributed a broadside listing jobs for laborers, teamsters, house servants, hotel waiters, porters, cooks, chambermaids, washers, and "woodsawyers." The exodusters, in contrast to these early immigrants, were usually poverty-stricken and tended to accept any employment however menial and were often used as strikebreakers.⁷²

Between four and five hundred members of the miners' league met the train carrying the strikebreakers and frightened them with threats of violence.

The blacks refused to enter the mines and asked to be returned home. The Cherokee County sheriff advised Bovard to ship them back to Kansas City. Instead, Bovard wired St. John for militia. Governor St. John, remembering his predecessor's predicament, replied that he would send troops only if county officials could not control the situation. The sheriff then informed the governor that if the strikebreakers remained there, he would require assistance because he was unable to recruit local deputies. The county's town population was composed primarily of miners and their families who were sympathetic to the strikers, and rural men were busy planting at that time. The governor then placed Gen. Wilkes Brown's militia in the area on the alert and also sent his adjutant general to Scammonville with some armed body guards to negotiate an end to the walkout. The adjutant general informed the strikers they must return to work or the state would be forced to protect the black strikebreakers. This ultimatum ended the strike and some two hundred miners and strikebreakers, both black and white, entered the mines. The editor of the local newspaper, the *Border Star*, declared that the situation reminded him of "the old game of despots since the world began—protection for the capitalist employer, bayonets for the laboring employee."⁷³

During the administration of St. John's successor, Democrat George Washington Glick, a national strike occurred that did not extend into Kansas but that did elicit comment in the state's newspapers about the labor problem. In 1885 the Brotherhood of Telegraphers struck Western Union for a salary increase and an eight-hour day. A few scattered Kansas operators walked out, although not enough left to affect business seriously. When the telegraphers lost and returned to work, some newspapers, such as the *Wichita Eagle*, noted that the strikers could never win because they could not regulate the law of supply and demand. Others recommended a law prohibiting strikes of any kind, although the *Atchison Globe* editor disagreed with those who wanted to make participation in a strike a felony. The *Lawrence Daily Journal* defended the telegraph strikers, noting that Jay Gould's Western Union mistreated its employees badly and deserved "the censure of the whole country."⁷⁴

That year the legislature significantly revamped the state militia by dividing it into the Kansas National Guard and the reserve militia. All adult males between ages twenty-one and forty-five were subject to service according to the state constitution, and at that time the term adult male meant white male. The solons exempted members of the national armed forces, those who had served in the militia for five years, state and county judges and treasurers, and idiots, lunatics, paupers, drunkards, and those convicted of "nefarious crimes," an interesting grouping of immunities. During peace time, there could be no

more than thirty companies of infantry (forty to sixty men each), two companies of cavalry, and one battery of light artillery. Organized companies must meet monthly, drill a minimum of two hours, and have an annual muster. The legislature amended the law the following year to exempt those whose religious convictions opposed military service. This force, legislators believed, would be enough to meet any future crisis.⁷⁵

The state's approximately twenty thousand union men asked Glick to appoint a member of the Knights of Labor as state mine inspector. The governor responded that "under no circumstances would he ever appoint a member of that order to office and made an appointment very distasteful to them." As a result, twenty to thirty thousand members of the Knights voted against him in the election of 1884, and this opposition, plus a bad split in his party, limited the first Democratic governor of the state to one term.⁷⁶

On the surface, most labor disputes in Kansas during the 1870s and 1880s involved the simple issue of pay: stopping reductions, granting a needed increase, or paying what had already been earned but was in arrears. But underlying these demands in the minds of most workers was the deeply disturbing question of why the industrial revolution was denying them the fundamental American rights of social, political, and economic justice. How could they remain dignified wage earners without becoming serfs, considering the unequal balance of power in the labor-management system? As national commissioner of labor Carroll D. Wright expressed it in a report in 1885, "it is absurd to say that the interest of capital and labor are identical. They are no more identical than the interests of the buyer and the seller." This labor problem failed to disappear, however, and strikers were able to regulate the law of supply and demand of labor in Kansas in 1885 and win a big victory, only to lose the advantage, and more, the following year.

2

An Uncommon Governor

Founded by garment workers in Philadelphia in 1869, the Noble and Holy Order of the Knights of Labor arrived in the Sunflower State in 1874. It differed from previous unions that had moved there in that it was “the first truly national labor organization in the United States” and in its attitude toward strikes. As Norman Ware observed, “it was, in fact, almost a truism of the period that strikes were dangerous and ineffective, did more harm than good, and should be supplanted by peaceful and intelligent methods for the settlement of industrial disputes.” Yet the Knights of Labor was to achieve its greatest success in Kansas through striking.¹

Under the motto “an injury to one is a concern to all,” the Knights’ fundamental unit of organization in Kansas was the local assembly, basing its units on geography rather than occupation. In a large city where there were ample workers, the various locals might be based on trade, nationality, or language; in small towns these distinctions could not obtain, and men and women of various trades would compose the local, the usual development in Kansas. Early leaders were convinced that all of labor’s woes could be cured by corrective legislation. Members, therefore, were urged to become involved in politics, including running for office, and many of these labor candidates proved successful both on the local and the state level.²

One of the Knights’ major goals was for workers “to secure the full enjoyment of the wealth they create, sufficient leisure in which to develop their intellectual, moral, and social faculties, all the benefits of recreation, and pleasures of association; in a word, to share in the gains and honors of advancing civilization.” Unlike previous unions, the Knights welcomed women into their ranks, and it became the first union to accept blacks as members. This policy of racial cooperation resulted less from the enlightened vision of their leadership than the practical need for ending competition between blacks and whites, the widespread use of blacks as strikebreakers, and the realization that capitalists deliberately arrayed blacks against whites to achieve their ends. Many members of the Knights of Labor were able to accept the fact that “this competition was retarding the progress of all working men.” Numerous men

and women who joined the Knights of Labor later played a major role in the Populist Party in Kansas, including the famous Mary Elizabeth Lease and Jerry Simpson.³

Carpet weavers of the Knights of Labor organized local assembly #6 in 1873 in New Kensington, a suburb of Philadelphia. That spring the group of approximately forty men moved as a body to the Leavenworth Carpet Mills, establishing the first Knights local in Kansas, which lasted until a tornado destroyed the mills on May 24, 1876, and the group disbanded. Their foray into the Sunflower State was closely followed by the establishment of three or four assemblies that were organized in the coal fields of Cherokee County. By the end of 1885 there were over one hundred locals with ten thousand members and one district assembly in Kansas, a phenomenal growth in such a short period of time.

The union became embroiled in a boycott soon after it arrived in Kansas, a tactic the Knights preferred over the strike because it involved little effort or sacrifice on the part of laborers. The term boycott originated in Ireland, and by the late nineteenth century the American public had attached a very negative connotation to it. Charles Cunningham Boycott of County Mayo was such a cruel landlord that his workers reached the point where they refused to harvest his crops. Neighbors sympathized with the strikers and disliked the man so much that the labor quarantine soon spread to coach drivers and hotel managers, and even local butchers and bakers shunned him. The British government sent in troops at a cost of £2,500 to break the strike but they were unable to create a breach in the forced isolation of the hated taskmaster. Boycott finally had to leave Ireland and subsequently his name became attached to this type of action.⁴

In 1885 the Knights became embroiled in a boycott of the *Topeka Daily Commonwealth*, which employed a printer foreman who had been expelled from his typographical union. The printers remained adamant against the fellow, and when they failed to convince their employer to discharge him, they walked out. The following morning the company hired a new force of printers. The strikers appealed to local assembly #1800 of the Knights of Labor, which appointed an investigating committee to act as a board of arbitration. The committee recommended the strikers be supported, and the Knights declared a boycott of the newspaper. The printers published their own newspaper, the *Daily Citizen*, that kept its readers current on the issue and urged subscribers to boycott merchants who refused to cease advertising in the offender. The local Knights also issued a special newspaper, the *Boycotter*, that supported the action and similar ones and succeeded in making them a statewide effort.

Boycotts like this require money, and a successful benefit ball was held for the strikers. The boycotters claimed a success while the newspaper insisted there was no noticeable change in its volume of business. The issue came to a head in 1886 when an Emporian organized the striking printers into a new Knights of Labor local. Topeka assembly #1800 then protested this action to the national headquarters. The new local was attached to another assembly, which on March 5, 1886, recommended the boycott be lifted. The commissioner of labor reported the end of the action but added that negotiations were continuing over the issue of proper representation and "far more friendly feelings prevail."⁵

Meanwhile the Knights of Labor expanded its membership rapidly among the railroad workers in Kansas who were not represented by the Brotherhoods. At that time there were ten local divisions of Locomotive Engineers, eight of Locomotive Firemen, and two of Railway Conductors in the state. When they decided to strike the Missouri Pacific Railway in March 1885, the subsequent turmoil brought in hundreds of thousands of new members on the national level. This conflict halted that line's freight traffic for nine days in Missouri, Kansas, and Texas, although the strikers were careful to try and not hinder passenger trains that were hauling U.S. mail. Certain centers were especially important in the strategy, such as Atchison with its junction of four separate railroad lines and Sedalia, Missouri, a division center of the Katy and Missouri Pacific railroads.

On October 10, 1884, mechanics and other shop workers on the Missouri Pacific line received notice of a 10 percent pay reduction, effective the first day of that month. This, coupled with earlier cuts and fewer hours of work, resulted in them being the lowest-paid railroad workers in the Tri-State region. Although their hours were restored to previous levels in February 1885 because of an increase in business, their wages remained the same. The workers demanded a restoration of the pay in effect in September 1884, arguing that they were unable to support their families, and emergencies made it impossible to live even on the former wage. When the company proved completely unresponsive to their demands, shopmen in Atchison and Parsons in Kansas, Sedalia and Kansas City in Missouri, and Denison and Fort Worth in Texas walked out. Their strategy was thoroughly thought out as these six points controlled the entire system of the railroad. On March 7 at a whistle signal the shopmen in Parsons walked, followed by Sedalia men that evening. Two days later the workers in West Kansas City, Missouri, joined the walkout. That day the company paid the men for the time they had worked and discharged

them. The workers refused to receive the money or to recognize the layoff and declined to vacate the property.⁶

The Knights in Atchison, where the local was strong, administered the strike in Kansas. The executive committee took direct control and established a system of policing activities to make certain there would be no violence or destruction of property. They offered to assign men to be sworn in as special deputies to protect railroad property but were equally determined not to vacate railroad premises to make certain no freight trains moved along the line. Missouri Pacific authorities, in turn, immediately informed local officials of the conflict and requested protection, although no violence had occurred and no specific complaints of such occurrences had been filed. Both the mayor and the sheriff of Atchison County informed Gov. John A. Martin that a mob was in control of Missouri Pacific trains and requested that he furnish militia to suppress the riot. The regional railroad superintendent and H. M. Hoxie, third vice president of the line, demanded that the governor protect their property and allow them to continue to serve the public by moving freight.⁷

On March 15 the strikers in the Kansas City area met at Armourdale and organized a Knights assembly. Joseph L. Buchanan of Denver and a representative of the Knights of Labor district assembly attended the meeting and conducted the initiation of new members. He later told a reporter that this was a wise move: "the Knights of Labor are a tremendous organization and have a vast and constantly increasing influence. They already run the Union Pacific railway. . . . [Y]ou see we have lots of money and lots of experience. The Missouri Pacific strikers haven't a great deal of money and no experience to speak of. By becoming members of our organization they have made themselves ten times stronger for they have the whole body of the Knights with all their resources to back them." The Union Pacific assembly of Knights in Denver pledged the considerable sum of thirty thousand dollars to support the strike and assigned Buchanan to continue to advise and to assist. Soon the Knights boasted three locals in Atchison, one in Armourdale, and five in Wyandotte County; and workers were organized in Muscotah, Greenleaf, and Downs. When national president Terence Powderly visited Kansas City in the summer of 1885, he concluded, "the Knights of Labor are firmly entrenched here."⁸

Rumors were rife that if the governor failed to act, railroad officials would appeal to the national government for troops, something most Kansans did not want. Governor Martin realized the seriousness of the situation. Local authorities insisted that he employ force, and if he did, loss of life and property could well have resulted, assuming the workers had real grievances and were

serious about resolving them. If he failed to act, there was a distinct possibility of federal troops being dispatched. He met this crisis with less bias than any previous Kansas chief of state and perhaps more objectively than any other American governor had in facing the labor problem in the previous decade. First he consulted with his attorney general to ascertain his legal powers and duties. He discovered that in case of invasion, rebellion, or breach of peace, the chief executive was required to call out the militia but was powerless until after local officials had exhausted every effort to enforce the law. If they called on the governor for aid, he must first investigate before deciding on an action, and he had to rely on more than rumors or newspaper reports. In addition, railroads or other private enterprise must take proper steps to protect their property. No private official could demand the executive send in militia but could only file complaints and swear out warrants for offenders harming their property. Martin then informed the Atchison sheriff that if he used his considerable powers, gubernatorial action would be unnecessary. He dispatched Adj. Gen. Alexander B. Campbell to Parsons to evaluate the conditions there and sent the Board of Railway commissioners to Atchison to investigate the strike there. He informed the railroad attorney of his actions and of his decision to request the railway commissioners to act as a mediation board to bring an end to the conflict. The attorney replied simply and firmly that the Missouri Pacific Railway refused to yield to the strikers' demands.⁹

None of the members of the Railway Commission were railroad men, but all "took their job seriously." Being part of a newly established body, they determined to learn the business quickly and not create hostility among railroad executives on the one hand, but be ready to defend their actions against the skepticism of advocates of drastic regulation on the other. Their role in the strikes of 1885 and 1886 proved to be far greater than any legislator envisioned when creating the board, resulting primarily from the extent to which Governor Martin utilized them in resolving the labor-management conflict.¹⁰

Faced with the obstinacy of railroad officials, Governor Martin proceeded to investigate railway wages in a three-state area. He contacted the labor committee in Atchison to come to the capital and discuss the situation with him, but they replied that they did not want to leave their men without leadership. Thereupon he boarded a train to Atchison, where he met with the strike committee and extended his sympathy for their problem but not their method of resolving it. He proposed that the railway commissioners serve as an arbitration board in the dispute, which the labor committee accepted under conditions that the arbitration would dictate the terms of settlement. They did approve his suggestion to send representatives to St. Louis to confer with

national railroad officials. While still in Atchison, Martin sent a telegram to railroad manager Hoxie describing the situation in Kansas as he saw it, which is worth quoting in full:

Nothing whatsoever has been done by the strikers, either here (Atchison) or else-where in the state to justify a call for troops, or their use either by the state or the United States. This opinion is confirmed by the railroad commissioners, two of whom, you know, are lawyers.

Second, I fear you do not comprehend the extent and character of the strike; ostensibly it is confined to the shopmen. In fact, as I am convinced, it extends to the employes of every branch of your service.

Third, the strike is, in all its features, phenomenal in the history of strikes. The strikers are sober, intelligent, orderly men who have always, hereto-fore, been loyal to their employers. They are such employes as any private citizen would be glad to have. Their character and intelligence deserves respect.

Fourth, there is not the slightest danger that the men engaged in the strike will destroy any property. The only danger is that the lawless elements, who always gather where trouble prevails, may do so.

Fifth, the men believed they have been wronged, and I am impelled to say that I believe the universal sentiment of the state sympathizes with them in this opinion. For all these reasons, I appeal to you to abandon any purpose of provoking a collision, if you entertain it, and endeavor to arrange terms for amicable settlement with your employes. I believe the men would promptly and gladly accept overtures looking to such a settlement.

Hoxie responded to this plea by observing that if the strikers would permit railroad business to resume, he would discuss terms of future employment with them, but that was the extent of his willingness to compromise. The governor decided it was useless to pursue this further and returned to Topeka.¹¹

Sedalia workers were patient and nonviolent, which won the support of the community. When railroad officials demanded protection, Mayor John B. Rickman hired some ninety extra policemen, but most of these new men were idle strikers. When Hoxie asked Missouri governor John S. Marmaduke to send in troops, Pettis County sheriff L. S. Murray wired the chief executive that he had things under control. Caught in this conflict yet wanting to be safe, Marmaduke sent orders for the militia to proceed to Sedalia, “the fountainhead of the uprising.”¹² Faced with the most unusual resolve of the Kansas governor—who had persuaded Marmaduke of the logic in not turning

out the Kansas militia—Hoxie soon capitulated and asked Martin and the Kansas railroad commissioners to come to St. Louis to discuss the situation with Missouri officials. Martin accepted this offer with alacrity, and he and his men were joined on March 15 by Governor Marmaduke, the Missouri attorney general, and the Missouri State Commission of Labor Statistics. R. S. Hayes, first vice president of the Missouri Pacific, served as spokesman for the Gould railway system. After lengthy discussions, the officials of the two states recommended restoration of the September 1884 pay scale, plus time and a half for overtime hours and reemployment of the strikers without prejudice. Faced with the unity of the two governors, the Missouri Pacific officials finally accepted these terms—essentially the strikers’ demands—agreeing the old rates would become effective again on March 16 and giving assurances these would not be changed in the future without giving thirty-days notice. This news reached the strikers Sunday evening March 15, and the leaders in Sedalia, who had taken control of the strike after the Missouri men became involved, ordered the men to return to work the next morning. Martin thus won the approval of the workingmen in Kansas, and the strikers actually achieved an enormous victory against a formidable foe. By refraining from violence, they had gained the support of government officials and the general public and consequently became the first union to defeat one of the most powerful capitalists in America. Jay Gould’s surrender here represented a huge triumph for organized labor—the greatest in the nineteenth century—and a positive endorsement of John Martin’s leadership.¹³

The *Topeka Daily Capital* reported that “never before in the history of strikes was one conducted like this with no violence, no disorder, no arrests, no cause to call the militia.” The newspaper correctly concluded that the “men behaved so well that they merit and will receive universal praise for it.” The newspaper also rhapsodized over Martin’s behavior, claiming that his example “ought to, and no doubt will, reach every state in the Union. To recognize the right of the laborers to be heard, to see that justice be done them, is serving both the public and railroad interests, and indicates that the time has arrived for these great contests between capital and labor be settled in a peaceful, a fair and statesmanlike manner.” This attitude lent support for the governor’s effort the next year to provide for boards of arbitration in labor disputes.¹⁴

This triumph brought a rush of workers to join the Knights of Labor. Everyone admires a winner, and membership in the Knights skyrocketed to almost three-quarters of a million within a year, a growth that was not particularly a healthy one as many joined the bandwagon while not being inculcated properly in the goals and values of the organization because of the pressure of

time and the great numbers. For example, there were a reported twenty-one assemblies in Kansas in 1885 when the strike commenced, and on January 30, 1886, the same newspaper listed the number at seventy-three.¹⁵

Packing-house conditions in Armourdale, for instance, were ripe for the union to exploit. The giant Armour company, established in Kansas City in 1871, had a plant fifteen years later that covered fifteen acres and employed 1,600 people in brick buildings four to six stories high that were filled with human misery. The workers were an ethnic mix similar to that described in Upton Sinclair's *The Jungle* in 1906. Workers ranging from young boys and girls to old men with canes competed with great numbers of unemployed for a handful of jobs daily. Men and boys could be seen running to work for fear of being docked an hour for being one minute tardy. Bedlam best describes the work scene in the hog plant with everyone trying to do their work rapidly for fear of losing their job. The large tube spewing out sausage into packing cases, a boy stenciling on the name of the consignee and its contents and weight, and another throwing them down the chute to the platform below for loading and shipment—all appeared to be a chaos of efficiency. The girls told stories of how the men and boys ravished them during lunchtime, hidden among the piles of crates, and they had no recourse against this violence. Sirens and whistles blew as ambulances rushed in to carry out the dead and dying from fumes of a broken ammonia pipe or other gases, and the company's lawyer called on the families to arrange a settlement for the loss of the breadwinner. One man, with a wife and hungry children, had been at work for an hour one morning when his drunken foreman approached, kicked him in the groin, and told him he was through. He complained to the supervisor who then discharged him for being a "disturber." If men and women, whose families lived in squalor and hunger, objected to the working conditions, they were summarily fired. There is little wonder that these workers flocked to a union that offered them hope of unifying and cooperating in order to try and ameliorate their lot in life. The Knights made some headway here, but there were insufficient numbers for members to attempt to force an issue.¹⁶

Workers quickly discovered that the crisis on the Gould lines had not been resolved completely. Soon after the railroad capitulation, Governor Martin received word that some strikers in Parsons, Kansas, had been fired. Again he sent the railroad commissioners to investigate and wrote to railroad vice president R. S. Hayes that, if the charges were true, this would seem to constitute an act of bad faith on his part to the employees, to the public, and to the government officials who had negotiated the settlement. As events developed, the issue came to a head on the Wabash, a line that Jay Gould had placed

in receivership, and the work force had been reduced there by the road's receivers. The Knights in Parsons refused to handle Wabash cars, and the Union Pacific workers were awaiting orders for similar action. Labor commissioner Frank Betton met with representatives of the Knights of Labor in Wyandotte and apprised the governor of the imminent crisis. Betton's report to Martin went directly to the heart of the issue, saying "they are waiting orders from Denver . . . and if they order a boycott of Wabash work it will be obeyed. I do not think from what I can learn that the UP company will insist and that the strike will be averted. I stated your views to the committee and it seemed to impress them but all depends on what orders they receive from Denver. This is *private* information for yourself."¹⁷

The Knights of Labor had their district assemblies in Denver and Sedalia. Betton correctly assessed the labor situation and apparently UP officials did also. The circumstances surrounding the potential walkout resembled those of 1877, and Jay Gould was not prepared to risk a general strike. He met with representatives of the Knights, the Missouri Pacific, and the Wabash, casually assuring the union that he supported labor organizations and pressuring Wabash officials into reaching a settlement. The company issued an order for superintendents to give preference to former employees when hiring and not to ask questions about membership in the Knights of Labor or other unions. Gould would prepare in the following months for a showdown, but bided his time for the moment.¹⁸

While growing immensely in membership in Kansas, the Knights became more active in community affairs and in sponsoring cooperatives for production. This movement had significant implications because if workers and farmers united, they would be a potent, even overwhelming force in local, state, and national politics. An assembly was formed in Lenora that was composed chiefly of farmers, and organizers were active in the Muscotah area where laborers and agrarians formed a cooperative mining company. The Knights in Atchison formed a cooperative stove and foundry company composed of both workers and businessmen. Serving on its board of directors were J. H. Cooper, foreman of the Missouri Pacific blacksmith shop; W. H. Taylor, a practical machinist; and W. W. Scouller and Charles A. Wolf, hardware merchants. The Hope assembly in Atchison laid plans for building a planing mill, and workers in that city published a newspaper, the *Trades-Union*, which among other programs urged union members to become active in local political affairs, especially stressing the importance of electing sympathetic sheriffs, judges, and other county officials in case of future strikes. Knights in Atchison were particularly optimistic about their plans. If the co-

operatives proved successful, they could envision their city fairly bustling with similar activity in the future.

There were no contests for state offices in the elections of 1885, however, and labor leaders in general were unsuccessful that year in capturing local offices except in isolated instances. The candidates of the Workingmen's Party in Shawnee County, for instance, were defeated in the fall elections, but leaders made strenuous efforts to involve the black vote, which was potentially large in Topeka. One correspondent for a local newspaper stressed the importance of the office of sheriff in case of strikes and urged workers to think about this before conflicts occurred, not afterward. Half the candidates in Atchison that year were members of the Knights of Labor. Political awareness was increasing among workingmen and would bear fruit in the future, an acceptance of the importance of controlling the agencies that directed their destinies. Many labor leaders warned elected officials that they would be watching their actions leading up to the next general election.¹⁹

Soon after the strike of 1885, Governor Martin wrote an assembly of Knights of Labor that he hoped the state legislature would address the obvious lack of means for arbitrating labor disputes. When the legislature met in special session in January 1886, Martin sent them a message stressing this need. After recounting his experiences with the strike the previous March and the lessons learned from it, he stated he was convinced of the need for a law providing for "settlement of such difficulties by arbitration." He concluded that Kansas needed a law similar to the one in Pennsylvania that established a body where workers "could submit their grievances, real or fancied, to the decision of an intelligent and impartial tribunal." If the state regulated railroad rates and similar matters, he said, it should also provide for arbitration between the lines and their employees. Others agreed, arguing that if the public demanded the services of the railroads, the state should make certain that their employees received adequate compensation.²⁰

Widespread support existed for Martin's concept, and the Knights were eager to cooperate in the enterprise. A group of them met with the Commissioner of Labor and recommended a board composed of the commissioner and two members the governor would appoint to represent capital and labor. After considerable discussion, however, they determined that the special session called that year primarily for the purpose of reapportioning the state would be too short to take careful action on such an important piece of legislation and would result, perhaps, in more harm than good. They concluded instead that the legislature should appoint a committee to investigate the problem thoroughly and report its findings to the body when it met in regular

session the following year. The solons, however, were ready to act immediately without investigation. Rodolph Hatfield, a Wichita attorney, introduced a bill in the special session to establish an arbitration board for industrial controversies. He called attention to the fact that both labor and management were suspicious of each other, and a third party was required to arbitrate their disputes. David Oberneyer, representing Shawnee County, observed that such a body would be constitutional because the parties involved would volunteer to allow the board to arbitrate and would not be compelled to do so, which the constitution prohibited. The following day the house adopted a resolution offered by J. J. Cox of Douglas County to appoint a committee of five to investigate and report back to the legislature. Hatfield defended his proposal so eloquently, though, that the house approved his measure without dissenting vote, and the senate took similar action on February 18, 1886. The governor signed it the following day.²¹

The law provided that when parties in a labor dispute petitioned county district courts with signatures from at least five employees or two employers, a tribunal of voluntary arbitration would be established along with an umpire. The decisions of the body, composed of two employees and two employers who had to be residents of the county, would be final. If the members failed to agree, and they normally would split evenly, the umpire would decide but only on those questions submitted to him. The statute empowered the tribunal and the umpire to question witnesses under oath and to remain in existence for one year.²²

Trouble arose again on the Gould railroad system, testing the new law immediately. Jay Gould and his general manager, H. M. Hoxie, were resolved to crush the power of the Knights of Labor on their lines by refusing to recognize the union, thereby precipitating a strike soon after the one in 1885 was settled. Gould had broken the telegraphers union and was determined to ruin the Knights as well. He was less concerned about operating his railroads at a profit than he was in using them to manipulate the stocks of the southwestern lines. He chose to use one of his lines that was in receivership, the Texas and Pacific, to challenge and crush the Knights under the pretext that the road was no longer under his control. He had put it into receivership legally because of the line's default on bonds owed to its parent company, Gould's Missouri Pacific. This made the workers employees of the national court, and his plans for the lines could be better achieved through federal agencies than under his private management.²³

Shortly after the agreement was reached in March 1885, leaders of the Knights assemblies began receiving word of violations. Railroad officials re-

stored the pay of the more skilled workers but not those of the unskilled. A sixty-hour week was normal, but if a worker's train left the terminal early in the morning and started the return run before 12:01 a.m., it was considered to be only one day's work, and the worker was not paid for the hours worked the following day. Occasionally a man might thus lose more than one day's pay (\$1.50) per month. Those working eleven or twelve hours per day or on Sundays received no overtime. Abuse by supervisors was almost universal, and often the men's wages were withheld until the end of the month. Labor commissioner Frank Betton observed that the issue of not being paid weekly "was among the most prominent" complaints of workers because of their difficulty in establishing credit in grocery stores for a month's duration because of their low pay. There were other grievances. Bridgemen had to travel three to four hundred miles from their homes for work, time for which they were not paid. They were gone sometimes six to eight weeks, and while they were paid \$1.10 per day, their work was divided up so that they often worked half time for \$0.55. After paying the company \$15.00 to \$16.00 per month for board, they sometimes were left with nothing to send home for the support of their families.²⁴

Most importantly, as part of the settlement in 1885, union officials had failed to demand in writing that unions be recognized, and the Gould lines began firing members of the Knights, especially on those lines in receivership where the labor force was being cut back. As a result of these injustices, the Knights on the Gould lines in Texas organized an executive committee under the leadership of Martin Irons in late December 1885 to demand recognition and to settle grievances. H. M. Hoxie declined to meet with the board, and a crisis resulted on the Texas and Pacific. The executive committee voted to strike, but Irons wanted to confer on the question of calling a second vote to make certain they were following the wishes of the workers. One member of the committee invited Irons to come to a hotel room that evening to talk. They entered the room, the man locked the door and, armed with a pistol, forced the chairman to sign the order to strike. The assailant was never identified, and Irons later was vilified by many who did not know the circumstances for his ordering the strike without seeking rank-and-file approval one final time.²⁵

His order to walk out on the Texas and Pacific took effect at 10:00 a.m. on March 1, initiated by the firing of C. A. Hall, foreman of one of the shops in Marshall, Texas. The union argued that Hall had received a four-day pass to attend his district assembly meeting but was discharged when he returned to work three days later for being absent without leave because his supervisor said he had permission to leave for only three hours. The company claimed he

was fired for being incompetent. The strike soon involved almost fifteen thousand men, reaching Kansas that same day when Texas Knights asked workers on the Missouri Pacific not to handle freight from the Texas and Pacific, a move that caused “universal surprise” in Topeka. At five thirty that afternoon members of the Knights of Labor, on orders from Sedalia, walked out with the chief cause being demands for an eight-hour day and a pay raise for the unskilled from \$1.10 to \$1.50 per day. The following day in Topeka, capital city newspapers reported a “wholesale discharge of several hundred employes known to belong to the Knights of Labor or other trade union organizations.” The local railroad superintendent explained the action very clearly: “we were compelled to take this action in the cause of liberty” because of “terror, intimidation and violence.” It was an either/or situation: either all or none of his men could belong to a union, and the railroad chose “to have all . . . men independent of all organizations.”²⁶

Two days later Governor Martin suggested arbitration under the new law, but the workers refused until they had heard from the strike committee in Sedalia. A week later Labor Commissioner Betton telegraphed Martin Irons asking if the services of the governors of Kansas and Missouri would be helpful, a proposal that the beleaguered labor leader eagerly accepted. On March 16 Irons asked Hoxie to meet with a committee of Knights, but the railroad manager responded negatively because, he said, the issue in the strike involved a road in receivership over which he claimed to have no control. On March 19 the two governors met in Kansas City with the labor leaders and recommended the strike be ended by continuing the agreement made on March 15, 1885. Hoxie ignored this request, replying that he would take back strikers necessary to do the railroad’s work but would not discharge those employed since the strike began. On March 28 Terence Powderly met with Jay Gould and his executive board, then ordered the men back to work with the understanding that arbitration would follow. Hoxie, however, refused to talk with anyone except those still actually employed by his lines; the strikers had been terminated and ordered off railroad property. At this point Powderly went to Kansas City and discussed the situation with the strike leaders and learned how Irons had been coerced into issuing the strike order but did not discover the identity of the committee member. Powderly also asked to meet with Hoxie but was refused. The national board of the Knights then rescinded their return-to-work order as they viewed this as a violation of the Powderly-Gould agreement and called for a new walkout.²⁷

Knights everywhere were incensed over Jay Gould’s actions. An assembly in Brooklyn issued “A Blood Curdling Address,” which said, “the conse-

quence of Gould's treachery has been riot and disaster, brought on by his armed thugs and minions. Before the bar of American public opinion we impeach and indict him! We charge him with treason and high crimes against humanity! . . . Fellow countrymen, how long is this archfiend Gould to ride roughshod over this land of ours?"²⁸

In Atchison events turned ugly when a handbill appeared that was addressed to the skilled engineers and firemen who were not participating in the strike of the shopmen warning, "BOYS: We warn you not to take trains out of Atchison. It is with regret we tell you, as we call you Brothers. If you do your life will pay the forfeit. Boys, we want to throw off the Yoke of Serfdom and be FREE MEN like yourselves. Don't deny us what at one time you prayed for." The company attempted, unsuccessfully, to take out a freight train. A group of thirty-five to forty masked men then attacked the roundhouse and damaged twenty-three engines in less than an hour. At that point Atchison County sheriff F. E. Shaw wrote the governor that he could protect railroad property only if the railway company could supply him with deputies, which proved unnecessary because by April 3 hostilities had ended in Atchison. In Kansas City strikers killed all engines except for those needed for passenger service. Violence accompanied the strike there when shots were fired into a passing freight train, and another was thrown from the tracks, killing Benjamin Horton, the fireman, and G. T. Carlisle, the brakeman. Evidence at a preliminary hearing showed that spikes had been drawn and a fishplate removed, suggesting the derailment was the work of the local Knights.²⁹

Violence also occurred in East St. Louis when a crowd of several hundred men and women gathered to discuss the conflict. They moved as a group to the Louisville and Nashville yards where they encountered a number of deputies. The armed guards panicked at the sight of so many apparently threatening people and opened fire, killing three men and mortally wounding a woman. Terrified at what they had done, the deputies turned and fled. The mob regrouped and chased them, catching one and beating him to death. The remaining deputies met the mayor and some assistants who tried to disarm them. Again they panicked and fired, killing one of the mayor's men. The thoroughly terrorized deputies managed to make it to a police station where they happily surrendered. Under police custody they were removed from the area for their own safety.³⁰

Events in Parsons spun out of control even further, and local officials decided they required the presence of state troops. On March 12 Missouri Pacific officials notified the city that a group of men possessed some of its property, and the city would be held responsible for any subsequent damages. At the

same time, road supervisor T. V. Golden asked Mayor O. A. Brown to appoint guards for the line, and the mayor responded that he would approve any men Golden recommended. The next day Labette County sheriff C. B. Woodford wired the governor that he needed military assistance. A mob had just taken possession of an engine that had come from Muskogee, and Sheriff Woodford had met it at the Kansas line. When it arrived in Parsons and halted at a crossing, strikers seized it and put out the engine's fire. They left enough steam to get it into the roundhouse, and the sheriff was reported "sitting on the tender, monarch of all he surveyed but powerless to do anything" as it groaned its way into the shed. The railroad attorney, David Kelso, telegraphed the governor that civil authorities were unable to control events and they needed help. Governor Martin replied that the sheriff should exhaust all his powers first, but he dispatched Adj. Gen. A. B. Campbell to Parsons to investigate the situation. Campbell reported that troops were unnecessary at that point. At the same time, a citizens' meeting condemned the strike but charged that railroad agents had falsely tried to induce the governor to send in the militia when civilian authorities had the situation under control. David Kelso proceeded to obtain an injunction from the county district court ordering strikers not to interfere with railroad property or business.³¹

A reporter caught Jay Gould in Jacksonville, Florida, and quizzed him about the strike. "It was a complete surprise to me," the tycoon responded smoothly, because it was based on an issue "which we cannot possibly arbitrate or control." He reminded the reporter that the railroad involved was in receivership, and his company could not join the Knights of Labor "against the United States Supreme [Circuit] Court in their war on another system," adding that he also could not control the workings of the courts. The reporter's account noted that the Knights were discovering that the public believed the strike was "more a war against [the people] than against the road." The strikers had lost public support that had been so vital to them the year previously.³²

The railroad found it difficult to prosecute cases against strikers because "all the justices at Parsons are said to be members of the Knights of Labor." The political efforts of the Knights the previous year were paying off. Because all the justices in Parsons were friendly to the cause, when William Polk Brenner, E. H. Hollis, W. L. Buchanan, Ed Seidman, and others were arrested for acts of violence, they were taken to Chetopa for trial before a Justice Colvin, who apparently was not a union man, as were the judges in Parsons.³³

Attempts to move freight in the Parsons area continued to be met with opposition, and the railroad attorney, the mayor, and the sheriff requested

that Governor Martin send in five hundred troops immediately. Again the governor resisted until his adjutant general could return to the scene and evaluate conditions. On his second trip Campbell found the situation to have worsened. Strikers had defied the governor, court orders, and law officers and impeded each attempt at moving trains. When Campbell, the mayor, the sheriff, and others wired for troops again, Martin capitulated. He sent in the First Regiment, which arrived in Parsons on April 2. Four days later freight traffic returned to normal, and half the troops were removed, and on April 14 the remainder decamped. Meanwhile, a Law and Order League of Parsons citizens was organized and offered its services to civil officials. The legislature established a special committee to investigate the strike, and, at its request, on May 4 the Knights national council declared the walkout at an end, an abject unconditional surrender to Jay Gould. The strike in Kansas had failed, at least in large part, because the citizens refused to support the men in addressing the grievances of workers in another state. They did not understand the concept of labor unity. Additionally, there was the failure of the national leadership of the Knights of Labor. Among others, Samuel Gompers accused Powderly of frequently "leaving workers in the lurch," as he had done this time.³⁴

The event proved costly to all sides. The company suffered losses of \$3.5 million and the strikers \$1.1 million. Several were left dead and hundreds were in jail, awaiting trial. In addition, the commissioner of labor reported months later that in Kansas few of the strikers had been reemployed, especially "those who, after resuming work, quit at the second 'call-out,'" and the company had particularly singled out members of the Knights of Labor for retaliation. Commissioner Betton wrote W. W. Fagan, who was in charge of personnel, asking him if those with authority to hire were requiring the applicants to present a card of withdrawal from the Knights before being accepted, as he had been informed. He did not receive a reply but did discover that such was not the case for those who applied for lower-grade-level jobs. Men who would work for \$1.10 per day were difficult to find, and background was of less importance for them than for those in skilled positions.³⁵

In contrast to the strike of 1885, which had made him look great in the eyes of the workingman, the violence and scope of this one alarmed Powderly, who viewed it as a repudiation of his leadership. He concluded that the wholesale initiation of hundreds of thousands of new members so quickly the previous year had resulted in the chaos. On March 27, 1886, he issued "the most important document" the Knights had yet seen, calling on all assemblies to cease initiating "until the relations of capital and labor shall become less strained than at the present time. . . . The attempt to gain concessions or gains with

our present, raw, undisciplined membership would be like hurling an unorganized mob against a well drilled army.” In an amazing denouement, a labor official ordered his organization to cease initiating new members and not to participate in the planned May Day demonstrations for an eight-hour day. The Knights had poured in over \$100,000 to assist the southwest strike, which Powderly viewed as a total loss. He was now ready to write off the violence-prone westerners and concentrate the work of the Knights in the more stable East.³⁶

Thomas Furlong, chief detective for the Gould lines, solved the case against the Knights for wrecking the train in Kansas City. Using an alias, he joined a St. Louis assembly of Knights and traveled to Kansas City where he arranged bail for the suspects. Governor Martin offered a reward of \$2,500 for the arrest and conviction of the saboteurs, and the Knights of Labor also offered a reward. Wyandotte County sheriff James Ferguson arrested a couple of suspects for the crime, but they produced good alibis and were released. Furlong finally broke the case in July 1886 when he gathered sufficient evidence to justify the arrest of George Hamilton, along with James Greer, Fred Newport, Michael Leary, and William Vassen, members of the Knights in Wyandotte. In 1889 Powderly discovered that Furlong was applying for the position of chief of the Secret Service of the Department of Treasury with backing from the St. Louis Knights. He delivered an address reminding the Knights of the suffering Furlong had caused in 1886 and asked how they could forget so quickly.³⁷

During Hamilton’s trial in January 1887, “both prosecution and defense willingly placed the Order as a whole on the docket with the defendant.” The state used eight Missouri Pacific attorneys, and the defense based its case on poor track conditions, arguing that Hamilton was being prosecuted because he was the leading Knight in Wyandotte. During the proceedings some two dozen men testified about the bad condition of the track, although the prosecution undercut their effectiveness by forcing them to admit they were members of the Knights of Labor. In summing up, defense attorney Charles P. Johnson informed the jury that the case “was the struggle of the poor and oppressed toiling masses against wealth, against despotic power, against monopoly” that had been going on since the world began. The litigation ended in a hung jury with five members, including one Knight, voting for acquittal. At his retrial several months later the jury, including three black workers and a white carpenter, acquitted Hamilton. State senator William Buchan used the result of the first trial to introduce legislation to alter Kansas law by limiting juries to property holders and transferring control of the lists from counties to state-appointed officials.³⁸

Buchan confined his proposal to counties with cities of populations of thirty thousand or more, allowing legislators to support the bill by assuming it was directed at any city they disliked. One argued that it was sorely needed in Wichita where they “had trampled underfoot the prohibition law,” while another insisted that it “would be more particularly applicable to Leavenworth where the judge and mayor connived together and a jury of saloon-keepers was drawn.” Buchan, of course, had his home territory of Kansas City in mind. The house approved his measure 53–42, with 29 absent or not voting, and the senate concurred 30–5 on March 4, 1887. The law required the governor to appoint three jury commissioners for each of the qualifying counties, which would in the first two weeks of April compose a new list of prospective jurors for the coming year. The commissioners were to “choose only those who are not exempt from serving on juries, and who are possessed of fair character and approved integrity, and in possession of their natural faculties, and not infirm or decrepit, and who are well informed, and free from legal exceptions.” No person could be selected who solicited a position. In other words, only the “best” and most “responsible” citizens could serve, a position that represented the thinking, in regard to radicals, of those who controlled society. Even later during the Progressive Era before World War I and the emergence of the American Civil Liberties Union, judges decided if the accused was sufficiently committed to American values to be accorded his or her civil liberties.³⁹

The decisions he made during the strike of 1886 were of great concern to John Martin as he was coming up for reelection that fall. Opponents believed his reluctance to act against the strikers was a bid for the votes of the Knights of Labor, especially when he refused to send troops to Atchison. Union members, on the other hand, resented his dispatching the militia to Parsons. Martin was sufficiently apprehensive to write Kansas senators Preston Plumb and John J. Ingalls requesting their assistance in the upcoming campaign. He feared, rightly so, that the principal Knights were old Greenback and Anti-Monopoly followers who could lead a movement against the Republicans, perhaps in alliance with the Democrats. He also wrote James G. Blaine, unsuccessful Republican candidate for president in 1884, asking him to devote a week to the Kansas campaign, stressing the fear of labor power. The Kansas Republican platform that fall emphasized the role the party had played in supporting labor’s goals in the past. They had opposed the immigration of foreign pauper laborers, preserved the wages of Kansas workers with a high tariff (never mind that it meant higher prices for goods that labor purchased), enacted a mechanic’s lien law, established a bureau of

labor statistics, and protected labor organizations under their incorporation law. It promised laborers further safeguards against capitalist encroachments to provide means for redress of wrongs they suffered.⁴⁰

The Democrats nominated Thomas Moonlight of Leavenworth to oppose Martin on a platform condemning the Republicans for assisting monopolies, supporting the arbitration law, and altering the railroad regulations to include the issue of allowing the companies to include watered stock for establishing “just” railroad rates, and they also opposed both pauper and convict labor. Martin opened his campaign with a speech in the capital pointing out that the Democrats were opponents of the laboring man as shown by their repeated efforts to thwart Republicans in passing a homestead act, freeing the slaves, and approving a protective tariff to guard against the competition of cheap foreign labor. D. R. Anthony, whose newspaper, the *Leavenworth Times*, the Knights of Labor had boycotted, repeatedly assured the Knights that the Republicans did not want their support, which was not the kind of assistance Martin sought. The governor, though, was reelected by a wide margin, despite his apprehensions. On the national level, Knight John Anderson won Kansas’s Fifth Congressional District, and a meeting of the Farmers and Laboring Mens Union at Scammonville discussed the feasibility of forming a national ticket. Knight delegates from across the nation finally decided to meet again before the election and nominate a slate of candidates for the House of Representatives. Norman Ware called these elections the most successful ever conducted by laborers. In the years 1885–1888 various tickets of “Union Labor,” “Knights of Labor,” “Workingmen,” or merely “Independents” reported significant victories in Argentine, Kansas City, Ottawa, Parsons, Weir City, Wichita, and Winfield.⁴¹

The legislature met in January 1887 and considered a number of bills relating to laborers. They enacted a measure that protected pension money from garnishment, provided it could be shown that the funds were necessary for maintenance of family. They approved a mechanic’s lien law that encouraged cooperatives by requiring all contractors for public buildings to post bond guaranteeing payment for labor or materials that were provided in the amount of one hundred dollars or more. Finally, miners won their protracted battle against being paid in company script. A statute required that laborers “in and about coal mines” must be paid in United States money at regular intervals, and it specifically exempted wage agreements between farmers and their employees to sooth the fears of rural congressmen. It outlawed the payment of wages directly or indirectly in “script, token, draft, order, or other evidence of indebtedness.” It also applied this to advances in wages not yet earned

and made it unlawful to compel workers to buy at any particular place of business. Laborers lost their fight for the eight-hour day, though, and for a law further protecting the safety of coal miners when such measures failed to be enacted that session. In regard to the actual gains, of course, it was one thing to persuade the legislators to act and quite another matter to make certain the executive and judicial branches enforced the laws they enacted.⁴²

Three events in 1886 contributed to the eventual downfall of the Knights of Labor. The first was the myth that the emerging dominance of the Home Club in New York City sought control of the Knights on the national level. Samuel Gompers, Adolph Strasser, and other trade-union members used this fictitious story to attack Powderly, and the issue eventually resulted in ousting him as president and also in promoting trade unionism in the organization. Samuel Gompers and his colleagues were organizing the American Federation of Labor to include the various trade-union groups that did not feel comfortable with the Knights and their philosophy. J. W. Bannon, Master Workman of the Knights' Kansas District Assembly, was a Powderly ally who assisted the Grand Master Workman in exposing the promoters of this myth, which was becoming a serious detraction to the Knights' leadership at the time of its crisis with the Haymarket Riot. Secondly, the loss of the strike against the Gould lines demonstrated the vulnerability of the Knights, especially with the unconditional surrender of its leaders, and members abandoned the organization almost as rapidly as they had joined the year before when it was a winner. Finally, the eight-hour movement that climaxed in the Haymarket Square riot in May 1886, for which the public held the Knights of Labor to be responsible, further led to their unpopularity.⁴³

One of the anarchists charged in the Haymarket riot, Albert Parsons, made a month's tour of Nebraska, Kansas, and Missouri in 1885, where he claimed to have spoken to some twenty-thousand "wage slaves." As a result, he claimed he "had first hand knowledge of militant workers and they of him." J. K. Hudson of the *Topeka Daily Capital* heard Parsons when he was addressing a capital city audience, urging that all property should be held "in common." The editor observed, "it is easy to see how a leader with such ideas at the head of a mob, all of whom believe the same heresies, could become more dangerous than so many wild dogs." But liberals everywhere, including those in Kansas, believed the Chicago anarchists had been punished for their political beliefs, not for throwing the bomb. The radical Topeka lawyer, Gaspar C. Clemens, who became noted for his defense of the poor and oppressed and later served as the chief lawyer for the Populist Party in Kansas, reviewed the affair in a pamphlet entitled "A Common Sense View of the Anarchist

Case.” He made a good case that the blame for the episode should fall upon the shoulders of the authorities, which of course “contributed mightily to his reputation as a wild-eyed radical among his more conservative fellow citizens.” The *Labor Chieftain* of Topeka, controlled by the Knights, wrote of the anarchists: “They were hung legally, perhaps, and so was John Brown. But it took four years of war, millions of treasure, unnumbered lives, and heartbroken mothers, and fatherless children to correct this grievous ‘legal’ error [Brown’s case].”⁴⁴

Most Kansans viewed radical philosophies such as anarchy and communism with fear and alarm, but liberals thought otherwise. Henry and Leopold Vincent of Winfield published a newspaper, the *Non-Conformist and Kansas Industrial Liberator*, in which the editors, horrified by the legal proceedings in the Haymarket affair, defended the accused anarchists, and conservatives subsequently labeled their newspaper radical. The Vincents later became members of a movement to unite agrarians with Union Labor and the Knights of Labor. Edwin Greer, publisher of the *Courier* of Winfield published a series of exposés of the *Non-Conformist*, including a discussion of the National Order of the Videttes, “a kind of shadowy directorate” of the Union Labor Party, with which the Vincent brothers were involved. The Videttes were composed of leaders of the Union Labor Party that had a politically radical secret ritual in which members pledged never to support candidates of either major party. Mary Elizabeth Lease admitted becoming a member but charged that many Republicans in Sedgwick County, including the county chairman, also were members because of the effort of both major parties to woo the labor vote. George W. Poorman had tricked Sam Nutt into giving him a copy of the Vidette ritual, and he sold it to Greer for two hundred and fifty dollars.⁴⁵

Railway express agent H. M. Upham of Coffeyville, one hundred miles to the southeast of Winfield, received a package one day addressed to a fictitious person in Winfield. When he took the parcel home for the night it exploded, injuring his wife and daughter, while he was in his darkroom developing negatives. The *Courier* reported “Evidences of Anarchism in Kansas Are Increasing.” Over the next several months the Vincents hired detective I. D. Highleyman of Chetopa to investigate the tragedy and then wrote a series of exposés. In these stories the Vincents insisted that it was a Republican plot to discredit the Union Labor leaders who posed a threat to them in the upcoming elections. Edwin Greer, in turn, hired Charlie A. Henrie, a Knights of Labor official of dubious character, to write the story of the Videttes. Henrie was a close friend of George W. Poorman, and this convinced the Vincents that Re-

publican state leader Henry Booth and Henrie had plotted to persuade Poorman to mail the dynamite to “L. Loudins” in Winfield in order to discredit the Vincents and Union Labor leaders as anarchists and dynamiters. Instead, the package exploded prematurely, forcing the Republicans to concoct a new story. Booth, the stories in the *Non-Conformist* reported, had formerly worked in the federal land office in Larned before becoming prominent in Republican circles and had collected illegal fees from settlers, for which he had been dismissed. Henrie, the newspaper noted, had played an important role in the visit of Albert Parsons to Kansas in 1884, and Lucy Parsons mentioned him prominently in her book *The Life of Albert B. Parsons*.

The Vincent detective, I. D. Highleyman, was certain that “P. Jasín” who mailed the package to “L. Loudins” of Winfield was actually Poorman. When the plot exploded prematurely and Upham immediately swore he could identify Poorman as the perpetrator, the Republicans found a new job for Upham in Maine working for Republican leader James G. Blaine. Poorman, in turn, told Greer that Nutt was looking for him, and he wanted to return to his home in Bellaire, Ohio. Greer gave him five dollars and sent him to Henry Booth who gave him another ten, which was sufficient to get him to the Buckeye State. Henrie became deputy commissioner in the Kansas Department of Labor. Booth pressured Gov. Lyman Humphrey to make the appointment, the *Non-Conformist* charged, to prevent Henrie from exposing the Republican plot. Greer’s *Courier* assumed a new lease on life, the Vincents were certain, on the basis that he was named postmaster of Winfield by Republican president Benjamin Harrison. On July 4, 1889, the *Non-Conformist* quoted newspapers such as the *Greeley News* as saying that if Greer believed the Vincent stories were false, he should sue.⁴⁶

At first the Republicans, reporting through Greer’s *Courier*, stated that the explosion was either the work of “some infernal crank” or the dynamite was sent to “some Winfield anarchist for use in case of necessity.” But soon their story changed to it being a chemical accident caused by Upham when he was developing his pictures. During the Vincent investigation and series of exposés, the *Courier* continued to deny any Republican involvement and to denounce the Vincent “lies.” A strong public reaction emerged that demanded the truth but nothing was done until the Populists were victorious in 1891, and the new state legislature created a joint committee to investigate.

In this unusual legislative session the Vincents were called the “prosecution” and Greer and Booth the “defense.” The legislature permitted both sides to have attorneys represent them at state expense, and they were allowed to cross-examine. The hearings extended over a seven-week period and in-

cluded eighty witnesses, some of whom enjoyed return performances. The Republicans weakly defended Henrie's appointment to the bureau of labor, and Leland Webb testified that his close friend, Governor Humphrey, had told him he had been forced to appoint Henrie. When the prosecution asked Greer why he believed the Videttes were a treasonous group, he responded that they liked to quote the Declaration of Independence, which he considered to be "one of the most revolutionary documents ever issued or ever formulated by any people in the history of the world," and so it went.⁴⁷ The committee reported

- (1) an agreed statement of facts in the case;
- (2) a Republican version of the events;
- (3) a Populist account; and
- (4) the comments of the sole Democrat on the committee who concluded that it was impossible to place responsibility for the foul deed based upon the evidence of those interviewed.

The Coffeyville dynamite case was never solved but the *Courier* articles were widely reprinted in Kansas newspapers, and the whole episode redounded in the favor of Republicans. Even the Knights of Labor in Kansas became aroused against radicalism, and the assembly in Kansas City for instance was reported as having purged all anarchists from its ranks after the Haymarket Riot.⁴⁸

Before, and even after, their decline in membership and power many Knights were active politically and achieved much in reshaping and reforming their communities. Nowhere was labor-reform politics more successful in the Sunflower State than in Kansas City, a metropolis that grew out of a combination of three separate entities. Kansas City, Missouri, took the lead over other river towns to its west in 1867 when it built the first bridge across the Missouri River and has dominated the river cities' rivalry ever since. Wyandotte, originally settled by a tribe of Indians of that name, had a population of over twelve thousand in the mid-1880s and promoters promised the town would "be to Kansas City [Missouri] what Brooklyn is to New York [City]." It boasted a diverse industry and the shops of the Union Pacific railroad. Kansas City, Kansas, long a center of vice, had a population of almost four thousand and was composed mostly of warehouses and tenements. In addition Armourdale, with fifteen hundred souls, based its economy on the stockyards, Armour packing houses, and good rail connections. Nearby Argentine contained the smelting works and the shops of the Atchison, Topeka and Santa Fe. To assist all these areas in competing with Kansas City, Missouri, in 1886 the

Kansas state legislature consolidated them (except Argentine) into a city called Kansas City, Kansas, which was the largest city in the state in the Census of 1890. When they were combined, less than half the area's laborers were American whites, one-third were first- and second-generation immigrants from the British Isles, Germany, and Sweden, and one-fourth were blacks, mostly Exodusters.⁴⁹

To attract capital, and thus growth, the new municipality needed a transportation system, and city leaders determined to build a paved street from the north of Wyandotte to the southern edge of Armourdale and to establish a pro-business city government. The competing political forces of the three areas presented difficulties in unification, especially with their ethnic divisions, over the recently enacted prohibition law. Through its lax enforcement in Wyandotte and Kansas City, Republicans continued their control with the support of blacks and even "wet" Germans, while the Irish were inclined to remain content voting Democratic. Knights organizer John Cougher allied with the Wyandotte political machine of Billy Buchan, but the flood of new members into the Knights of Labor in 1886 threatened this unity because of the Independents who became restive under the domination of Cougher. The Gould strikes, especially the one in 1886, complicated the situation when commerce was largely brought to a standstill because freight trains had been immobilized. The strike even forced the packing houses to shut down, annoying the pro-business administration. The Wyandotte train wreck further exacerbated feelings of business leaders towards the Knights and led to the formation of numerous Law and Order Leagues in the area, with one composed of 350 men emerging in Kansas City immediately following the wreck. Buchan sponsored not only the bill to alter jury selection but also one that empowered the governor to appoint a board of police commissioners for local urban jurisdiction over prohibition and other vice laws in first-class cities.⁵⁰

For the first municipal elections of the newly created Kansas City in April 1886, Republicans planned to nominate businessman and former mayor of the old Kansas City, R. W. Hilliker, but the numerous new political participants forced the choice of Irish-Catholic stonemason Thomas F. Hannan. Conservative Republicans subsequently ran another candidate while the Democrats named banker Nicholas Alpine. The three-way split threw the election to Hannan who received support from blacks, Knights, and many Democratic laborers. Hannan cleverly praised Powderly for his temperance position, rather than advocating prohibition, thus neatly straddling this ethnic-centered division in his constituency. His first address supported the Knights goals of an eight-hour day and a wage of \$1.50 per day for common laborers. Backed

by council members Republican Charles Bohl, a carpenter, and Democrat William Clow, a mechanic, Hannan's reforms depended upon the weapon of withholding contract approval by, first, suspending a thirty-thousand-dollar bond issue for George T. Anthony's Northwestern Railroad until he pledged to build his shops within the city. Next, Hannan delayed the contract of the Corrigan Cable Car Company, owned by citizens of Kansas City, Missouri, until it agreed to extend its tracks to enhance city development. The company also had to accept a common fare for riding from any point in Hannan's city to Union Station in Kansas City, Missouri, and the return. The mayor was determined to force corporations to serve the city, an objective that failed to win the support of business leaders especially when these actions came during the course of the trial of George Hamilton for sabotaging the tracks and wrecking the train. Both parties, as noted previously, had placed both the Knights of Labor and Hamilton on trial in the court of public opinion.⁵¹

In anticipation of the 1887 municipal elections, in which women could vote for the first time in Kansas, Democratic businessmen and conservative Republicans formed a "citizens" committee that included former Wyandotte mayor J. C. Martin and Corvine Patterson. The Board of Trade supported the committee, and it nominated Hilliker on a program calling for "a vast new system of public boulevards." By that time, though, Hannan had consolidated his control over rank-and-file Republicans with the support of four key figures in the area: William Fletcher, one of the city's oldest Knights, represented the labor element; T. C. Foster, a contractor-politician, was influential among saloon keepers; Louis Weil, publisher of the German language newspaper, *Pioneer*, which Hannan had appointed as the city's official publisher (a move that required the addition of two pages in English), brought the skilled white ethnics into the coalition; and C. H. J. "Alley" Taylor, a shrewd politician, was one of three black lawyers licensed to practice before the U.S. Supreme Court. Taylor would later serve as minister to Liberia. His presence created a powerful wedge in the black community, though, as black Knights locals supported Hannan while the Young Men's Colored Republican Club endorsed the Citizens slate for Hilliker. In one year the mayor had welded together a wide-ranging bipartisan coalition of ethnic groups that centered on the labor issue. In turn, the Law and Order group failed to convert certain key Knights who were long-time Republicans, individual Republican businessmen continued to seek favors from the administration for which a price was exacted, and a number of important Democrats declined to join the opposition to Hannan.⁵²

Hannan's second administration featured the sale of bonds for a city park, library, and centralized sewer system and fighting the new police commission-

ers appointed by the governor. Gov. John Martin named Hannan's key rival, ex-mayor Hilliker, as police secretary, and after a series of humiliations by the police board, Hannan and the city council refused to approve their budget. Hannan dragged out the police pay issue until February 1888 when the disgusted city council finally overruled him after he refused to compromise and was paralyzing the municipal government. Hilliker wrote Governor Martin that "our worthy 'Republican mayor' is fighting the whole Republican ticket." Hannan also raised wages for municipal workers but went too far in trying to pardon an impoverished black man in jail for a misdemeanor. His decision again was overturned by his city council.⁵³

Meanwhile the Buchan supporters regrouped their forces. The county machine had always been able to deny labor leaders any offices except in the city government, but in 1888 it opened the county sheriff's job to the Knights of Labor mayor of Argentine. Buchan forces nominated a black for county registrar of deeds and arranged for the governor to name Corvine Patterson, a black who helped settle the Exodusters, to the board of police commissioners. This revived machine managed to replace Hannan in 1889 with merchant William A. Cory as mayor. He, in turn, awarded the *Gazette* the city printing contract, and Hannan's German newspaper soon folded without this municipal patronage. The Buchan machine was once more in control. As Leon Fink observes, "the demise of labor's political power entailed less a wholesale change of faces than the re-submersion of labor politicians into a less fractious political order." The old guard finally tamed the labor politicians.⁵⁴

The Knights were rapidly declining in Kansas City and elsewhere. The annual report of the Bureau of Labor and Industrial Statistics in 1889 listed twenty-three assemblies with a total 566 men, but some of these units admitted they had been "defunct" for some time. The loss of the southwestern strike and Powderly's refusal to confront the Chicago meat packers in the strike of 1886 had particularly severe consequences for those workers in Kansas City. In addition, the area locals had affiliated with four different district assemblies, and subsequent jurisdictional problems further weakened the union. While the demise of the Knights did not come suddenly, "journalistic mention of the Order as a key factor in local politics ends in 1888," and only a few assemblies were functioning the following year. By 1895 there were no active assemblies in Kansas. Many of the Knights affiliated with the Central Trades and Labor Council of the American Federation of Labor and others remained politically active through the Union Labor Party, the Workingmen, Independents, and the emerging powerful Populist Party that managed to succeed on the state level in the coming decade.⁵⁵

It was a natural move from the Knights of Labor to the Populist, or Peoples Party, as both groups focused on combating the growing industrial dominance of political life, an attempt to return government to the people as the first step toward taming autocratic corporations and capitalists. Both cliques were dedicated to reform ideology. In addition, many of the key Populist figures in Kansas had been members of the Knights. The city marshal of Medicine Lodge, Jeremiah Simpson, was a farmer-rancher who became a Knight in the nearby Kiowa assembly. He decided to run for Congress on the Farmers Alliance ticket in 1890 and became known as “Sockless Jerry” after his retort about his opponent “Prince Hal”, J. R. Hollowell, wearing silk stockings. Jerry lamented that as a farmer he was too poor to wear any. He easily won the election and became known as the “Socrates of the Plains” for his sound and sensible rustic demeanor. His female counterpart, Mary Elizabeth Lease, joined the Columbia assembly in Wichita and was elected Master Workman. She spoke extensively across the country on behalf of Populists, and the myth attached to her claimed that she told farmers to “raise less corn and more hell.” Known as the “Kansas Pythoness,” opponents altered her middle name to Ellen and labeled her “Mary Yellin” Lease. Women in large numbers joined the Knights, and at its peak membership they constituted 10 percent of its total, a number roughly equivalent to the number of women in the national forces.⁵⁶

The scholarly authority on Kansas Populism drew a political composite of its leaders as having metamorphosed over the years from being Republican, to joining the Prohibition Party out of a desire for reform, and eventually moving into the Populist Party. This was basically a journey from conservatism to Union Labor or Knights of Labor, which were considered radical in the popular mind. Gov. John Martin, “normally quite moderate in his rhetoric, referred to the leaders of the Greenback-Labor party as ‘those noisy, turbulent, and vicious demagogues and loafers who muster under the flag of anarchist and communist.’” The Republican press would continue through the 1890s to vilify these people and their successors, the Populists, as “anarchists,” “communists,” “misfits,” “loafers,” “cranks,” and “demagogues.”⁵⁷

The Populist movement in Kansas began in 1889 when a group of Democrats, restive Republicans, and Union Labor supporters met in Winfield and named a People’s ticket for Cowley County offices. Henry Vincent, former Union Labor man and promoter of Knights’ agendas, used his *Non-Conformist* newspaper to support the cause. Vincent centered his attack that year on what he termed the Republican plot that resulted in the Coffeyville dynamite explosion. The fact that Charles A. Henrie, a printer who had

known Albert Parsons and helped write the exposés of the *Non-Conformist* and Vincent, was nominated as assistant in the Bureau of Labor and Industrial Statistics, lent credence to Vincent's charge that the appointment was a reward for his participation in the dynamiting episode. In addition, Vincent insisted that Republican president Harrison named E. P. Greer, Cowley County Republican boss, postmaster of Winfield for his part in the event.

The Populists won a resounding victory in the county and a state People's Party was subsequently organized in Topeka on June 12, 1890. The delegates named Benjamin Clover, a good friend of the Vincents, as state president, and he ran for Third District congressman on that ticket. John Otis, also running for Congress as a Populist, noted that farmers in his area were "burning corn for a fuel while coal miners and their families in another section of our land are famishing for food." Senator John J. Ingalls, whom the Union Labor Party described in its 1888 platform as "a traitor unfit to represent the State of Kansas," became the Populists' chief target that year. As Farmers Alliance men noted, after his eighteen years in the Senate it was "a difficult matter for his constituents to point to a single measure he has ever championed in the interests of the great agricultural and laboring elements in Kansas." As a new party, the Populists were surprisingly successful. They elected five of the seven U.S. congressmen, and the state lower house was composed of ninety-one Populists, twenty-six Republicans, and eight Democrats, assuring the election to the U.S. Senate of William Peffer over incumbent John Ingalls. On the state level, however, the Populists lost every office except attorney general and the lone state representative.⁵⁸

The Populists enjoyed even greater success in 1892 when they elected Lorenzo D. Lewelling governor and captured control of the state senate. Uncertainty over who would dominate the lower house led to the Legislative War. The Republicans contended they won sixty-four seats, but the Populists claimed that the elections in some of these districts were illegal. At one point in the dispute, the Populist legislators barred the Republicans from the house chambers. The Republicans then battered down the door and captured the room. The Populists managed to unseat ten Republicans and the Republicans retaliated by ousting four Populists. Ultimately, the Republicans remained in the house chamber while the Populists met in another room. The Populists enacted a measure providing for the Australian ballot, which eventually became law because the "Republican House" also approved it. The question of legality in regard to who controlled the house was left to the state supreme court to determine. To the astonishment of no one, the two Republican justices held for their party, and the Populist judge dissented leaving the status

quo. The Populists came to disaster in the national election of 1896 when they joined with the Democrats but failed to unite laborers and farmers under the banner of William Jennings Bryan. Kansas farmers, though, voted for the "Boy Orator of the Platte," and the Populists captured control of all of the branches of the state government.⁵⁹

In 1890 the state mine inspector complained that in every session of the legislature except one, revisions had been made in the mining law of 1883 and "every change has made it worse and more complicated." The Populists, however, left a good legacy of labor legislation despite workers failing to reciprocate with political support for agrarians. The mining law of 1889, enacted before the Populists came to power, made mining work safer by requiring the second opening of mine shafts to be not less than eighty feet from the first, placing more restrictions on the use of furnaces, and imposing further safety regulations on mines over one-hundred-feet deep. A Populist provision of 1891 limited the number of people to six who could be lifted or lowered in the shaft at one time, and no coal, timber, or other materials could be hoisted while people were ascending or descending. No person could carry over twelve-and-a-half pounds of powder at one time, and mines were to employ "sober, competent and experienced engineers" of "at least sixteen years of age." The act also forbade miners damaging safety lamps or other equipment; carrying pipes, matches, or lamps with open lights into areas where safety lamps were required; or endangering lives willfully.⁶⁰

The statute of 1895 covered all types of mines, requiring them to ventilate the mine with one hundred cubic feet of air per mine per man per minute and more if it were necessary to pump off noxious gases. The local inspector must examine the mine daily and make his report in the examination book. There could be no standing or stagnant water "in air courses, entries, traveling ways or rooms." Operators were required to "sprinkle coal dust and inflammable materials" twice daily, and miners were required to use only lard oil or cottonseed oil for open lighting.⁶¹

In 1893 the Populists gave miners the financial assistance they had long sought. The *Miners' Echo* happily reported that Matthew L. Walters of Scammonville, a Populist who had been elected to the lower house in 1892, had been made chairman of the committee on mines and mining. Walters, a miner who would soon become head of the United Mine Workers UMW in Kansas, was pushing both a screening law and a pay requirement bill that session. The newspaper was pleased that "the coal kings when making their plea [to the committee] will have the privilege of hearing from a miner in presenting his case." When the pay measure appeared before the senate committee, a Repub-

lican planted the question of what the average miner was paid in Cherokee County. When the response was ninety-seven cents per day, C. A. Henrie, Republican assistant commissioner of labor, placed in the senator's hands a sheet purportedly showing the pay scale in Scammonville to be seventy dollars monthly. But the Populists quickly pointed out this was a false pay sheet that had been "brought up there by a republican tool to defeat the will of the miners." "Henrie fled" at this point, the paper reported.⁶²

The issue of being paid weekly had been one that many laborers wanted addressed for several years. A study in 1888 found that 70 percent of employees in manufacturing and industry, 65 percent of packing-house workers, and many foundry and machine-shop workers were paid weekly. The remainder, including miners and railroad men, were paid monthly, providing hardships for cash-strapped families. In 1893 the legislature required all companies except steam railways and those producing farm and dairy products to pay no later than each Friday. If not, the worker could recover wages plus damages of 5 percent per month not to exceed six months, and the worker was denied the right to waive the provisions. Corporations also must make certain their contracted work adhered to the law. In 1915 a law was enacted that required all corporations to pay at least semimonthly, which when the legislature revised the statutes in 1923, was repealed, and provisions of the earlier law were extended to include steam railways and farm corporations paying biweekly. When the courts declared these provisions to be unconstitutional in 1931, the legislature required all corporations to pay wages at least twice a month.⁶³

Walters's law forbade the screening of valuable coal before it was weighed and credited to the proper miner. The company could not use scales especially constructed for fraudulent weighing (which meant they had been doing all this previously and would continue to do so surreptitiously), and the weighman must take an oath "to do justice between employer and employe." If they chose, miners could employ their own weighman at their own expense. The regulations also applied to loaders in mines where machinery instead of miners, or strip mining, was used for extraction of coal. This process became increasingly important in the coal regions after the turn of the century.⁶⁴

Many operators simply ignored the law, and officials took the issue to district courts. Some judges declared it to be unconstitutional as it deprived the owners and miners of the right to "freedom of contract," a clause that incidentally is not to be found in the Constitution but is a fiction created by federal judges in the nineteenth century. W. L. Simons of the Crawford County district court, however, upheld the act as a valid exercise of the police power, and a majority of judges saw no interference with the "freedom of

contract” concept. On the contrary, it would be useful for both sides to have information on which to base their bargaining, and it would remove deception and fraud from the payment process. Some companies continued to pay on the weight of the coal after it had been screened, and it was not until the turn of the century that the “mine run” basis of payment was universally accepted.⁶⁵

In 1897 the legislature made a slight modification in the law on payment in script. Employers were forbidden to pay in “script, token, check, draft order, credit book or any book of account or other evidence of indebtedness.” Wages must be paid in U.S. money or check or draft on a bank where the company had money on deposit. Violators would be fined five hundred dollars and spend thirty to ninety days in county jail. Another law in 1897 repeated the “breakthrough,” ventilation, and standing-water regulations but further required old breakthroughs to be closed and made air-tight as soon as new ones were made. In addition, escape shafts and equipment must be kept clear of all obstacles and be able to bear the weight of fifteen men at one time. Finally, after years of needless accidents and deaths, the state took significant steps to make mining safer when these regulations were enforced.⁶⁶

The law of 1883 regulating child labor in the mines had never really been enforced. The Populists enacted a measure in 1898 that shifted responsibility for enforcement to the newly created commissioner of labor statistics. The statute clarified the definition of “children” as being those under fourteen years of age and minors as males under twenty-one and females under eighteen. Again enforcement was sporadic until the legislature specifically legislated against child labor in 1905.⁶⁷

The Populists also introduced a rather rigid general child-labor measure. It would prohibit any child under fourteen from being employed in any factory, workshop, “or about any mine.” No person under age sixteen could be employed at any occupation or place “dangerous or injurious to life, limb, health, or morals” nor labor outside the family business before 6:00 a.m. or after 7:00 p.m. It proposed setting a limit of working no more than ten hours in any day nor more than sixty hours per week. The measure failed to receive legislative approval, though, and would not become law until 1905.

Labor won a signal victory in 1891 when the state established the eight-hour day for all employees working for any governmental unit, except for cases of an “extraordinary emergency.” It included workers furnishing materials to government agencies and provided that employers could not cut current pay to make up the difference in hours worked—that is, that ensuring that workers would receive the same daily pay for fewer hours. The statute stipulated it did not apply to existing contracts, but did not contain the usual cachet found in

other states with similar laws, “where there is no special contract or agreement to the contrary” as an escape clause for the limitation. The house and senate approved the proposal by the lopsided votes of 81–2 and 26–2.⁶⁸

The basic problem was, as is occasionally the case, the legislature forgot to make appropriations for the state institutions to carry out the law. The warden of the penitentiary informed the commissioner of labor that he could not comply “because it would necessitate an increase in the number of employes,” which was not the institution’s desired goal. The Industrial School for Girls was the only state agency that attempted to carry out the intent of the law. The statute was challenged by the city of Fort Scott, which levied a poll tax of three dollars and an ordinance requiring those who did not pay to work two ten-hour days in lieu of payment. The state supreme court held that this violated the state law of an eight-hour day, which was a legitimate exercise of the police power. Another challenge to the law came from Wichita where a contractor worked his carpenters nine hours daily for eight hours of pay in building a schoolhouse. This was a common practice of contractors, compelling workers to make large profits for their employers by working longer hours for the same wage.⁶⁹

Laborers also achieved a major goal in 1897 with the outlawing of the blacklist. Labor commissioner Betton described the blacklist as originally a means of warning employers against incompetent and dangerous workers, but it had degenerated into “an underhand weapon of vengeance and oppression.” The law stipulated that when an employer discharged an employee he was not to “prevent or attempt to prevent by word, sign or writing of any kind whatsoever, any such employee from obtaining employment from any other person, company or corporation except by furnishing in writing, on request, the cause of such discharge.” Violators could be fined one hundred dollars and serve thirty days in county jail; they could also “be liable to an amount three times the sum” of lost wages and “a reasonable attorney fee in costs of case.” The senate vote was 22–7 for the measure, and the house’s 72–15. The state supreme court, however, struck this law down as a violation of the state constitution’s clause on the right to speak or write freely. Yet Kansas was beginning to regulate the most dreaded labor practices of the nineteenth century and entering the new one with some old baggage that would be discarded later.⁷⁰

The Populists in Kansas, however, were never successful in uniting the rural with the urban political elements as demonstrated by the experience in Osage City and Kansas City. The agrarians, in their struggles against bankers, railroads, mercantile interests, and the sound money men, held little appeal to the average urban workers who confronted quite different problems and

adversaries. The National Citizens' Industrial Alliance was formed in Topeka in January 1891 for the purpose of uniting farmers and laborers in a fight against what was termed "the country's plutocratic class, but it and its secretary, W. F. Rightmire," failed in their mission. Union Labor in 1888 and thereafter was concentrated in the rural areas of the middle one-third of the state, and it soon was to fuse with the prohibitionists and become Populist. Populists in Osage City, a part of the coal-mining industry, were unable to entice the miners to abandon their traditional Republican allegiance. Two of the four wards there were overwhelmingly labor, but Populists were successful in the city elections only because of the votes of the other two wards with their middle-class business and professional elements.⁷¹

In urban, industrialized northeastern Kansas, the agrarian reform movement was accorded a much less welcome reception than in rural areas for several reasons. State Knights Master Workman John W. Breidenthal, "an organizational genius of sorts" who also chaired the state Union Labor convention, and other labor leaders worked hard to fuse with the Populists but found it difficult to do so in Kansas City because of rank-and-file urban labor voters and their support for the Democrats. Knights composed three-fourths of the delegates to the Union Labor convention of 1887, and Breidenthal and fellow labor leaders continued to attempt to fuse reform movements with the Populists during the 1890s. In 1890, for example, the Populist candidate for governor ran a good race statewide with 37 percent of the vote compared to the Republican receiving 39 percent. Yet in Wyandotte County, the Democrats won 53 percent, Republicans 40 percent, and Populists 7 percent. When the Populists fused with the Democrats in 1892, however, Edwin Taylor defeated Billy Buchan. But usually the laboring voter had little sympathy for the agrarian third-party ideas. The labor leaders were only one part, however, of the Populist coalition.⁷²

The Citizens Alliance in Kansas City, organized in 1890, attracted the usual middle-class support that opposed the labor movement. They endorsed the Populist effort to restore prosperity but remained conservative on local affairs. Member leaders included W. S. Twist, an owner of utilities, and two bankers, W. S. Beard and Porter Sherman. These people, who opposed Mayor Hannan, focused on high government salaries, municipal indebtedness, and corruption and ran Sherman for mayor in 1895. The Panic of 1893 created widespread unemployment in urban areas, and Sherman's opponent, wealthy realtor George W. Twiss, promised voters both relief and an increase in municipal construction, which won him the election.

Prohibition and women's suffrage played major, perhaps twin, roles in the

Populist movement. Kansas Populism in 1890 united Union Labor and the prohibition groups, and the latter was always strong in the Sunflower State. Both Mary Elizabeth Lease and Annie L. Diggs, a writer for the *Lawrence Journal* and later in Topeka for the *Advocate*, who was a powerful force behind the scenes in Kansas Populism, utilized the growing political influence of the Women's Christian Temperance Union (WCTU). This organization branched out in support of various reforms including women's suffrage and became a decisive force in the state for the next several decades. Diggs, an outspoken advocate of women's suffrage had "demonstrated by word of mouth and by pen that she was eminently qualified to play a leading role in the male world of politics . . . without destroying her image of femininity," was an effective advocate of the WCTU reforms. As a journalist knowledgeable in politics wrote, "Kansas politics is dominated by a triumvirate—the WCTU, the Anti-Saloon League and the Methodist church. It would be sheerest folly for any aspirant [to political office] to pit himself against these powerful and arbitrary organizations." This reform movement assumed increasing importance after 1887 when Kansas women were enfranchised in municipal elections. The WCTU experienced good relations with labor leaders, although not with German voters who enjoyed their beer. The Hannan machine and the WCTU were on opposite sides with the latter receiving support from the Law and Order League and businessmen. The distance between agrarian radicals and urban reformers continued to widen in the 1890s, and the twin reforms of prohibition and women's suffrage persisted in costing Populists the German and Irish vote.⁷³

Finally, according to Leon Fink, "the spirit of the revival informed the substance of radical organizing in Kansas," and there was "an intrinsically Protestant, moral reform character to the agrarian movement that undoubtedly restricted its appeal among urban wage earners," as represented by the Vroomans. Hiram Perkins Vrooman, a proponent of radical Greenbackism, ran on that ticket for governor, then later supported antimonopoly and prohibition reforms. He and his sons published a Knights-supported newspaper, and son Harry became attracted to the Red International while attending Washburn College. Harry helped make arrangements for the Albert Parsons visit to Kansas in 1885. The other son, Walter, was a preacher who joined the Socialist Labor Party, and the family had an impact on the various reform movements of their era. Urban workers, as well as most Kansans, rejected this type of radicalism in even the worst of economic conditions. The leadership of the Knights of Labor felt at home with these reformers, and the ideas of the WCTU but could not convince the rank and file urban worker of their benefit. The demise of the Knights with their strong reform impulse seriously dam-

aged the attempt to fuse the urban and rural reform movement, and the new dominant trade union in Kansas, the American Federation of Labor, would pursue conservative goals and policies. Except for the fringes, the radical reform movement was dead in the Sunflower State, at least for the remainder of the nineteenth century. The reforms achieved were important but those resulting from the following Progressive Era were even more encompassing.⁷⁴

The Apogee of Liberal Labor Legislation

Samuel Gompers and Adolph Strasser of the Cigarmakers Union led the movement to form the American Federation of Labor (AFL) in 1886 for which Gompers served as president until his death in 1924, with the exception of one year. They disagreed with the Knights of Labor philosophy in many ways, believing that labor could not be lifted en masse, that skilled workers should improve themselves, and that the gains would filter down eventually to the unskilled. Therefore, they worked for the closed shop, the monopolistic concept that a worker had to be a union member to obtain a skilled job and thus the union could control the supply of craftsmen. The AFL promoted “voluntarism,” the dual concept that government interference in labor-management disputes should be kept at a minimum and that workers should look to their union, not the state, for assistance. The charter authorized the international executive council to settle all jurisdictional disputes to eliminate the continual problem of rivalry for membership but left standards of admission, apprenticeship, and discipline to the affiliates in most cases.¹

The AFL charged members a per capita tax to build up a strike fund, a concept that never really succeeded for the Knights of Labor because the local units usually failed to forward the money collected to the national office. The AFL worked on improving wages, hours, and working conditions. It was politically active only in “rewarding labor’s friends and punishing labor’s enemies” at the ballot box. The union rejected the concept of class struggle, accepting the fact that they worked for capitalists and should try to force cooperation from employers rather than promote revolution. It was extremely effective with boycotts, printing the slogan “we don’t patronize” against recalcitrant employers in their journal the *American Federationist*, which enjoyed extensive distribution. Using these principles, the AFL grew slowly but soundly from less than 150,000 members in 1886 to about 2 million on the eve of World War I.²

In addition, the contemporary, independent American Railway Union (ARU) played an important role in Kansas soon after it was founded. Eugene V. Debs, an ardent champion of the rights of labor, was secretary and editor

of the journal published by the Brotherhood of Locomotive Firemen. The railroad brotherhoods declined to organize the hundreds of thousands of shopmen, switchmen, maintenance workers, and others on the railroads outside their four categories. In response to the appeals of these unskilled men, Debs established the ARU in 1893. The union was not yet viably functional when it received a request for support from the Pullman workers in 1894. Debs responded to their appeal, and in a short time rail strikes engulfed the nation, centering in the Midwest.

The Kansas Federation of Labor was organized in Topeka in early July 1890, and soon a majority of the trade unions in the state became affiliated. They persuaded Gov. Lyman Humphrey to name the first Monday in September in 1890 as Labor Day, a state holiday. These unions included 1,289 members, or almost 80 percent of the tradesmen in the state. Each member of the state federation paid annual dues ranging from \$3.50 to \$14.00, depending on their skill. Bricklayers had the highest wage scale of \$4.46 (\$3.50 for nonunion men) and tailors the lowest with \$2.08 per day (\$1.95 for nonunion). The report on these union members included child-labor statistics: canning factories in 1890 were employing 25 boys and 25 girls (ages twelve to fifteen), packing houses were working 175 boys and 4 girls, and there were 230 boys laboring in the mines, all told not a great problem. One brick manufacturer explained the positive nature of this exploitation of children with his conviction that "it is healthy and beneficial to make children do light work as soon as they become old enough, as it develops their muscles and teaches them to be useful, and it is not so hard on them when they become older. If they are allowed to loaf around when small, it is as hard to break them of it as it is to teach them to work; besides, it makes tramps and jailbirds of them." According to this philosophy, they undoubtedly would have had a tough life as laborers, and the sooner the tykes discovered the real world, the easier it would be for them to cope.³

The United Mine Workers of America (UMW), the largest union in the state, soon became affiliated with the Kansas Federation of Labor. One newspaper reporter observed that mining companies completely dominated the lives of their workers and families. The union constituted the sole social element of their lives, which centered around the union hall. Churches were practically unknown in the camps as many of the miners were formerly Catholics. But the average workers were so poverty-stricken that they had little money left over from living expenses for church donations: they were "left alone by both priest and preacher." Politically the miners inclined toward socialism, and they placed a high value on education for their children. As a result, Girard

for example, had a Socialist mayor at one point, the entire school board of Dunkirk was Socialist, and the party pressed for a better school system. While the farmers tried to beat down school taxes, the miners outvoted them and insisted on maintaining decent schools. When the Republicans split nationally and in Kansas in 1912, the Socialists in Crawford County had the strongest party and swept all county offices but one. Both major parties immediately counterattacked and soon regained control.⁴

Strikes in the coal mines broke out periodically, especially during the summer months when production was curtailed and pay rates and hours were cut back drastically. Striking workers had little to lose at that time of the year. A serious and widespread mining strike erupted in the summer of 1893, and wages became the key issue. For the previous ten years the local price had remained at sixty-two and one-half cents per ton in the summer and seventy-five cents in the winter. The *Miners' Echo*, the official organ of the UMW, argued that over this period of time the price of coal had risen fifty cents per ton and transportation rates had declined eighty cents; therefore, the operators could afford to pay a higher scale and a lower one was completely unjustified. The mine owners countered that they could not offer an increased rate and still compete with Iowa and Colorado coal, and they cut their rates when summer demand declined. The operators finally made "an offer the miner could understand only if he were a mathematician" and refused further arbitration. As a result, the men struck.⁵

UMW president Matthew L. Walters, who as state legislator had introduced the coal screening law and persuaded the legislature to enact it, realized the necessity of organizing the miners across the state line in Missouri as the operators in Kansas were having their contracts filled by companies in Rich Hill and surrounding communities. The involved operators also were filling their contracts in part with coal from the state mine in the Leavenworth area. The Rich Hill men were receiving even less pay than the miners in Kansas, and Walters found a receptive audience when he visited the Show Me State. He spoke to over five hundred men in the area, following addresses by the Kansas commissioner of labor and the state mine inspector, who advised the men to keep working. This was not what they wanted to hear, and "there was not a cheer for the mine inspector when he finished," the *Miners' Echo* reported, "but great applause" followed Walters's speech. The operators claimed the men were making \$2.75 per day for seven hours' work, but Walters countered that the pay actually averaged \$1.09 daily because the companies were counting only the days when they hoisted coal. In the ensuing strike, the coal companies imported black Alabama strikebreakers and asked the governor for protection.⁶

Kansas governor Lorenzo Lewelling, elected in the Populist victory in 1892, supported the strikers and refused the request of the companies to send in the militia. He paid a visit to Leavenworth to review the situation. His vocal Republican opponents claimed he and Walters traveled there to see the prison warden to demand a curtailment in the supply of coal sold commercially. The *Miners' Echo* countered that the governor did not consult with Walters or talk to the warden at the nearby state prison in Lansing about the strike, but the newspaper took note of the fact that "the Populists generally talk freely on the subject [of cutting off the supply of prison coal] and approved the scheme." Populists, in fact, were lending more than moral support to the strikers. They called a meeting in Wichita that Mary Elizabeth Lease, among others, was to address. She had to leave early, though, for a political trip to Arkansas but wrote her check to add to the subscription list. Two weeks later a Populist county convention there pledged a wagon load of wheat each for Pittsburg, Weir City, and other mining centers, and it was "calculated that not less than 50,000 bushels of wheat" was to be shipped to the striking miners and their families. By July the Leavenworth commercial miners were returning to work with a raise to eighty cents per ton and were reported as "pleased with the arrangements." But the offer of the southeastern operators of fifty-four cents for summer production was rejected, and the miners were reported as holding out for "57-70" (fifty-seven cents summer, seventy cents winter).⁷

The strip miners of southeast Kansas were not involved in the strike, and the deep-shaft men soon realized they also had to shut down this source of supply. The strip miners, however, proved adamant against quitting work over an issue not their concern, and their employers made certain they were armed to protect themselves against attack. The mine operators also were building stockades to protect the black strikebreakers they planned to import from Alabama. The strikers decided to send in their women to plead with the armed pit men. When they refused the women's request to quit work, the ladies "began throwing coal and other missiles at them." The pit miners were reported as picking up their tools and dinner pails and they "beat a hasty retreat."⁸

On another occasion when the women fruitlessly confronted the angry strippers, it resulted in one woman being struck "almost to the ground." The armed men then fired "about forty shots among the defenseless women" and "sprang to their horses and made good their escape," according to a newspaper account, leaving a boy wounded in the ankle and "crippled for life" and an Italian fatally wounded in the forehead. The state coal mine inspector later identified the attackers as Irea Clements, son of the mine owner, and

employees Dick Reid, George Fouch, and Henry Mercer. He reported Robert Moore as shot in the back of the head, the wounded boy badly crippled, and the dead Italian as a Frenchman.⁹

The UMW executive board posted a public notice warning outside miners “to keep away from the State of Kansas as the miners in that state are now out on strike and have been since the 19th day of last May.” As the black strikebreakers began arriving, clashes between armed miners and the strikers increased and violence escalated. In addition, Populist leaders flocked to Weir City and vicinity to advise the strikers. Seventy-five armed deputies were reported ready for “another desperate and more decisive clash between the strikers and the strippers.” When fifty additional deputies arrived at the scene, the hotel office there was described as “looking like an arsenal.” “Sufficient is learned,” the staid Republican *Topeka Daily Capital* warned ominously, “to justify the former conclusions, that politics is the greatest disturbing element in the strike and from the present indications this trouble is only the germ and nucleus around which will gather the forces of a revolution that will bring the whole state up in arms.” Noah Allen, the Populist assistant attorney general, was active in the mining region urging the men to keep the peace. The workers were being ejected from their homes, and the *Miners’ Echo* notified the men that their eviction notices should be brought to its office so that Noah Allen “[could] take care of them.”¹⁰

On July 25, the situation grew tense as the county sheriff addressed an angry crowd of miners and their women who were about to attack pit workers. He assured them that, while he sympathized with their cause, “he was bound to do his duty.” If he and his deputies could not maintain peace and order, he would have to notify governor Lewelling, who “could put 500 militia upon the ground in three hours.” The mob dispersed, but the situation remained threatening. Lewelling ordered the militia to hold itself in readiness and wired Capt. O. S. Casad that “under no circumstances will you take military action without orders from this office.” The captain replied that he had taken no military action “whatever” in the crisis. “It was high time that the Governor came to his senses in this matter,” the *Topeka Daily Capital* huffed, because “the incompetency of the sheriff in Weir City, the crazy mouthing of the anarchist Walters who disgraces the legislature by holding a seat in the House as a Populist, the lawless actions of the women [mean that] public sentiment is universally against the Walters strike. . . . There is no sympathy from properly constituted people,” a group left unidentified.¹¹

On July 28, the Kansas and Texas (Katy) Railroad, a principal coal mine owner in the area, imported five hundred black strikebreakers. “A move of this

kind would certainly provoke riot and possibly bloodshed," a local newspaper warned. The same source described the Katy stockade to protect the blacks as being about one-third completed, "and the men [were] working day and night upon it." "The foreign element among the sympathetic miners is very bitter against colored people," the story continued, "and they propose to keep them from working there if possible." The *Topeka Daily Capital* referred to the miners as "a lot of ignorant vicious Dagos." The strikebreakers, however, informed the white miners that they had been misled. They were not told of the strike in progress but were promised "pleasant homes in a comfortable town or city" and guaranteed a wage of one dollar per ton. They found, instead, a cot or bunk in a stockade with armed guards outside and received fifty-four cents a ton. A week later another four carloads of strikebreakers arrived in Weir City from Alabama. They, too, were disappointed as they were iron ore miners and were not told of the strike or that it was coal work. They vowed not to go into the coal mines and were described as wanting to return home.¹²

Finally, on August 17 J. C. Devlin of the Santa Fe Railroad proposed a settlement to the lengthy conflict, making an offer of a sliding scale based on the amount of coal after screening. A meeting of strikers in Pittsburg voted 2,318-927 to accept his offer. Fifteen held out for "57-70" and four hundred wanted sixty cents "yearly." The Devlin offer was not everything the miners wanted, but they were willing to accept it if the other operators would pay the same rate. When the other owners failed to persuade Santa Fe's officials to withdraw their proposal, the strike slowly ground to a conclusion. There were reports of the Missouri men returning to work on September 1, and the mines gradually reopened peacefully. The conflicts between strip versus deep-shaft miner would begin to lessen in two decades with the introduction of steam shovels in strip mining. The development of these monster shovels to dig the Panama Canal made it economically feasible to utilize them in recovering the seams of coal. The Bureau of Labor reported in 1913 this technique as having "developed quite rapidly during the past year" and "if it continues, Kansas will have a separate industry of gigantic proportions," something that failed to happen, but it did become a significant contributor to the Kansas economy.¹³

The problem continued, however, of forcing the coal operators to obey the mining laws. In October 1893 the state coal-mine inspector reported to the governor from Pittsburg that none of the companies were complying with the weekly pay law. Some of the most compliant were paying 90 percent of the money owed on a weekly basis and the remainder monthly. Operators compelled every miner in southern Kansas, he reported, to sign a contract,



4. Author with Big Brutus. Courtesy of Marilyn Lee.



5. Author with Big Brutus's ninety-ton scoop. Courtesy of Marilyn Lee.

which was “nothing short of iron clad,” that they would receive their pay once a month. He hoped the governor would call this to the attention of the attorney general “and have him arouse our County Attorney from his Democratic slumbers to make a trial test [of the law].”¹⁴

Conflict continued to brew in the coal fields. Two years later the Home-Riverside mines in Leavenworth reduced their pay scale from eighty cents to seventy cents, and the miners struck. The *Labor Chronicle* observed that there had “been nothing but trouble in the mines since Kirkstead was appointed superintendent, and the men claim[ed] that the stockholders keep him solely for the purpose of cutting wages and harassing the miners.” The miners of the Leavenworth Coal Company, concerned that the wage-cut idea might spread, discussed the problem with the Home-Riverside strikers, and they agreed they had to work in concert before the price in the area was reduced to sixty cents for everyone. The Leavenworth Company continued to pay eighty cents, so their working miners donated 20 percent of their pay to the strikers during the walkout. Kirkstead tried to win support from the local businessmen by pointing out the miners were making two dollars per day, and there was no justification for them to strike. The labor newspaper corrected this by noting that if one counted 312 working days in the year, the miners were actually earning one dollar per day. The owners were counting, as usual, only days when they “hoisted” coal as working days.¹⁵

In the midst of the strike, the miners notified officials that the operators were violating the law. The state mine was limited to producing coal for state institutions, but any surplus could be sold to the “wagon trade.” In order to fill its contracts, the Home-Riverside company engaged heavily in the wagon trade. The strikers called this to the attention of Warden J. B. Lynch who persuaded the attorney general to investigate, and he subsequently ordered cessation of these sales. The men established a general store on Fifth Street in Leavenworth “where the idle miners . . . [could] secure the necessities of life upon application.” With this solidarity the strike ended a month later when the Home-Riverside company restored the rates of May 1894. The company also capitulated to demands that it provide a check weighman for each of its mines, as required by law.¹⁶

Although America had recovered by 1898 from the effects of the Panic of 1893, the coal industry remained chaotic primarily because its volatile labor force whose wages at that time constituted from 66 to 80 percent of the costs of production, depending on location, abundance and availability of coal, and other local factors. The young but growing UMW determined to play a more significant role in the industry by helping break the cycles of cutthroat

competition through the practice of cutting wages. Because of the devastating effects of the depression, the number of miners employed in the mines had grown too large. The operators had the choice of either reducing the numbers of their workers or cutting their wages. The UMW preferred a third alternative that arose during a strike in the eastern mines. It proved to be not only an orderly and peaceful solution but one that was to have a great impact on collective bargaining. The eastern operators realized that conditions required stabilization and that the miners were determined to play a role in regulating their industry.

They settled the strike in January 1898 by holding a "historic interstate joint conference" in Chicago that established an eight-hour day and a wage increase of ten cents per ton with differential scale rates based on local conditions. The settlement proved so successful that both sides agreed to meet every January and work out an agreement to take effect in April for the following year. As part of this Interstate Joint Agreement, the UMW promised to "afford all possible protection to the trade . . . against any unfair competition resulting from a failure to maintain scale rates," a recognition by both parties that the union henceforth would play a significant role in stabilizing the industry. This settlement covered eastern mines in what would become known as the Central Competitive Field of Western Pennsylvania, Ohio, Indiana, and Illinois. UMW president John Mitchell realized the importance of extending his organization to the mines in Missouri, Oklahoma, Iowa, Colorado, and Kansas and thus applying this cooperative concept to coal mining everywhere.¹⁷

In November 1898, John Mitchell ordered the organization of the miners in the Tri-State area to proceed. The drive proved successful despite the opposition of the "Big 4" coal operators in Kansas and Missouri who were not as wise as their competitors in the Central Competitive Field. Officials asked members to support the UMW in Arkansas and Indian Territory for recognition of the union as the sole bargaining agent, and on May 13, 1899, Mitchell ordered his miners in the area to strike to enforce this demand. Opinion was far from unanimous about the walkout, both in terms of opposition from nonmembers and from those who saw no reason to strike in support of miners from other areas. As a result, several mines continued to operate, the result of which was "a great deal of bitterness among the miners of Southeast Kansas."¹⁸

The rancor became more intense when the Katy Railroad again decided to import black strikebreakers from Alabama. Kansas governor William Stanley, elected in 1898, refused the request to oppose this importation of workers, resulting in UMW national organizer John Reese's description of him as a member of "the capitalist class who believes capitalism has a right to haul its

employees into a hell of wage slavery.” When the company continued with its plans, Cherokee County sheriff Oliver Walker Sparks told company officials he “would not afford protection for imported riotous men and would prevent them from coming in if it took all the able bodied men” in the county to prevent it. The district judge of Cherokee County issued an injunction against the Big 4, ordering them not to provide transportation of black miners into the county.¹⁹

The companies proceeded to build six protective stockades and successfully sought an injunction in the federal circuit court at Fort Scott against the UMW’s “conspiracy” to deprive them of their property rights. The blacks began arriving soon thereafter in special trains, the first coming on June 15, 1899, with 125 people, miners and their families. The number that eventually came to the Scammon area alone was estimated at 600. The last ones arrived on September 4 with some calculating the total number in the region at 1,300.²⁰

Striking miners, of course, were intensely hostile to the newcomers, but this tension eased somewhat when all companies except the Big 4 settled with the UMW. Union officials immediately began organizing the blacks under orders from the national executive council, whose charter guaranteed equality regardless of race, creed, or religion. A number of the Alabamans eventually returned home or immigrated to other areas for employment. Businessmen of both Pittsburg and Weir City condemned these “men of such low and vicious habits,” and Democrats and Populists denounced the importation. By September 1900 the Big 4 had capitulated to UMW’s demands, and at that point 65 percent of the blacks had signed with the UMW. Within a year the frenzied opposition to the blacks had died down except for the hatred recent immigrants held for them, and they were accepted into the communities as cordially as blacks were by whites anywhere else in Kansas.²¹

At this time the legislature chose to revamp the offices of mining inspector and commissioner of labor. The two agencies were never popular with the agriculturally dominated legislature, and they endured the biennial scramble with other state agencies for funding. Certain legislators persistently attempted to abolish the Bureau of Labor in particular, so the department decided to poll interested parties to determine opinion on the question. Manufacturing concerns split 182 to 45 for maintaining it, 764 wage earners liked the bureau as opposed to 99 who did not, and 29 unions wanted to keep it versus 6 who voted to abolish. Provided with this information of strong support for the agency, the solons compromised by allowing union men to organize the Bureau of Labor and elect the commissioner, and the miners established a separate bureau and elected the state mine inspector. While

these officials had the force of law behind them, this change watered down their authority considerably, as the agrarians intended.²²

Flagrant and widespread violations of the mining laws continued. A news reporter from the mining district in southeast Kansas appeared on a Labor Day platform with Gov. Walter P. Stubbs, a liberal Republican elected in 1908 when the Progressive movement was at its height in Kansas. Stubbs achieved honesty in government, secured important reforms during his terms in office, and, in the opinion of William White, was "the best governor in Kansas history." The reporter disagreed with this favorable assessment and challenged the chief executive to make certain the labor laws were enforced.²³

The Miners Association elected Leon Beeson, a Socialist, as state mine inspector in 1911. Beeson took his responsibilities seriously and soon found numerous violations of the statutes. In one case, the mine boss refused to rectify problems, and the inspector secured a warrant for his arrest. Much to Beeson's surprise and dismay, neither the boss nor the county attorney appeared in court at the appointed hour nor did they explain their absence, and the judge acquiesced to their lackadaisical attitude. May Woods-Simons discovered a systematic disregard of the laws requiring sprinklers, inspections of steam boilers, securing loose materials overhead in travel areas, and other safety precautions, all of which cost numerous lives. The law had been tested in court recently and upheld. Yet former attorney general F. S. Jackson had ruled that coal mining was not dangerous in terms of the law, and therefore boys under age sixteen could be employed in the mines because it was not an "occupation . . . dangerous or injurious to life, limb, health or morals." He based his decision on the narrow distinction that the legislature forbade working boys under age fourteen in mines, and boys under sixteen in "a dangerous place." Because the legislature delineated two separate sections, he professed to believe the legislature did not consider mining to be dangerous because the clause dealing with fourteen-year-olds in the mines did not declare it to be such. The journalist listed a number of people killed recently in the line of work, demonstrating, as she put it, "if these records do not prove mining a dangerous occupation then there are no dangerous occupations." She found that violations in southeast Kansas resulted in an average of one death or injury each day—or seventy-seven accidents—between July 1 and October 2, 1911.²⁴

The reporter announced the following year that despite the best efforts of Beeson to ensure enforcement of the inspection laws, 36 men had been killed and another 278 were seriously injured in the two counties of Cherokee and Crawford alone during that period. The death rate in Kansas mines, she noted, was four in one thousand while it was two in Germany and one in



6. Crawford County courthouse where cases, kegs, and bottles of alcohol were burned. Courtesy of the Kansas State Historical Society, Topeka, Kansas.

England. In another instance, the mine inspector found that the company superintendent had adjusted the weight scales to cheat his workers of 62,500 pounds of coal in a three-day period. When Beeson revealed this fraudulence, the company transferred the superintendent to mines in Wyoming to preclude legal action against him.

Unfortunately, the state worker compensation law did not require companies to adhere to its provisions but made it optional, which presented another difficulty. If the miners wanted to be covered and the company refused, there was no recourse. The news hawk observed that she wished the governor was as diligent in enforcing the inspection laws as he was with prohibition in the mining districts. The Kansas Supreme Court ordered the ouster of Sheriff Martin of Cherokee County for negligence in enforcing prohibition, but no court in Kansas would drive an official from office for failure to compel compliance with the state's mining laws, she claimed.²⁵

The commissioner of labor noted that, following the advent of the AFL in Kansas, there was "a subtle, quietly working and effective boycott . . . gradually taking the place of the unwieldy and generally unsatisfactory strike." After the AFL persuaded Gov. Lyman Humphrey to make Labor Day a state holiday, most companies recognized it except Swift Packing Company. Henry Cashey

and Patrick Rooney took the day off, and Swift fired them as a result. The company refused to review their cases or discuss the issue with the meat-packers union. On October 6, 1895, the union instituted a boycott of Swift products and informed American and European trade unions of their action. Soon trainloads of Swift meats were being returned, and "the weather being very hot, the meat was spoiled in transit." The boycott was so effective that the company capitulated in two weeks. The two men were reinstated, and "all demands of the union acceded to" by Swift. This lesson was not lost on union men. Of all these union efforts in the late nineteenth and early twentieth centuries, though, it was the Pullman strike that had the greatest impact on Kansas.²⁶

George Pullman, like other great corporate leaders of his time, saw no problem with enjoying large profits during prosperous times without sharing them with labor nor with cutting wages during hard times when there was a surplus of workers. The Panic of 1893 forced many companies to retrench, including Pullman, which cut workers' wages from 20 percent to as much as one-third, while the company paid generous dividends to stockholders, most of whom lived in Chicago. Leasing and repair of his coaches remained profitable, but the construction phase of the operation was losing money as demand for new cars slackened, and Pullman was determined that the workers should share this loss along with himself and the stockholders, a course of action which could be justified. On the other hand, he refused to cut rents, utilities, food, and other expenses in his "model town." The rent for his company housing was 33 percent higher than that in nearby neighborhoods before the depression, and his workers were under constant pressure to rent from the company. While his laborers resented his extensive use of the blacklist and the significant cuts in pay and hours, "few matters rankled as the question of rentals." After paying their monthly bills to the company, or rather having them deducted from their pay to make sure they did not renege, many workers were left with pennies or nothing with which to buy food for their families.²⁷

The American Railway Union was only ten-months-old when the Pullman workers asked Debs to support their strike. While he believed the timing was bad and striking was the wrong approach to their problems, Debs concluded his union had no choice but to assent. The railroad owners, determined to destroy this incipient labor movement, organized the General Managers Association, which, Debs claimed, was prepared to crush any strike or worker rebellion even before the ARU had entered the fray. The owners had strong support from U.S. Attorney General Richard Olney, a long time railroad attorney, in their efforts to destroy the movement. The association, led by John Egan,

ordered Pullman cars attached to mail cars, and when the strikers refused to handle them, authorities claimed they were interfering with the delivery of U.S. mail. Occasionally when the strikers uncoupled Pullmans to allow the train to run, railroad officials would not permit it to leave the yards to make the point that the trains would operate as they dictated and that the strike would be broken by whatever means necessary. The association also enrolled hundreds of old railroad hands in the East and shipped them to Chicago as strike replacements. These men were happy to scab on the westerners as the latter had struck Jay Gould's lines under the leadership of Martin Irons, and they were convinced the current strikers had replaced them in 1886. "Now we are going west to take their jobs," the men exulted.²⁸

Olney, with the complete support of President Grover Cleveland, convinced district judge Peter S. Grosscup to issue an omnibus injunction against interfering with U.S. mail or obstructing the flow of interstate commerce in the Chicago area. This was followed by many district attorneys seeking similar injunctions, sometimes with the assistance of railroad lawyers, in the outlying provinces. Illinois governor John P. Altgeld and the mayor of Chicago publicly insisted that the strikers were peaceful and that the local police could handle the situation. But the railroad owners persuaded the U.S. marshal in Chicago that it was necessary to call for federal troops to enforce the injunction. Over the strong protests of the mayor and Governor Altgeld, 2,500 troops were dispatched to the troubled area under the command of Gen. Nelson Miles. When they arrived, the strike began to turn ugly as railroad agents and detectives started encouraging mobs of nonstrikers to commit acts of violence in order to demonstrate the need for soldiers. A Kansas labor newspaper reported that it was "no longer a secret that U.S. Deputy Marshals set fire to the freight cars in Chicago and when arrested showed their stars and were released. They were thugs, obtained from the slums of the city and had no more regard for law and order than the worst anarchist." Miles, in turn, exaggerated the extent of disorder and feared an impending revolution in the city, which "blunted the federal effort."²⁹

The widespread violence and savagery eventually covered twenty-seven states, leaving twenty-five laboring people dead and sixty wounded. This persuaded Congress to establish a commission to investigate the strike, and Eugene Debs testified to the committee concerning the difference in press coverage in various Chicago newspapers from which many western papers took their stories. The *Chicago Record*, Debs noted was "fair" in its coverage. Its reporter, Malcolm McDowell, told the commission he had witnessed the encounter between police and rioters at Blue Island, outside Chicago. Twenty

men, whom he thought he recognized as brickmakers from a local factory, upset a car. A railroad detective from St. Louis was helping them, all the while composing a list of strikers involved in what he called destruction of property. The journalist saw only one railroad worker in the crowd, and while he heard "a good deal of shouting," there was no other violence. N. D. Hutton of the *Chicago Tribune*, a newspaper that Debs described as being the spokesman for the General Managers Association, also was present at the riot, and he observed the scene quite differently: "Most of the men engaged in the disorder there were strikers or sympathizers with them."³⁰

Among other loot, the federal deputy marshals plundered a carload of "highwines." Four or five of the officers were later found "in a state of hilarity unusual among men who have not had free access to a distillery or brewery or the products of either." They were promptly taken to the Army guard-house. Observers described some soldiers as being "similarly exhilarated." The newspaper stories noted that "the cars most tampered with" were those loaded with products from breweries or distilleries. Railroad officials found it necessary to remove all labels from freight cars that might suggest their contents in order to confound the looters.³¹

Following Altgeld's strong protest against federal interference in local affairs, other governors issued similar opinions. Governors William Stone of Missouri, Sylvester Renney of Oregon, and Lorenzo D. Lewelling of Kansas criticized the introduction of U.S. troops into a situation that was being controlled satisfactorily by civil government. Gov. David Waite of Colorado suggested to Altgeld and Lewelling that officials in states whose rights to control civil disturbances were being violated should confer and issue a joint protest. These chief executives could do nothing further, it was reported however, because the attitude of the press was hostile to their views. The *Nation*, for example, declared, "a Populist or anarchist governor like Altgeld of Illinois or Lewelling of Kansas . . . might allow government to be overthrown in his state, and lawlessness to run riot, and still claim that there was no warrant for federal intervention. Happily the President is armed by statute with all the power needed not only to suppress mobs, but to overcome anarchist governors."³²

After the switchmen joined the strike, it spread rapidly from Chicago, fanning out westward especially, until it engulfed Missouri, Kansas, New Mexico, and even California where widespread violence exploded. At first Kansas newspapers expressed great sympathy for the Pullman strikers, and then as the conflict deepened and enveloped more regions, the more conservative media turned against it. Their attitude seemed to be "we do not want these

trouble-makers coming to Kansas as fighting the Populists is enough for us to handle." The *Topeka Daily Capital* first identified the villain in the piece as being Pullman and its "falsehoods . . . in its attempt to find an excuse for its reduction in the wages of its employees." But the Tory Republican newspaper also was able to find enough blame to extend to the reduction of the assessed value of the Pullman cars in Kansas "by the populist board of assessors." The story added that the employees currently had "public sympathy but not if they stop[ped] trains." The strikers of course did not want to halt trains, just Pullman cars, unless doing so was forced on them by the General Managers. Then, as it became evident that the Populists in power supported the strikers, the newspaper changed its stance to one of outright opposition.³³

The engineers, trainmen, and conductors refused to join the strike as they did not want to be destroyed along with the ARU, which they viewed as a threat to their continued existence, but Debs's firemen cooperated. When Debs ordered the strike extended to the Rock Island Line, the conductors on that road responded in July, "it will be a cold, snowy day before any of them go on strike." Curiously, the Brotherhood of Trainmen actually went so far as to defend the General Managers Association in resisting the ARU demands. The resulting scarcity of firemen led to some interesting incidents. The *Emporia Gazette* reported that the strikebreakers "were utterly incompetent," and the engineers and conductors were "anxious to get old employees back." One fellow, though, proved to be effective. A Santa Fe passenger with railroad officials on board wanted to leave Strong City, and the engineer said he would run if they could find someone to replace his fireman who was present but refused to work, which he qualified by saying he would not "instruct" the substitute. A passenger volunteered but could get up only enough steam to get the train two miles out when the engineer decided he had to back up to the depot because of insufficient power. Another young man from New Orleans, dressed in a duster, was inexperienced but claimed he could master any machine. "I'll show that scab how to fire an engine," he bragged, with the fireman ("scab") watching disdainfully, "with toothpick between his teeth." The fellow got up a good head of steam, and the train resumed its journey from Strong City.³⁴

By June 29 the entire front page of the *Topeka Daily Capital* was devoted to strike news. Twelve hundred men in the Argentine area agreed to join the walkout, and there were stories of the movement spreading to Emporia, Newton, Arkansas City, and Kansas City. "Indications from other areas," the newspaper reported, "point to the most complete railroad tieup that has yet been inaugurated in this country." The following day its headline read "17,850," in

large numbers, noting that this was the number of men John Egan estimated were involved in the struggle. A reporter interviewed Governor Lewelling who observed, "so far as the Pullman company is concerned, I have no sympathy for it," adding that it was "a parasite living off corporations and the traveling public."³⁵

On July 1 the *Topeka Daily Capital* emblazoned "All Chicago May Be Tied Up Next" on its front page, noting that "both sides seem to be settling down for a protracted struggle." Two days later six hundred Rock Island men were reported working in the Horton area. Passenger trains continued to run but no freights, and the result was tons of ice was melting and carloads of fruit and vegetables were rotting under the hot Kansas sun. "Dumb animals crowded into stock cars suffer thirst and hunger," the paper claimed. The strike was having a serious effect: "the great stockyards of Chicago are completely paralyzed for the first time." On the Fourth of July a meeting of the Topeka Trades and Labor Assembly endorsed a resolution of support for the strikers, and deputies were reported as being dispatched to Strong City where the Santa Fe was recruiting strikebreakers. Two meetings that day, afternoon and evening, at Metropolitan Hall in the Capital City were "crowded," with the later gathering hearing addresses by G. C. Clemens and Mrs. Annie L. Diggs. That day Captain Young of Company B of the Kansas National Guard received another "carload" of deputies to preserve the peace in Kansas City. It was noted that meat was becoming scarce in New York City and on the East Coast, and the ice supply in Chicago would be gone by that night.³⁶

The *Alliance News*, a labor supporter, praised Lewelling's refusal to use state troops in the situation. His "attitude toward the strikers is to be commended by all classes," the journal insisted. "No corporation will get him to call out the militia to shoot down peaceable citizens simply because they refused to be longer robbed and imposed upon. He is the only governor Kansas ever had who recognized the rights of labor and refused to become plutocracy's tool to oppress the laborer. Hurrah for Lewelling!" They had already forgotten Gov. John Martin's actions less than a decade earlier in supporting railroad strikers. The next day, though, the *Topeka Daily Capital* warned, "the quiet of the strike situation in Kansas promises to be broken today." Federal authorities would begin arresting "all men . . . identified with the strike and those . . . agitating the matter." The officials had the names of some two thousand men who were agitators, the story added. The same issue reported that U.S. district attorney W. C. Perry of Chicago was requesting an injunction against Debs and other ARU leaders under the Conspiracy Act of 1890 for interfering with the flow of interstate commerce.³⁷

The front page of the *Topeka Daily Capital* for July 8 again was covered with strike news. Under the headline "Bayonet Charge by State Troops," twelve members of the "mob" were reported killed. There was also a strong editorial in opposition to the suggestion that Samuel Gompers should bring the power of the AFL into the conflict. The *Daily Capital* moved from a position of sympathy for Pullman workers on June 28 to reporting disparagingly by July 8 of the railroaders, remarking, "never before in the history of the world has labor been so well paid, so highly respected, or so thoroughly protected by law." Every Kansas legislature, the newspaper argued, had "given evidence of its sympathy and friendship for men who labor with their hands for wages." It also added that in the "three [*sic*] years" of depression, Kansas wages had been maintained at the same level.³⁸

The headline the following day read "Cold Lead for the Rioters" and stated, "for a few minutes last evening North Topeka looked like a garrison town in the midst of war." "Bearded soldiers"—troops from Fort Riley, who had filled seven coaches and enough freight cars to haul their horses and artillery—were guarding the Union Pacific yards "and challenged the unwary citizen who attempted to pass into the forbidden precincts of military authority." It is curious that the officers anticipated the need for artillery against unarmed strikers. There was a second train also headed for the Chicago area with a total estimate of 2,500 to 3,000 troops. The *Daily Capital* called attention to the *Chicago Times* as "the only daily newspaper in the United States . . . that defends Debs and supports the strike. It has done much to foment the trouble in Chicago and has lost the respect of order-loving people wherever it is known." The *Times*, a staunch ally of Governor Altgeld and the ARU, led the press attack against the presence of the army. The *Capital* derided the *Chicago Times* for roasting a rival newspaper for its headline "Bloody War Upon Us," saying the situation did not require all this "furor," and the *Capital* added that in the same issue the *Times* hypocritically called for protection of the city.³⁹

Annie L. Diggs had an encounter with the *Daily Capital* over the strike situation. She charged that its editorials were being written by the Pullman company, and the newspaper rejoined that she made her accusations for "political purposes." She retorted, "[I] certainly did make my charge for 'political purposes.' But I made it believing it to be true. The information came to me shortly before I began my speech, from a source in which I placed my entire confidence. . . . I have not implicit trust in the truthfulness of the editorial utterances of the *Capital* as, for instance, in the case of the editorial charge that I made an 'incendiary' speech before the meeting of the ARU when exactly the opposite was true." The *Capital*, no supporter of Annie Diggs, professed

a “rude shattering” of its belief in her personal integrity that came as an “unexpected blow” and that shook its “confidence in the whole reform party.” The newspaper then expressed its confidence in Lewelling’s “demagoguery” and reiterated its story about the unfair Populist assessments of Pullman coaches in Kansas.⁴⁰

The *Kansas City Gazette* feared that “unless the situation very materially change[d] soon, the packing houses in this city will be compelled to close down, throwing thousands of people out of employment.” The newspaper reported that, because of a lack of fuel, the Argentine smelters were reduced to a limited work force. Then a few days later the newspaper carried a story explaining why, contrary to its previous story, the Kansas City packing houses had remained at capacity output during the strike. A plant official noted that Debs had overlooked the I I and L Railroad, an obscure line running from Kankakee, Illinois, to St Pierre, Indiana. This road connected a line still open in Illinois to the B & O in Indiana, allowing the Kansas City packers to ship their products around “riotous Chicago” to points north and east, while packing plants in the Windy City remained shut down.⁴¹

Debs and other ARU officials ignored the federal injunction, were arrested, and imprisoned. Without his leadership the General Managers Association soon broke the strike. Interestingly, stockholders of the Pullman company were so disgusted with the disastrous effect of George Pullman’s policy on Chicago’s economy that they seriously considered asking for his resignation as company president. The strike continued in Argentine for a few days after Pullman resumed operations. The strikers’ commissary there, located on Strong Avenue, continued to receive donations and made relief available to strike families. “The men are orderly and law-abiding and very little trouble has occurred,” it was reported. But without direction and leadership the strike soon collapsed everywhere. As Debs explained it, his imprisonment demoralized the men. “It was not the soldiers that ended the strike,” he proclaimed, but the United States courts. “When the minions of the corporations would be put to work at such a place, for instance, as Nickerson, Kansas,” he reported, “where they would go and say to the men that the men in Newton had gone back to work, and Nickerson would wire me to ask if that were true; no answer would come to the message, because I was under arrest, and we were all under arrest.”⁴²

Debs appealed his six-month sentence. The Supreme Court in *In re Debs* in 1895, sustained the injunction and his conviction in an unprecedented, wide-ranging opinion that was the beginning of “government by injunction” so strongly denounced by unions for the next thirty-five years until Congress

ended it with the Norris-LaGuardia Anti-Injunction Act of 1932. Debs spent much of his time in prison reading voraciously and, upon his release, became a dedicated Socialist, leading that party for the next quarter-century. His ARU never recovered from the defeat and disappeared. The Pullman strike set back the union movement in Kansas considerably as most of those involved in it, as usual, were not reemployed by their railroads. It also resulted in a reversal for Lewelling and the Populists who supported the strikers against “peace-loving people,” as the *Topeka Daily Capital* described them.⁴³

For years the Knights of Labor and other unionists sought unsuccessfully to abolish the wage system. In 1897 the commissioner of labor reported an experiment to achieve that goal. Cooperative labor exchanges were established at Olathe, Fulton, Osage City, Salina, Edwardsville, Fort Scott, Turner, Beloit, Harding, Peterton, and Pittsburg. Exchange workers were paid not in money but in work certificates that could be cashed in at a cooperative warehouse. The first exchange in Olathe produced flour, while the one at Osage City employed fifty men in a coal mine, and the Fulton operation involved a number of commodities, including coal, lumber, building rock and clay, coal oil, and natural gas. These experiments failed, however, much like the cooperatives of the Knights of Labor a few years earlier because the managers were not good businessmen.⁴⁴

With the political leadership of labor unions and Progressive reformers, such as William Allen White and Gov. Walter Stubbs, Kansas was on the cutting edge of reform during this exciting period. In 1913 President John Craddock of the Kansas Federation of Labor placed the support of his organization behind the Progressive movement to establish the important political goals of the initiative, referendum, and recall for his state. Although opponents stressed the argument that these devices were repugnant to the concept of republicanism and destructive of the Founding Fathers’ principle of trusting the people’s representatives, others saw the advantages of “passing the buck” to the voters on divisive issues, which, if they took a position on them, could be politically dangerous. The reformers eventually won out. In addition, with the support of the Federation of Labor, Kansas became the eighth state to grant full suffrage to women in 1912 with a constitutional amendment.

Many of the meager protections afforded laborers at this time, such as collection of wages legally owed them, required expensive attorneys for enforcement in the courts. In 1913 the Progressive legislature in Kansas pioneered in the creation of a Small Debtors Court to alleviate the problem. County or city officials were authorized to establish these courts to collect sums for wages or other debts up to a maximum of twenty dollars. Those who could

prove themselves unable to hire a lawyer could use the court; in fact attorneys were forbidden to “intermeddle in any manner whatsoever” in this type of litigation. No costs were assigned to either party, and the judge served without remuneration. Judgment was binding for the plaintiff, but the defendant could appeal the decision to a state district court. The commissioner of labor reported in 1930 that the law’s twenty-dollar limit diminished the effectiveness of these courts, and requests for assistance in collecting wages continued to pour into his office. While he had no legal authority in these matters, he routinely used his good offices to assist in arbitrating differences.⁴⁵

Commissioner of labor John F. Todd had an altercation with an editor in his area soon after assuming his new post. J. E. House, the publisher of the *Florence Bulletin* and a staunch Republican, particularly disliked Todd, who was a Populist. He charged the commissioner—along with other nefarious activities such as forgery and theft—with making “improper proposals” to a young lady, a fellow passenger on the Rock Island. Todd publicly denied the charges, but according to the *Topeka Daily Capital*, which was always eager to print bad news about Populists, the *Bulletin* “came back with additional proof of his guilt and made sweeping allegations, laying numerous crimes at his door.” Todd finally became so frustrated he retaliated physically.⁴⁶

The commissioner caught the editor on the Florence station platform talking to friends, and according to the *Topeka Daily Capital*, “sneaked up behind and hit him with a heavily loaded cane. House turned, receiving a blow as he did so, and grappled with his antagonist and in less time than it takes to tell it had taken the cane from him and was pummeling the face of Todd in a lively style.” House took most of the punishment, but the *Topeka Daily Capital* had to portray him as the victor over the Populist. Todd left for Topeka, and a warrant was issued for his arrest for assault with intent to kill. A telegram sent to the sheriff in Strong City arrived in time to permit his arrest. Before the train left for Florence, however, “the local populists prevailed on the sheriff and told him” that if Todd’s attorney, John Madden, went to Florence instead, “it would work just as well.” When he arrived in Florence, however, Madden discovered the severity of the charge, which constituted a felony, and refused to plead for his client under these circumstances. Todd was subsequently arrested in Topeka and stood trial. Meanwhile the county attorney for Marion County decided he could not win with a felony count and reduced the charge to simple assault and battery. Todd was fined \$20.00 and court costs of \$45.50. The Florence editor continued his attacks saying, “if the dirty cur who disgraces the office of state labor commission will accord us another two minutes it shan’t cost him a cent.” A week later he returned to the fray with

a story of “a white man who is gradually turning black” in Topeka. “We saw a black man turning white very suddenly the other morning. His name was Todd.”⁴⁷

The commissioner’s opponents saw this as an opportunity to drive a Populist from office in disgrace. The *Topeka Daily Capital* observed that even Populists in the state house did not appear to like Todd “and did not hasten to his office to offer him sympathy” in his encounter with the belligerent editor. Its reporter interviewed the governor about strong rumors of Todd’s dismissal and asked him for his reaction. Lewelling replied, “there is no reason for his removal. The only thing there is against him is that he whipped a republican editor down in his part of the country. . . . I propose to stand behind Todd. He is a faithful officer and as conscientious and industrious as any republican that preceded him.” Lewelling supported him, but Todd did not survive as commissioner of labor when the new Republican administration took office in 1895. He soon thereafter moved to Chandler, Oklahoma.⁴⁸

In his first report in 1891, John F. Todd devoted the first one hundred pages to the convict labor system in Kansas. He noted that the subject “hardly seem[ed] to come under the workings of this department” but there were one thousand convicts being employed in one manner or another, a situation that significantly affected the free laborer and “the social condition of the people of the state.” There were four systems in use—the contract system whereby the convict worked for a sum each day, and the prison fed, clothed, and sheltered him; a modification of this called the piece-price program; the public account method by which the state used the labor to manufacture a product; and the lease plan in which a contractor leased a number of convicts for producing a product and fed and clothed the men.⁴⁹

The theme of Matthew Mancini’s study of the South is that the contract convict plan was not just a new type of slavery, “it was much worse,” and so it was with the Kansas system. Commissioner Todd described it as “practically the barter and sale of human beings.” The convict was “sold into bondage” to someone who “wants him to sin so he can have his labor cheap.” Furthermore it denied the prisoner the privilege of learning a useful trade. The commissioner believed the state should make some “humble attempt to find some remedy for this growing evil, to the end that labor, wronged and insulted, may not use its might and right its wrongs in its own way.” He called attention to a manufacturer of wagons, carriages, and buggies who had employed 100 to 250 convicts for the previous twenty years. The man paid the state sixty cents for each convict’s ten-hour day and received use of the prison building, power, water, heat, and guards. Counting these expenses of upkeep and the

three and three-fourths cents per day the prison paid the convict, it cost the state seventy-five cents daily for maintaining each man. Yet if this were free labor, they would earn \$3.00 to \$5.00 per day for similar work. This system, Todd argued, converted the prison into a money-making institution for the contractor (and the state as well, of course) instead of a reformatory system.⁵⁰

Using the public account system as an illustration, Todd observed that 272 convicts worked 311 days each in the state coal mine in 1893 and mined coal worth a total of \$100,645.62. The practice was profitable to the state because it cost the state \$163.52 for maintenance of each prisoner, but the convicts mined an average of \$370.02 worth of coal—far more than the free miners were earning in their “death struggle with capitalism.” He quoted Victor Hugo: “not the churches, but the prisons, indicate the stage of civilization to which a people has arrived.” Todd recommended that the governor should be authorized to appoint a bipartisan commission to investigate prisons in Kansas and other states and report its findings to the legislature. He concluded that “the intelligence of the state demands that prison labor shall not operate unjustly or injuriously upon the interests of free labor; that the state in its management of its penal institutions, all economic considerations shall be subordinated to the reformation of its criminals; that the whole system shall be lifted to a higher plane; that a broader humanity shall dictate its policy, until results shall show less of punishment and more of reform.” Labor in Missouri, for example, pressed for a fifth system, state use in which convicts made articles to be used only by the state institutions, so that they would not compete with free labor.⁵¹

Little reform was achieved in this area, however, especially when the recommendations came from the Populist John Todd. In 1898 the legislature forbade the public sale of convict-mined coal by abolishing the wagon trade and limited production to the needs of public buildings and institutions. The legislature also forced the labeling of prison-made goods. The latter law was basically meaningless as those who wanted to purchase cheap products would do so regardless of label. Another statute required cities and counties that used convict labor on their roads to pay the warden one dollar per day for each man. The penitentiary would then deduct the costs of his upkeep and remit the remainder to the prisoner’s family. The law stipulated that this labor could not be used where skills were required, such as for building bridges. Finally, in 1897 G. C. Clemens called to the attention of Gov. John Leedy the practice of using women on the prison rock piles in Kansas City, and he “promptly ordered an end to the sordid policy.”⁵²

The Progressive Era brought legislation that for the first time was directed

specifically toward women. In 1901 the legislature mandated that establishments where women or girls were employed were to “provide chairs, stools or other contrivances for the comfortable use of such female employees” as long as it did not interfere with their work. In other words, when the job permitted a brief respite, there must be seating available. No one voted against the measure as it passed the house 77–0 and 29–0 in the senate. Inspectors soon found that most employers complied with the law of their own volition as they found it resulted in “good returns because of the appreciation shown by the employees.” A few recalcitrant bosses rebelled against the requirement “on the grounds that it encourage[d] loafing or retards the regular work.” The state female factory inspector also reported that she was insisting that employers provide “raised staging on damp or wet floors” and that “comfortable dressing rooms properly heated and ventilated,” lunch tables, and other conveniences be made available on the job.⁵³

In 1913 the legislature consolidated the Bureau of Labor, the state’s free employment agency, and the position of state mine inspector into a Bureau of Labor and Industry. The governor would appoint the commissioner for a two-year term and the nominee was required to be a state resident for ten years and familiar with the state’s labor experience, in other words he had to be a union man. The commissioner, in turn, appointed his or her assistants, including a mine inspector and a woman for factory inspection.⁵⁴

Linna Bresette, the new state factory inspector, toured the state gathering evidence. Her first annual report noted that of the 2,918 women and girls laboring in 375 businesses, only 126 were working an eight-hour day. Half of them were working nine to ten hours daily, and two-thirds of them were receiving less than \$8.00 weekly. Employers often discharged their female employees when they dared to testify about their adverse working conditions. When Bresette challenged these practices, employers responded that the reason for their dismissal was that they were “incompetent” or “not needed.”⁵⁵

The decade of the 1890s were lean years for organized labor in the Sunflower State, and as a result, the Kansas Federation of Labor held its last annual convention in 1896 and disappeared entirely until 1907 when it reorganized and elected Sim A. Bramlette as president. Four years later he reported that there were seventy-five thousand workers in Kansas of whom only twenty-five thousand were organized. In that year, the organization succeeded in persuading the legislature to enact a workmen’s compensation law.⁵⁶

The common law was the only redress injured workers or family survivors had for a work-related accident or death prior to this law. It contained, however, several qualifications: there was no recourse if the laborer or a fellow

worker were negligent, if drunkenness was involved, or if the injury was self-inflicted. In addition, the employer could claim his worker assumed a certain risk on the job or perhaps contributed to the negligence, all of which meant that employers seldom were held liable for an accident. Beginning with Germany in 1884, countries of the West began changing attitudes and passing what were termed workmen's compensation laws whereby indemnity was paid regardless of fault, and the amount awarded was proportionate to the damages incurred. Kansas was at the forefront of this movement in the United States, enacting a comprehensive law in 1911—the same year as Washington State and six other states.⁵⁷

As early as 1903, the legislature began the process of updating its compensation laws by amending the railroad liability law of 1874 to make the lines responsible for harm done to their employees through their agents or “by any mismanagement of its engineers or other employees.” That same session any company that used an elevator, hoisting shaft, fire escape, or machinery was made liable for any persons injured or killed because of lack of safety devices on the equipment. This act covered smelters, oil refineries, cement works, mills, and machine shops.

The state supreme court upheld this law in 1910. Tom Caspar was killed working for William Lewin's scrap-metal company, which used “alligator shears” to cut the metal into manageable lengths. The shears were operated by a set of pulleys, and Caspar had to climb a faulty ladder to activate them. During the process the ladder broke, killing him, but the company claimed contributory negligence on his part. The court, however, sustained the law and held the company liable. By contrast, Missouri still had no workmen's compensation law by World War I.⁵⁸

Lack of accident reporting constituted a major obstacle in enforcing the law. In 1905 the legislature again modified the railroad liability provision by requiring the injured to make a written report to the line within eight months of the accident, and if the person were in a hospital or under railroad care, the eight-month limit began at the time of discharge from such care. To cut down on railroad accidents, a law was enacted in the same session that mandated a rest break of eight hours before returning to work for any conductor, engineer, fireman, brakeman, telegraph operator, or trainman who had worked sixteen consecutive hours. Exceptions were made for “washouts, unavoidable blockades, or other unavoidable obstructions” and for those handling live-stock or perishable freight, an exclusionary clause that allowed widespread violations.⁵⁹

The Kansas Federation of Labor revived in 1907 and became politically

active. They sent a representative into the Third District to campaign against P. J. Campbell who had demonstrated a "lack of activity in supporting labor legislation in Congress." As a result, Democrat J. D. Botkin managed to reduce Campbell's five-thousand-vote majority in the previous election to less than one thousand. The AFL activist believed that if "the labor forces, especially the officers in the Third district," had shown a little more "determination," they could have defeated Campbell.⁶⁰

When the state legislature met in January 1911, several bills were proposed for general employer liability, along with other Progressive proposals. Governor Stubbs sent a special message to the solons reminding them that both parties had pledged support for such laws in their platforms of 1910. The two houses appointed a joint committee that held hearings on the subject for a week. Spokesmen for labor, of course, supported it, while representatives of employers opposed it. In addition, the AFL lobbyist concluded that the committee believed an employers' liability law with broad scope could never overcome the "opposition of the agricultural interests." The committee subsequently offered employers the choice of either a compensation law or a general employer liability act, and they chose the former as the lesser evil. To sweeten the medicine, the committee further made participation elective, and opposition to the measure soon died among employers. To make it even more palatable, the lower house exempted employers of less than fifteen men. The upper house, on the other hand, wanted a committee of seven—a senator, a representative, two from labor, two employers, and the commissioner of labor to investigate and report its findings to the next legislature before taking action, which was incorporated into the final bill that passed 30–3. The house proved adamant in its objection to the committee, wanting action immediately, and the provision was deleted. The house, after a three-hour debate, approved the measure 92–16, and the senate agreed to the change. The AFL lobbyist reported that labor interests had worked to get a good law, but employer interests had been too powerful. The statute applied only to dangerous occupations, among them railroading, mining, manufacturing, quarrying, and those involving explosive or flammable materials. As the *State Journal* noted, it was opposed by many "country" congressmen, but "members from larger towns fought for the bill like troopers."⁶¹

Union men were rightly dissatisfied with the law and were especially unhappy over the fifteen-employee clause. Both Sim Bramlette of the Kansas Federation of Labor, and A. A. Ross of the Brotherhood of Trainmen denounced it as "ineffective" and "an insult to labor." The *Appeal to Reason*, the Socialist weekly published in Girard, Kansas, described it as a measure that

corporations could hide behind when it was in their interest. Workers, the editor noted incorrectly, had lost what little protection they previously had in the common law. This was not entirely true as the statute did not repeal common law on the subject. But the national AFL congratulated the Kansas union men for doing themselves “proud” in getting the law enacted. Agrarians who dominated the legislature made certain, of course, that small employers were not covered. They also wrote several other exemptions into the law, such as a self-inflicted injury, failure to use proper safeguards, or intoxication. Providing proper safeguards in the workplace also relieved the employer of liability. The state supreme court interpreted the safeguard provision to mean that the employer would not be held liable for an employee who possessed “the element of intractableness, the headstrong disposition to act by the rule of contradiction.”⁶²

The greatest weakness in the statute, as was the case with the laws enacted in other states that year, rested in its provision for both employee and employer to elect whether or not to come under its provisions. Although employers were forbidden to prohibit workers from electing coverage as a condition of employment. The determination of compensation for an injury could be made through the process of agreement, which was normally used; arbitration if the two parties could not agree; and court action as a last resort. The award could be modified subsequently if the incapacity had increased or decreased, except in the case of judgments awarded by court action. All attorney fees in these cases were subject to court approval. If the employee was apprehensive about receiving payment—which was not uncommon because of bankruptcy or financial failure of employers—he could request a lump sum payment of 80 percent of the award. To prevent malingering, an employee had to submit to examination by the employer’s physician, although he could have his own doctor present.⁶³

If anyone was dependent financially on a worker who had been killed while at work, compensation would be three times the person’s annual earnings with a maximum assessment of \$3,600.00 and a minimum of \$1,200.00. In case the dependents were not citizens of the United States or Canada, the award could not exceed \$750.00, a clause decidedly unfavorable for immigrants. When there were no surviving dependents, compensation would provide for medical and burial expenses, limited to \$100.00. The law made no distinction between temporary and permanent total disability, and payment would be made after a two-week waiting period. An injured workman could receive 50 percent of his average weekly earnings for total disability, but not less than \$6.00 nor more than \$15.00, or for more than ten years. No one could obtain an enforceable

lien or attachment on the compensation, except for medical purposes, without approval of a judge.⁶⁴

The law was sadly lacking when compared with the guidelines set by the American Association for Labor Legislation (AALL) five years later, but it was a beginning. The national standards of 1916 urged a compulsory law covering workers, except those casually employed, on all injuries and deaths including occupational diseases. They recommended a waiting period of one week, not two, and no discrimination against noncitizens. For total disability, the AALL suggested 66 2/3 percent of earnings and a weekly maximum of \$20.00 with no time limit. The Kansas law also had no provision for insuring payment of compensation nor for full and accurate reporting of accidents until 1927 when the statute was modified.⁶⁵

In 1919 laborers sought to have the weekly total disability benefits raised to help offset the wartime inflation rate of 100 percent. Labor leaders, however, found themselves unwelcome at that session of the legislature, complaining that they were “the only group of lobbyists that ha[d] been barred from the floor” that year. They came requesting, among other things, home rule for cities, a committee to investigate the state health-insurance program, a boiler-inspection law, and increased regulation of streetcars. They departed empty-handed on all counts. In regard to workers’ compensation, “the hostility of many of the legislators toward anything in the interests of labor made it advisable not to open up the subject for fear the law would lose much of its present effectiveness.” The lower house did pass a bill to raise the weekly disability compensation from 50 to 60 percent, but the upper house refused to consider the measure.⁶⁶

The child-labor laws, on the other hand, had a comparatively long history of development in Kansas. As the Kansas Federation of Labor noted in its fourth-annual convention report, the need for regulation was “becoming more obvious as new machinery require[d] little strength and little skill” with the result that the evil of child labor spread exponentially with the Industrial Revolution. Laws, the union believed, needed to evolve along with the machinery. In addition, the statutes that were enacted faced the constant problem of enforcement as employers sought cheap labor, and parents cooperated in violating the laws as they needed the child’s income to support the family.⁶⁷

The federal Children’s Bureau described the social problem of child labor as “a social problem whenever and wherever it deprives them of the opportunity for normal development. If children go to work too soon or work under unfavorable conditions, the result is harmful not only to the individual but also to society.”

Kansas, basically an agricultural state, never had a serious problem with child labor except for those working on the family farm or in the mines. Responding to a suggestion from the national commissioner of labor, state commissioner Betton made a study of the subject in 1890. He found children in Kansas working ten-hour days for an average wage of \$3.50 per week. He noted that the problem was increasing due to the influx of immigrants whose background led them to accept the fact that their children also would be toilers, especially in the mines, and that laboring at an early age was normal. In 1900, 4,936 of 22,489 children working or 22 percent, were employed in labor other than agriculture, and most of these were males. Females worked primarily in domestic and personal service.⁶⁸

The earliest child-labor laws in Kansas dealt with the institution of apprenticeship. In 1855 the first territorial legislature acted on this issue, and the state legislature modified the law in 1868. Children could be bound as an apprentice by their father, or mother if the father were dead, a drunkard, or deserter. Orphans without legal guardians could bind themselves with court consent. These laws favored the master who viewed the system as providing cheap labor for his cottage industry. He had the authority to supervise and discipline the child, and desertion without cause or misconduct was punishable. The master was obliged to provide training in reading, writing, and arithmetic. At the expiration of service he was required to give the apprentice a new Bible, two new suits worth \$40.00, and \$10.00 in U.S. money. Probate courts were given jurisdiction to bind and to hear complaints.⁶⁹

In his 1890 study, Betton discovered that fifty-six of fifty-eight school superintendents that he polled favored a law forbidding employing children under age fifteen in the mines. The mining law of 1893, as noted previously, sought not only to control child labor directly but also indirectly by requiring a minimum number of days of school attendance annually. In 1874 Kansas made school attendance compulsory for twelve weeks annually for children eight to fourteen, and six of the weeks had to be consecutive. The legislature modified this regulation in 1907 to provide a loophole. The change authorized school boards to permit temporary absences "in extreme cases of emergency or domestic necessity," such as the sugar beet harvest in western Kansas.⁷⁰

In 1889 the legislature took a step toward protecting children's well-being. Employing children under fourteen as an acrobat, gymnast, contortionist, circus rider, rope walker, "or in any exhibition of like dangerous character, beggar, mendicant, street singer, or street musician" was forbidden. Any duly incorporated society for the protection of children could have its agent appointed as a special officer to enforce the law. All law enforcement officials

were further authorized to enforce laws protecting children, a provision that appeared to be unnecessary. The statute was patterned after that of New York that the Society for the Prevention of Cruelty to Children, or Gerry Society, enforced for the state. That measure sought to control the abuse of children, such as committed by the Keatons of Kansas, who used their son Buster as a human football in their stage show.⁷¹

In 1903 Gov. Willis J. Bailey recommended to the legislature that they prohibit the working of children under age fourteen. A bill passed the lower house but died in the senate. The new school law that year required attendance for those between eight and fifteen, although children fourteen or older who were employed were required to attend only eight consecutive weeks during the school year if they were literate. Two years later Gov. Edward W. Hoch supported a similar regulation, and as noted earlier, a 1905 statute forbade employing of children under age fourteen in factories, packing houses, and mines; and those under sixteen could not work in any occupation that was dangerous or injurious to life, limb, health, or morals. The attorney general, as noted previously, subsequently interpreted this act to exclude mining as "dangerous." Again, the chief problem lay in enforcement. The measure, however, did have the effect of removing 1,951 children from factories in the counties where it was enforced. This and the compulsory school-attendance laws were estimated to have returned some 5,000 students to public schools.⁷²

Two years later the commissioner of labor argued that the statute of 1905 failed to regulate hours of work for children, and he recommended broadening the scope of the laws because they regulated only about half of what should be monitored. He wanted to regulate child labor in workshops and mercantile and communications establishments except during summer vacations and to limit work days to ten hours and weeks to sixty hours. Pressed by the newly revived Kansas Federation of Labor, a committee of educators, professional social workers, and the Federation of Women's Clubs drafted such a bill. Finally, in 1909 the legislature took action and forbade children under fourteen from working in factories or workshops not owned or operated by their parents, and not at all in theaters, packing houses, and mines or as elevator operators. No one under fourteen could be employed in any business or service during school hours. Children fourteen to sixteen in the above occupations could work only from 7:00 a.m. to 6:00 p.m. and not over eight hours daily or forty-eight hours weekly. Age certificates were required for employment of all children under sixteen, and the state factory and mine inspectors had to examine the certificates and the children and file complaints of violations if necessary. In addition, the child's school records could be examined to ascer-

tain if the prescribed course of study for elementary education was completed. The clause forbidding employment in occupations “dangerous or injurious to life, limb, health, or morals” was retained, and the state supreme court, in contrast to the former attorney general, gave it a liberal interpretation. The court defined a dangerous occupation as one in which there was reason to anticipate injury, and the employer knowing the work was dangerous was not necessary. The court also gave minors a right of action for damages, although the measure did not specifically provide this procedure.⁷³

The factory inspector reported in 1911 that there were no convictions for violation of child-labor laws because children had not been “employed in any great numbers” the previous year. The school-attendance laws, of course, were a great help in enforcement. The truancy law of 1909 made it unlawful for merchants or companies to employ children between ages eight and fifteen without the permission of the local school board, “except under certain conditions.” In “extreme case of emergency or domestic necessity,” the school board would have authority “in the exercise of a sound discretion” to permit temporary absences of children. This was a loophole primarily to permit use of farm children in the sugar beet harvest in Western Kansas.⁷⁴

The legislature significantly expanded these statutes in 1915 with the creation of an Industrial Welfare Commission. The new law defined a minor as being under eighteen years of age and forbade their employment “in any industry or occupation . . . under conditions of labor detrimental to their health or welfare.” It significantly prohibited compensating them “at wages which [were] not adequate for their maintenance and for more hours than [was] consonant with their health and welfare.” It gave the Industrial Welfare Commission—composed of three members representing employers, three representing employees, and “one or more neutral persons representative of the public”—extensive powers to administer the act. This was truly a comprehensive measure! These powers would be transferred in 1921 to a newly created Court of Industrial Relations.⁷⁵

Linna Bresette, secretary of the Industrial Welfare Commission, managed to establish a shorter work day and a minimum wage for women by using the regulatory powers of the commission. This particularly aroused the ire of the state’s laundrymen, and in the legislative session of 1919 they determined to change the agency. Al Williams of the Kansas Employers Association drafted a bill to reorganize the commission. One person on the proposed three-member board was to “have been actively associated with and interested in Kansas industries for at least five years.” This was labeled the “anti-Bresette bill” because the commissioner who had to be an employer would have di-

rect jurisdiction over industrial welfare and factory inspections. Opponents of the measure called attention to the fact that the governor could appoint commissioners with that background under the current law, and thus a new law was completely unnecessary. The *Topeka Daily Capital* warned correctly that there would be a "long fight" over the measure, and it would cause the "bitterest fight" of the legislative session. The bill created widespread interest across the state, especially when the women's clubs in the larger cities became aroused against it. The senate judiciary committee refused to consider it until public pressure forced them to hold hearings. But the public reaction against the measure led to the lower house rejecting it by vote of 65-53, and the proposal died.⁷⁶

In 1917 Kansas changed its child-labor laws to conform to the federal standards enacted the previous year. The law permitting fourteen-year-olds to work in factories or workshops owned or operated by their parents was repealed, and the minimum age for working in mines and quarries was raised to sixteen. The provisions against working at night, and over eight hours daily, or forty-eight hours weekly were extended to hotels, restaurants, and mercantile establishments. Proof of the completion of elementary school was required, and the requirements for work permits were tightened. An innovation in these permits forced more accurate records of children working in permissible vocations. The statute authorized the commissioner of labor to revoke illegal or improper permits if it was determined that it would best serve the physical and moral welfare of the child. Finally, in 1917 the legislature raised the requirement for school attendance from fourteen to sixteen years of age.⁷⁷

The immediate post-World War I era witnessed both severe disillusionment with the outcomes of the Great Crusade, as many labeled the "Great War," and economic dislocation, and American society reacted regressively to these developments. The result was the end of Progressive reforms and a reversion to the laissez-faire philosophy of the nineteenth century. This reactionary mood in Kansas took the form of establishing the authoritarian Court of Industrial Relations to control unilaterally the difficult area of labor-management relations.

The Kansas Committee on Child Welfare, established in 1919, endorsed a number of recommendations for legislation, including a compulsory school-attendance requirement for ages eight to eighteen or completion of high-school courses. Another suggestion was filed regarding students age fifteen or older who were legally employed, requiring them to attend school two hours daily and four days weekly while school was in session until they had completed the tenth grade. The legislature took no action on either of these

proposals. The state commissioner of labor, who, along with the mine inspector, was charged with enforcing these laws, had their positions replaced by the Industrial Court, and in 1921 the child labor and industrial welfare work were united to form a women's division under the supervision of the Industrial Court. The federal Children's Bureau recommended sixteen as the minimum age for employment in any occupation. For hazardous work, the standards were eighteen for mines and quarries, twenty-one for special-delivery service and female telegraph messengers, and the complete prohibition of minors "in dangerous, unhealthy, or hazardous occupations or any work which will retard their proper physical or moral development." Kansas never met these standards until the federal Wages and Hours law of 1938 set uniform national requirements.⁷⁸

Kansas laborers achieved many of their goals during the Progressive era. Sadly, this period of reform that ended roughly in 1916 was, according to one distinguished authority on the character of the Sunflower State, "effectively the end, for decades to come, of liberalism as a predominant element (or even an important one) in the Kansas body politic—the end of Kansas as a uniquely valuable laboratory of social experimentation, motivated by that 'insurgency' that seemed to [Carl] Becker in his essay 'native' to the state." Not quite. The unique contribution of the Industrial Workers of the World to the Kansas experience was yet to come.⁷⁹

The Wobblies Arrive

The conservative elitist American Federation of Labor concerned itself solely with craft workers, which included of course only a portion of Kansas workers. In 1910, for example, there were 487 local unions and 15 central trades and labor councils with a reported membership of about thirty thousand, which represented only one-third of the state's wage earners. To liberal labor leaders, the AFL was selling out to the ruling class by neglecting the mass of workers, a complaint that would arise again some two decades later. Between the Knights of Labor in the late nineteenth century and the Committee for Industrial Organization in 1935, however, no labor union spoke for or tried to organize the mass of industrial workers across the nation—except the Industrial Workers of the World (IWW), commonly known as the Wobblies. The origin of the term is shrouded in myth. One version attributes it to a Chinese restaurant owner in Canada who, responding to criticism for feeding IWW strikers, replied “I likee Eye Wobbly Wobbly.”¹

Eugene V. Debs played a key role in founding the IWW in Chicago in the summer of 1905, along with William “Big Bill” Haywood of the Western Federation of Miners (WFM), Lucy Parsons, and Mother Jones, who at seventy-five was still walking picket lines for striking miners. Attended by western miners and radical labor leaders of all stripes from the United States and Canada, the convention in Chicago launched a movement that became increasingly radical as certain elements within the ranks pressed for direct action in the belief that the wage system should be abolished and that capitalism should be overthrown. Their intent was to create a labor union equivalent to the Socialist Party. Haywood and his WFM, the strongest group of those attending, supported a revolutionary approach, while Debs advocated gradualism, or peaceful change of the economic system through the ballot box. Big Bill addressed the convention, describing it as “the Continental Congress of the working class” because the delegates represented the elements of society who were seeking to overthrow the tyranny of the ruling class, as he viewed the situation in 1774. Haywood, Debs, and other delegates believed, as the Founding Fathers did, that they were confronting a system of wealth and power that

allowed the few to dominate the many. At issue was the approach or means by which to achieve their Utopian vision—to complete the unfinished American Revolution and bring industrial democracy to the working class. They determined that the ultimate goal was to control the means of production and to redistribute society's wealth. They adopted the red flag as a symbol with the motto "live and die . . . beneath the scarlet standard high."²

The socialists and the radicals soon split, though, with Haywood becoming the chief spokesman for the latter with the support of his WFM organization. Both groups were staunch opponents of Gompers and the AFL, and the craftsmen responded likewise. The division in the Socialist Party came in 1912 when the reformists managed to get an amendment adopted to their constitution that barred membership to anyone who advocated sabotage. This action left the radical WFM with no place in the party, and it withdrew. Haywood then concentrated his energy on the IWW and became its secretary-treasurer in 1914. As western mines became more industrialized during this period, the IWW increasingly found a following there, as well as among the loggers of the Northwest, migratory farm workers, and immigrant laborers in the eastern textile mills. The IWW wanted to unite all workers—black and white, male and female—under the manifesto that "the working class and the employing class have nothing in common. There can be no peace so long as hunger and want are found among millions of working people and the few, who make up the employing class, have all the good things in life." They also increasingly talked of sabotage, by which they meant passive resistance, malingering, turning out shoddy products, and poor work habits to achieve their goals. The public, however, tended to take their message literally and to expect destructive acts and violent upheaval. Leaders of the IWW, such as chief organizer Joseph J. Ettor, insisted to no avail that they were "at war against war" as their organization opposed the use of violence as a weapon. But as the Wobblies' reputation for violence grew, Kansans, often unfairly, increasingly associated them with Godless radicalism.³

The Progressive reformers wanted to control industrial strife through corrective legislation and administration. At the same time, the IWW tried to be nonpolitical, and because they represented the weakest elements in American society, their objective was simply to abolish the capitalist system and institute syndicalism, or the possession of the means of production and distribution with ultimate control by federated bodies of industrial workers. Yet throughout their history, the Wobblies were rather vague in their goals. The Socialists at first supported their objectives until the more radical Wobblies gained control of the party and began preaching direct action. William Haywood argued

that they could not achieve their objectives through politics because first of all “the wage earner or producing classes are in the minority” and secondly “they are not educated in the game of politics; that their life is altogether industrial. That while they are the only valuable unit of society, still their efforts must be confined to the jobs where they work.” A corollary to this was the doctrine, followed until after World War I, that they would engage in no “frivolous” lawsuits in the courts because this too constituted political action. A member of the iww never sought a victory of any kind in a capitalist court, the usual defense in a trial being passive silence, a tactic frustrating to opponents, much like Mahatma Gandhi’s “passive resistance” would be to a later generation.⁴

As with most organizations, the iww had a period of gestation during which its principles and philosophy evolved. As one authority on the iwws maintains, the organization “was a direct response to the late nineteenth century defeat of the two mass movements that directly challenged capitalism’s system of power, namely, the Knights of Labor and Populism.” When these two institutions were routed, the farm and labor movements changed radically in the twentieth century as represented by the two foremost organizations, the American Federation of Labor and the American Farm Bureau Federation, which were “based on ties of narrow economic self-interest.” Like the Knights, the Wobblies pressed for industrial unionism of all workers, and they too supported solidarity of the working classes. The general strike would sound the alarm for all workers to rise up in revolution.⁵

Initially, the Wobblies found their greatest support among western migratory miners. These men basically represented the lower fringes of society where violence was an accepted part of life. They were often without family, franchise, education, or dignity; felt impotent and alienated; and were bound together primarily by shared misery. A long life of failure, beatings, and indescribably terrible jail experiences, left them with little to feel allegiance to except their fellow sufferers. As Melvyn Dubofsky notes, ten years of this type of violence led such men as the western miners from “pure and simple unionism to industrial unionism to socialism and finally to syndicalism.”⁶

Legends developed, especially during World War I, that replaced the image of the wandering hobo iww (I Won’t Work) with one of a desperado who used violence as a matter of course to sabotage the war effort and to promote the cause of the Hun. There was an interesting religious aspect, though, in Wobbly philosophy because they viewed Christ as a passionate, anticapitalist, antistate reformer who opposed anything standing in the way of social justice. In their songs (Wobblies sang a lot) and literature, they venerated Jesus’s opposition to the money changers and the Pharisees and used him as an example

to promote the class struggle in their efforts to mobilize the radical elements with a vision of faith and the redemption of the poor and the dispossessed. IWWs used the parable of the “unjust steward”—who was dismissed by his master, discovered how much his creditors owed, reduced their debt, and appropriated some of the difference—as Jesus’s way of teaching that wealth should be appropriated and divided up among the poor. They saw Jesus as the first great teacher of communism who urged his followers to abandon their worldly possessions and live a communal life donating their labor for the general good and withdrawing from the society according to their needs. Eugene Debs told a reporter who was interviewing him in prison in Atlanta, while looking at a picture of Jesus near his bed,

I told my friends of the cloth that I did not believe Christ was meek and lowly but a real, living, vital agitator who went into the temple with a lash and a krout [*sic*] and whipped the oppressors of the poor, routed them out of doors and spilled their blood and got silver on the floor. He told the robbed and misruled and exploited and driven people to disobey their plunderers, he denounced the profiteers, and it was for this that they nailed his quivering body to the cross and spiked it to the gates of Jerusalem, not because he told them to love one another. That was a harmless doctrine. But when he touched their profits and denounced them before their people he was then marked for crucifixion.⁷

The IWW parodied the hymn “Onward, Christian Soldiers” as satire on militarism:

Onward Christian soldiers! Duty’s way is plain;
Slay your Christian neighbors, or by them be slain.
Pulpiteers are spouting effervescent swill,
God above is calling you to rob and rape and kill,
All your acts are sanctified by the Lamb on high;
If you love the Holy Ghost, go murder, pray and die.

To middle-class Kansans this was a mockery of the vilest sort. They viewed Wobblies as unwanted (except during harvest season) foreigners violating laws and denigrating sacred values of country, flag, and religion. It was especially difficult for employers who had risen through the ranks to empathize with these “bums” and their forlorn lot in life. After beginning an extraordinary series of fights for free speech in 1909, Wobblies often were arrested for reading the Declaration of Independence from a soapbox because the language sounded so incendiary to middle-class citizens who were unaware of

its contents. Most Kansans, including the governor in 1916, would agree with the *San Diego Tribune* in 1912 when it said, “hanging is too good for them and they would be much better dead; for they are absolutely useless in the human economy; they are waste material of creation and should be drained off in the sewers of oblivion there to rot in cold obstruction like any other excrement.”⁸

Unfortunately, the Wobblies’ timing for promulgating their unusual philosophy was as bad as their public image because their origins coincided with a vigorous drive by the National Association of Manufacturers (NAM) beginning in 1903 to crush the struggling industrial union movement. Employer associations began an aggressive campaign to demolish unionism and radicalism, and the Wobblies provided a perfect foil for efforts to denounce “un-American” union practices. Both sides spoke of each other in apocalyptic terms, but the businessmen easily won the struggle to capture the minds of middle America because their philosophy was already deeply embedded in the American psyche, and its acceptance was automatic. Democracy, the capitalists insisted, meant political equality only, and the concept of industrial democracy was preposterous to them. It was unthinkable that workers should play any part in how businesses should be operated and governed.

Laborers tested the union’s thinking in a major way in the eastern textile industry. The Wobblies and Joseph Ettor played a large role in the successful textile strike in Lawrence, Massachusetts, in 1912 and in the disastrous one in Paterson, New Jersey, mills the following year. Both of these upheavals received widespread coverage by the media, especially the accompanying violence, both of which prompted Congress to establish a Commission on Industrial Relations (CIR) on August 23, 1912, to investigate. Frank P. Walsh, a liberal lawyer from Kansas City, Missouri, chaired the commission, which included John R. Commons, the well-known labor expert from the University of Wisconsin, and Florence J. Harriman, an active social-justice advocate from the wealthy railroad family. The commission spent 154 days, or six months of working days, traveling across the nation taking testimony on industrial relations from men and women of “almost every walk of life,” as their report expressed it. Among other disturbing statistics, they found that 2 percent of Americans owned 60 percent of the nation’s wealth while 65 percent owned only 5 percent.⁹

Walsh, an Irish American from Kansas City, grew up in poverty and attended law school at night. He defended unions and workers and numbered Tom Mooney and William Z. Foster among his clients. According to one observer, his CIR hearings “turned their proceedings into brilliant theater, one that championed oppressed workers, their unions, and even radical organi-

zations like the rww, while it rebuked the nefarious activities of employers.” Some on his committee, such as Florence Harriman, thought Walsh was too biased. Harriman believed he was “a born agitator with a very engaging personality . . . who was always cross-examining as though capital were in the dock and always helping labor with the sympathetic spotlight.”¹⁰

The radical labor spokesmen frankly revealed their objectives during the hearings. The commission examined the issue of migratory workers on several occasions, especially those in California. The Census of 1910 listed some 12 million unskilled or semiskilled workers—about one-third of the nation’s labor force—and of these, 3.5 million could be termed migratory labor. It was particularly difficult for most middle-class Americans to understand the phenomenon of migrant labor as most of the native stock had roots dating back several generations. The San Diego chief of police complained, “these people do not belong to any country, no flag, no laws, no Supreme Being. I do not know what to do.” He continued plaintively, “I cannot punish them. Listen to them singing. They are singing all the time, and yelling and hollering, and telling the jailors to quit work and join the union. They are worse than animals.”¹¹

The first rww organization in Kansas was a public employee unit in Leavenworth in 1906, followed by a mixture of furniture workers in Kansas City. Bakers organized in Wichita in 1907, and mass meetings were held there with reports that furniture, sewer, and cement workers were ready to join. An rww organizer stated that meetings were being held in Pittsburg on every street corner that year. By 1912 though, public reaction was beginning to turn against Wobblies, and a group of “purported drunken Boy Scouts, recruited from and aided by the Y.M.C.A.” broke up an rww meeting in Wichita with rotten tomatoes and pieces of watermelon. But there was also a successful effort to organize the oil-field workers in Butler County as late as early 1917. Here, and in the wheat fields, was where Wobblies enjoyed most of their basic strength in Kansas.¹²

Work began in 1912 to develop the Mid-Continent Oil Field around Tulsa, and in December 1915 the Kansas portion of the field was opened when a hugely successful well was brought in at Augusta. Because there was a significant movement of migratory harvest workers into the oil fields after the wheat crop was harvested each year, it was natural for the rww to try and organize these oil workers. Haywood reorganized the Agricultural Workers Organization and the oil workers unit into the Agricultural Workers Industrial Union (AWIU) and the Oil Workers Industrial Union (OWIU) to achieve these ends, and in late winter 1917 he appointed the contentious Phineas

M. Eastman as secretary-treasurer of the Augusta local. Eastman was a radical who came to the IWW through the timber workers' unit in Louisiana. In May 1917 he sent a letter to IWW headquarters that was an antidraft resolution adopted by his local. Secondly, an unsigned letter was directed to the Augusta Chamber of Commerce that month referring to "bloodsucking, cowardly conscription." These two letters were to serve as the basis for the Department of Justice's prosecution of Eastman for violating the Espionage Act of 1917, and the main purpose for raids in Augusta and El Dorado that year was to secure evidence for his indictment. IWW organizing in this area had just begun when the group's leaders came under attack by the government. At that time federal agents estimated that there were some two thousand IWWs in the Kansas-Oklahoma oil region, and in Butler County alone between three and four hundred were arrested on charges of vagrancy. IWW influence and strength in Kansas, though, was greatest among the migratory harvest hands in the wheat regions of the state. At the IWW convention in 1914 Frank Little, a member of the general executive board, suggested taking "concerted and efficient action in the harvest fields next year" and the organization found fertile ground there for soliciting members.¹³

It is difficult to do anything other than generalize about these migrant harvest workers because not enough is known about them statistically to make specific and meaningful observations. Melvyn Dubofsky notes that "every summer thousands of men and boys would fan out from Chicago, Kansas City, Sioux City, and the twin cities . . . to follow the wheat harvest from Texas north across the plains to Canada." The harvest usually moved northward at a rate of about twenty-five miles per day. They worked long hours, usually for low pay and deplorable room and board. Room often meant bedding down in a barn or granary as many farmers believed the men to be diseased and would not allow them in their houses. Some—those who returned for work year after year—were treated with traditional farm hospitality. Occasionally a large farm would have a bunkhouse for laborers, both temporary and permanent. The men traveled by riding the freights, often in wheat cars going out to the harvest fields, and were subject to the brutalities and extortions of trainmen and railroad detectives. Traveling this way was also dangerous: during a five year period, some twenty-four thousand were killed "and an equal number maimed and incapacitated." Wanting the wheat to be harvested quickly when it was ready, railroads sometimes encouraged the migrants to get to the fields in empty cars they hauled west to be loaded with grain. During the harvest season, they proved to be easy prey for robbers and professional gamblers. At best, the workers returned to Kansas City with enough earnings to make it

through cold, unemployed months in an inexpensive flop house, sufficient to “winter over,” as they put it.¹⁴

Tenant farmers, or those with 160 acres or less, could harvest their own wheat by sharing labor with neighbors. The larger fields of a half-section or more in central and western Kansas required a good deal of temporary labor. Farmers harvested wheat with either binders or headers before the advent of the combine. Binders cut the wheat low to the ground and bound it into sheaves, which were then stacked into shocks. The crew consisted of the farmer and regular hands operating the binders, requiring three migratory shockers for every two binders. Farmers using binders could cut the wheat before it was ripe and thus lessen the possibility of the overripe grain shelling out on the ground during inclement weather, because the wheat could ripen slowly in the shock. Those using headers, as the name indicates, cut the wheat just below the head, and a conveyor belt took it to an accompanying wagon that hauled it to be stacked in large piles. With this process the farmer could begin harvesting only when the wheat was fully ripened, and therefore the work was more intense to get it cut and threshed before disaster struck. On the other hand this process saved the cost of twine, which amounted to about 25 cents per acre.

The wheat had to be threshed with a steam- or later gasoline-powered thresher and the bundles were hauled to it, or in the case of the headed wheat, the machine was set up in the middle of the stacks. Farmers used the straw to feed the steam engine. Success of the harvest was contingent on the weather and the supply of labor. Wages were negotiable, and if bad weather threatened, the laborers could demand higher pay, or conversely, if there was an oversupply of migrants, the farmer could negotiate to his advantage. A rough rule of thumb was two bushels equaled a day's wage. So much depended on chance. Often farm managers advertised deliberately for an abundance of laborers, and conflict resulted with the townspeople deploring the arrival of these excess “hoboes” coming to their village. They feared these homeless men because of their reputation for being heavy drinkers and, to middle-class people, for their coarse language.

Just before the turn of the twentieth century, William Allen White penned an article about wheat production on the large farms of the Great Plains that were called “bonanza farms.” He noted that they kept ten men working year-round and employed about fifty more during the plowing and harvesting seasons. The extra men received twenty to twenty-five dollars per month plus room, board, and washing. They ate breakfast at 5:00 a.m. and supper at 7:30 p.m., with an hour lunch break. For the harvest, migratory workers began in

Oklahoma in early June and worked northward to Saskatchewan by fall. They were “steady industrious men with no bad habits and small ambitions,” White noted, and they earned nine to twelve dollars weekly. Following the harvest season, they returned to Kansas City, Omaha, or St. Paul for the winter. Other writers on migratory labor would dispute the Emporia editor’s favorable characterization of the men’s habits.¹⁵

Studies about these migrants were episodic and anecdotal. Many writers believed the migrants arrived mysteriously when the wheat was ready and disappeared just as inexplicably after it was harvested. Large numbers of railroad workers deserted their \$1.50 per day jobs during harvest to earn \$2.00 from farmers who posted signs along the right of way to lure them away. In one instance the Rock Island sent four loads of men from Kansas City to Oklahoma to build an extension line and lost more than half during the journey to the job. Railroad officials found they had to meet harvest labor rates if they planned on keeping their section hands during that season. The U.S. Department of Agriculture published a survey of migrant workers between 1919 and 1921. Half, it was discovered, were urbanites and over one-third were migratory farm hands, mostly from the Missouri Valley region. Perhaps one-third were one-crop farmers who used the harvest to sustain their farms, with the earnings composing most of their cash income for the year. A few were local townspeople living on the edge of the Wheat Belt. Half were between ages nineteen and twenty-nine, and three-fourths were single or widowed. The survey found that 40 percent were “professionals” who had worked the harvest for five years or more. Half of them arrived in the area with companions, and two-thirds of them found jobs through “street interviews.” Much of their time was spent in idleness, and once a job was completed, they had to hop a freight north to seek the next opportunity.¹⁶

The fundamental difficulty lay in the fact that their movements were “practically unorganized and unregulated.” They traveled long distances for temporary employment on the basis of rumors. Then, when the job was finished, they often did not know where to go with any assurance of finding another, so they started moving, usually choosing their direction haphazardly. If they failed to move on, of course, they ran the risk of not making money on another job and the probability of arrest as vagrants. One Wobbly earned forty dollars in Oklahoma only to see twenty-five of it go toward a fine when he was arrested in Kansas for vagrancy. Attempts by local organizations, official and private, to coordinate the movement of this vast horde of workers usually ended in failure, with it always reverting to chance.¹⁷

In the 1890s farmers made sporadic attempts to utilize the publicity gener-

ated by the stories in their area newspapers to attract sufficient harvest hands. Some railroads like the Rock Island and Santa Fe tried to coordinate and direct the flow of labor into the areas where it was needed. Then in the spring of 1899 farmer and implement dealer David W. Blaine of Pratt County (in the middle of winter-wheat country) took it upon himself to canvass area farmers to determine their labor needs and to forward the information to Missouri's public employment office in Kansas City where most migratory harvest labor originated for that region. He continued to refine and expand this effort for the next several years. Concurrently several states, beginning with Ohio in 1890 and then Nebraska in 1897, established free employment bureaus, a concept that had its origins in the *Bureau du Travail* in Paris in the 1870s.¹⁸

The earlier private agencies followed the "kin- and friendship-based networks" and did little to break down regional barriers so prevalent in the harvest fields. Many of the new public agencies served as intermediaries between new immigrants and employers. The labor problem in the Midwest's wheat fields required a different approach, because of the disorganized and chaotic situation, to serve until the establishment of the U.S. Employment Agency in 1918.¹⁹

Opinion was widespread among state labor commissioners that private employment agencies, operating out of saloons, were intent primarily on selling booze and cheating the laborer out of his wages. Indeed, there were cases of men paying to obtain a job, working for two or three days, then being replaced by another hand who had paid a fee to obtain the work. Public organizations without the profit motive, it was argued, would eliminate these practices, and both employer and employee would benefit. It also was expected that such agencies would upgrade the quality of labor available. In addition, nativists were quick to point out that the Federal Bureau of Immigration was active in seeking employment for immigrant labor, but no public group was helping native workers.²⁰

The Kansas legislature responded in 1901 by creating the Kansas Free Employment Bureau and Gov. William E. Stanley appointed T. B. Gerow as director. His orders were to compile "as far as practicable," lists of additional harvest hands needed for the upcoming season. Similar agencies in other states had a central office with county and municipal officials feeding information into it. The Kansas act required clerks of first- and second-class cities to furnish the headquarters in Topeka with "a conservative estimate" of the coming labor needs for harvest, based on requests from farmers. Most clerks, however, were unwilling to assume this additional chore, and while the law threatened them with dismissal from office, it also provided that a clerk's

refusal to comply would “not affect tenure of his office as to its other duties.” City clerks soon discovered the huge loophole, and by the end of the harvest season in 1901, only eleven had complied with the statute.²¹

The Kansas employment agency became embroiled in controversy with David W. Blaine from its beginning because he disagreed with its conservative actions. In April 1901 Blaine encouraged farmers in his area to meet in their rural schools and discuss their labor needs based on the results of the previous year and the fact that the wheat harvest that summer was expected to be 25 percent greater. Their estimates led him to conclude that Pratt County would need 1,100 extra men and 350 teams of horses. On this basis, Blaine calculated that the state of Kansas would require 10,000 extra laborers for the harvest. Because of Blaine’s activities, and also with the predicted large crops of 1900 and 1901, Eastern newspapers publicized the expected shortage of labor in Kansas. After the *New York Sun* reported Kansas needing 5,000 more men than usual, the Board of Aldermen of New York City resolved to alleviate the situation by noting that they had “thousands . . . [of] worthy and capable” workers and that they would make plans to send the men to the Sunflower State. Governor Stanley quickly reminded the aldermen that Kansas was not “a national poorhouse,” and the men would be turned back at the borders if they came. The director of the Missouri employment bureau agreed that “a new army of hoboes . . . would augment the already large numbers that infest the city during cold weather.” The concept of recruiting outside labor was unpopular enough at any time in Kansas but especially so in 1901 when the chamber of commerce in Pittsburg was loudly voicing negative opinions over the unwise move of importing blacks from Alabama into the Kansas coal fields at the time as strikebreakers.²²

Supported by Governor Stanley, Gerow refused to assist in efforts to recruit labor outside Kansas. The need and publicity proved great enough to draw men to the wheat fields from their regular city employment, in addition to the usual migrants, arousing the anger of farmers who belittled the inexperienced city boys who were “prepared to work union methods and expect high wages.” Instead of the regular \$1.00 daily rate, the scarcity forced farmers to pay \$2.00 and as much as \$2.50 per day. Pratt County, thanks to Blaine’s efforts, suffered the least from labor shortages that summer, but many men heading there were pirated from trains in neighboring Reno and Kingman counties. Determined that this would not occur again, Blaine made larger plans for 1902 amid his barrage of criticism against the Free Employment Bureau. He believed the disparity in the estimates of workers needed had caused many men to refrain from joining the harvest in 1901, so in the spring of 1902 Blaine prevailed

upon his county clerk to poll the assessors in each of his townships. In May the clerk informed him that Pratt County would require 1,558 men and 559 teams. Blaine and the local newspaper began to pressure the state Board of Agriculture to ignore the Kansas Free Employment Bureau and establish a statewide plan of using township assessors to determine labor needs.²³

Concern over "pauper labor" being recruited for Kansas fields led the delegates to the Republican state convention in 1902 to insert a plank in their platform extolling the virtues of native workers as "an element comprising a stalwart and desirable citizenship whose rights and interests should be fully protected and conserved." Governor Stanley again advised Director Gerow that harvest labor should be recruited only among Kansans and not to assist Blaine's demands to bring in outsiders. Blaine, in turn, charged Gerow with operating his bureau "solely in the interests of politics." It was obvious even to Gerow, however, that available Kansas labor would be insufficient for 1902, and when he boasted about the work of his agency, he noted it had furnished "a large number of men" for the 1901 harvest, and he was currently recruiting men from Kansas "and adjoining states" for the upcoming season. The prospective smaller crop soon indicated to Gerow that outsiders would not be needed, but at the same time, Blaine publicly predicted that twenty-five thousand extra helpers would be required. Rains came in time, increasing the potential harvest, and both Stanley and Gerow ultimately yielded to Blaine's entreaties by establishing a recruiting agent in Kansas City.²⁴

An article in a New York magazine drew national attention to Blaine's struggle to solve the harvest labor problem. William R. Draper surveyed the tremendous growth in the production of wheat at the turn of the century, which had doubled in the previous five years, and the difficulty the large producers had in immediately obtaining extra labor during the few short days of harvest. Blaine and others, he noted, were working to solve this problem. Previously, sometimes thousands of acres of grain ripened and molded before the farmer could get an adequate gang of hands into the fields. In addition, in 1901 "several hundred men went out" on strike near Salina "and for one day the owners looked across deserted fields." Then the Kansas City Employment Bureau quickly filled the "vacancies." This could be done because of the planning Blaine and others had done in the Sunflower State.

Often operators of "bonanza farms" required one hundred extra men for just a few days, the article continued, yet there was little labor available in the neighboring towns. But there were tramps on their "summer outing, the clerk taking a remunerative and healthful vacation, businessmen and college students seeking novelty and recreation," in addition to a vast majority of peren-

nial migrants looking for harvest employment. Planners found they could not use just acres planted to determine the amount of labor required, and a difference in Kansas needing five or fifty thousand extra men (and women) meant migrants might come to a community that was over-supplied or to an isolated area where there could be a dearth of labor. Blaine tried to make his system more exact by asking farmers about three weeks prior to harvest to list the number of acres planted the previous year, the number of extra men, women, and teams he used, the acreage sown the current year, and an estimate of the yield.

A good deal of money was involved as shockers by this time were paid \$2.50 per day and workers around the threshing machine \$2.50 to \$4.00. The “feeders” earned \$4.00 because of the exhausting and dangerous work. They had to push the grain-laden straw into rapidly revolving cylinders, when at any time a loosened steel tooth might fly out delivering instant death, and they had to work at a pace to keep the flow to the separator uniform and not clog it and jerk the thresher to a standstill, which would cause a long delay while the machine unclogged. Performing this exacting task from morning till sunset was “a trial of mind and body that few [could] endure.” Experienced men were especially sought. The annual wheat crop was 450 million bushels, of which Americans consumed 400 million, with the surplus sold abroad. Kansans alone produced one-ninth of this total (the percentage would increase significantly in the next few years), and any idleness in the harvest fields, for whatever reason, could cost hundreds of thousands of dollars. And Draper reported in his article that this new Kansas solution (of Blaine’s) was proving immensely satisfactory “to both the farmer and the laborer.”²⁵

Another step toward resolving the labor dilemma came in the spring of 1904 when, at the request of the director of the Nebraska labor bureau, representatives from seven Midwestern states met in Kansas City. They established the Western Association of State Free Employment Bureaus for Nebraska, Iowa, Missouri, Kansas, Minnesota, South Dakota, and Oklahoma to coordinate the movement of harvest labor into the fields. Kansas City was selected as the regional center for the distribution of labor into the Wheat Belt, a function it had been performing unofficially for years. Each state bureau would report weekly to this office regarding their labor needs. The member bureaus were expected to facilitate the movement of men northward as the harvest progressed. The association also called for the cooperation of the railroads. Like the state bureaus before it, however, this first attempt in the United States to control the interstate flow of labor soon faded into relative obscurity. The public employment agencies, because of the lack of funding and xenophobic

fears of pauper labor, failed as did the earlier private ones. It was not until 1918, when the United State Employment Service was created, that a coherent effort was made to resolve harvest labor needs. This came, of course, just when the automobile was available immediately after World War I to revolutionize the issue of migrant labor by making workers extremely mobile. Before, basically the supply of labor was hit or miss with farmers wanting a surplus pool of labor, and workers expecting to make a decent wage during the few short weeks of harvest.

The law of supply and demand determined the wage scale. In 1902 the shortage of labor drove up the rates. Usually wages in Kansas increased from east to west. They also rose during the Progressive period and especially during the labor shortages of World War I. By 1921 the prevailing wage in eastern Kansas was \$5.00 to \$6.00 daily and up to \$7.00 in the western region, a comparatively good rate that was in reality diminished by the inflationary spiral of the war period. The shortness of season and uncertainty of employment combined to keep earnings low. A survey in 1921 showed that out of 703 "bindlestiffs," the lowest paid workers, only 201 reported they made between \$100.00 and \$200.00 in 1919, while 260 admitted they did not know what their earnings were. The following year 226 reported making \$100.00 to \$250.00 but 179 of the 696 surveyed reported they did not know what they made. In the 1921 seasons, 83 harvesters had made \$100.00 or more at the time of interview with an average of \$146.54 made from working 2.2 jobs. At the same time their expenses were \$49.44, leaving a net of \$97.10. This showed a potential for profitability, but these men represented the relatively successful ones. Also their hours of intensive labor ran from sun to sun, and often longer.²⁶

In May 1914, an organization was established to take advantage of these migratory workers when Midwestern wheat growers created the National Farm Labor Exchange to replace the defunct Western Association of Free Employment Bureaus. At its first meeting in Kansas City, the exchange and the U.S. Bureau of Labor's Division of Information agreed to conduct a wholesale recruitment campaign for the coming harvest season. They flooded the nation with handbills, posters, and newspaper advertisements calling for 100,000 men for the Great Plains harvest. Those who responded were assured there would be employment lasting from three to six months and good wages of \$2.50-\$3.00 per day, all of which was preposterously optimistic. They made no provision, however, for selecting experienced men or for limiting the number to 100,000. Believing this to be an attempt to flood the area with cheap labor—widespread advertising continued throughout the war years—the IWW

countered with a major organizational effort to recruit these migratory workers.²⁷

The National Farm Labor Exchange's irresponsible action resulted in chaos in Kansas. At the end of May, well before the harvest began, the *Topeka Daily Capital* headlined "Men Flood Kansas Wheat Belt Seeking Employment," noting that they had begun arriving two weeks earlier, and there were still two weeks before the wheat would be ready for them. The newspaper added "many of the men are financially crippled and depending on charity." Two weeks later the paper described "an army of 1,000" invading Hutchinson. The city fed them and sent them on west to the harvest fields. Often local establishments donated flour, potatoes, and other foodstuffs to nearby hobo jungles. On one train four female hoboes were bound for the harvest to find work as cooks. They stated they were not molested in any way by the men "riding the rods." One hundred hoboes were reported taking possession of a train at Conway Springs, demanding to be hauled to the wheat fields. A similar event had occurred at Columbus the previous day.²⁸

After the harvest began, a report circulated that "seventy-five thousand pounds of Bowery hoboes are to be shipped as freight" on the Erie Railroad from Jersey City to Topeka. The rate was twenty cents per hundredweight. This flood of labor occurred again the following harvest, and the town of McPherson was forced to set up "a municipal soup house" where transients were fed vegetable soup and a loaf of bread with a cup of coffee twice daily until the harvest began. An estimated five thousand men were without work for several days in central Kansas. Hutchinson fed about one thousand of them, some by the city fathers and others by farmers who gave them odd-jobs until the wheat was ready. Some were described as "professional hoboes" but most "really want to work."²⁹

The iww found this flood of workers to be relatively easy to organize as they were usually men without dependents and thus more independent in regard to withholding their labor, and more importantly, they showed greater unity with colleagues in times of crisis than run-of-the-mill unskilled workers. One iww member described the typical worker of this type as "an admirable example of the iconoclastic doctrines of revolutionary unionism. His anomalous position, half industrial slave, half vagabond adventurer, leaves him infinitely less servile than his fellow worker of the East. . . . Nowhere else can a section of the working class be found so admirably fitted to serve as scouts and advance guard of the labor army."³⁰

iww organizers experimented with ways of recruiting them, and in 1914 found that the "camp delegate" method used in the California fields worked

well on the Great Plains. Under this system, each chapter had a leader who served as a spokesman for his "gang," but he could not contact employers, and the members could refuse to follow him if they believed his leadership was contrary to iww policy. In April 1915, iww delegates from across the nation converged on Kansas City to create the Agricultural Workers Organization (AWO). The delegates chose Walter T. Nef as secretary-treasurer with a five-man board to assist him. Nef was experienced and efficient, and his demands were simple: immediate improvement in migratory labor conditions with a ten-hour day, minimum wages with overtime, good food, and clean beds. By August, the height of the harvest season, "the AWO had achieved many of its demands," and grander plans were laid for organizing in 1916. Nef was largely responsible for this huge success, and it came at an opportune time as the iww at that point was rapidly losing members nationally and was in financial distress. The drive for agricultural members "pulled the iww off the edge of oblivion," one authority insisted. The iww red card quickly became a status symbol in the Wheat Belt. It offered the men protection on freight trains and hobo jungles, better working conditions, and a place in the iww office to meet, rest, and read between jobs. But the great progress of the iww in the three summers prior to American entry into World War I, combined with the unusually large numbers of migrants that appeared, generated intense anger and fear among the middle classes in the Great Plains.³¹

The print media fed this mass hysteria with lurid stories:

they came to Kansas this year when the call was clarified for thousands of harvest hands. The harvest hands came . . . also men of the wanderlust, wrecks of the slums, men at whom life has sneered and who seek to retaliate by sneering at life. Among the latter is the iww agitators, ready to make the minds of the weak illiterates into warped molds, ready to fight, pillage, burn or murder. . . . They believe they are oppressed; surely fate has sneered on them and they seek vengeance against those upon whom fortune has smiled . . . a menace which threatens the wheat industry. . . . [T]hey take charge practically of the freight trains and demand that transients join their organization or be thrown off. They drive men out of the fields who don't have the card and several jails have been stormed . . . trainmen and officers shot . . . they make a cross like a Chinese laundry tag on fences and gate posts to mark houses where women have been generous with food.³²

In 1917, newspapers printed a story that railroad employees believed they had uncovered a plot to wreck a passenger train on the St. Louis and San

Francisco line. Several farmers had found spikes, bolts, and nuts, some of them taken from the tracks, lying on the rails and wedged between the joints. The train that was due was running late, and fortunately, it was flagged before it could wreck. IWW tramps were given credit for the episode. Hoboes were quite common throughout the United States at this time. Migrants often were referred to as workers when their labor was needed but as bums when it was not. Fed by these stories the public mind soon equated any migrant with being an IWW bent on mischief.³³

The red card was both an asset and a liability. Train crews tended to honor the card as they did not want to incur the wrath of the IWW. For the same reason it often protected the members from holdup men. In addition, many farmers, especially members of the Nonpartisan League, were sympathetic to the Wobblies as they shared a dislike of the “vested interests” and the “lords of industry.” On the other hand, employment agencies seldom sent members of the AWO into the wheat fields, and when labor was plentiful, many farmers refused to hire Wobblies if they had a choice. National headquarters suggested members might want to tear up their cards if this would help them find employment and then apply later for a duplicate. This same flexibility was recommended in strikes. Demand higher pay or threaten a walkout only if there was a good chance of winning. Members were also advised to avoid street agitation and “soap boxing” and instead to use “direct action” to achieve objectives. This meant consciously working inefficiently, slowdown strikes, but never violence or destruction of property. During World War I Wobblies opposed the war as did all good Socialists.

When queried about his position on the war, one IWW member responded typically:

if your job had never kept you long enough in a place to qualify you to vote, if you slept in a lousy, sour bunkhouse, and ate food just as rotten as they could give you and get by with it; if deputy sheriffs shot your cooking cans full of holes and spilled your grub on the ground; if your wages were lowered on you when the bosses thought they had you down. . . . If every person who represented law and order and the nation beat you up, and railroaded you to jail, and the good Christian people cheered and told them to go to it, how the hell do you expect a man to be patriotic? This war is a business man’s war and we don’t see why we should go out and get shot in order to save the lovely state of affairs that we now enjoy.³⁴

Wobblies proved willing, however, to use force against fellow workers in their

organizational drives. iwws took control of transient camps, or hobo jungles, and expelled nonmembers. As Big Bill Haywood described it, Wobblies established a "community life in the jungles. When a crowd of members of this organization leave a train near the station, they go to the outskirts of town or the bank of a stream if convenient. There a meeting is called, a Camp Committee is elected, the formation of which is to see the camp is kept clean and sanitary." The committee policed the area to eliminate "jungle buzzards" who would not do their share of the work and also ran out gamblers and "stick up" artists. They frequently boarded trains and kicked off riders who refused to join. As the recruiters received a commission for each new member, something more than loyalty sometimes prompted the use of force. In addition, robbers occasionally used their membership in the iww as a cover for their illegal activities.³⁵

As Wobbly strength grew and stories of these strong-arm tactics spread, local officials reacted violently and illegally. Sheriffs and deputies raided hobo jungles and searched freight trains, running everyone out of their jurisdiction if they were suspected of being a Wobbly. And as William Preston noted, "the farmer responded with vigilante committees, illegal arrests, and deportations. Grant Wood's America thus witnessed so much class warfare that the local press reported a 'reign of terror' . . . and a feeling of hopelessness that 'all methods of handling the situation have proven unavailing.'" There were so many rumors of iww violence that it was difficult to sift true dangers from wild hearsay. In early July 1916, some twelve thousand Wobblies reportedly were threatening to invade WaKeeney, Kansas. The issue began when thirty "raiders" came to town to pilfer, and one was arrested for having a weapon. That night about fifty Wobblies rescued him from jail and sent out a call for more help, which came in great numbers. The mayor wired the governor for troops to protect them, and Governor Capper replied that the militia was busy guarding the Mexican border against Pancho Villa. Citizens and frightened farmers who had fled to town armed themselves against an invasion that never materialized. The sheriff of Saline County raised fifty deputies to ransack transient camps and ran six to eight hundred men out of the area and arrested twelve Wobblies. Two hundred iwws took control of a train at Oakley and rode it to Colby. The state fire marshal responded to numerous warnings of fire bombs made of linseed oil-soaked rags or phosphorus that Wobblies supposedly planted in wheat stacks. It was reported that one state inspector "found fourteen bombs near WaKeeney." The bomb threat was never proven, but the populace was "patrolling their fields and threatening to shoot any iww."³⁶

Scare stories from high or respected officials in newspapers fed the flames of fear over iww's "treasonous" activities. Secretary of War Newton Baker ruled that men registering for the draft who had personal scruples against serving in the war should be construed as "conscientious objectors." Maj. Dick B. Foster, a member of a court-martial team at Camp Funston that had tried 235 "objectors," charged after the trials that Baker had thus helped Wobblies with these "secret orders." Baker had "intentionally or unintentionally aided and assisted the iww in blocking the construction of the Army . . . in such a clever manner that [the iww plot] reached the foundations" of the Department of War itself.³⁷

Wheat communities at any time faced a crisis when several hundred homeless men gathered in their area and the harvest was delayed by adverse weather. Farmers could not ask laborers to move to another vicinity before they finished the harvest. In 1917 the Kansas state legislature enacted a general vagrancy law that was "very much desired by the Farmers to handle the iww," as the delegates to the Kansas State Federation of Labor were informed, and the labor lobbyists hoped it would "not be abused or misapplied." In June 1918 Governor Capper also issued a proclamation urging communities to enact vagrancy laws if they had not already done so. Capper was especially alarmed by the threat that Wobblies posed to his state. Two years earlier he had urged that any who stopped in Kansas should be arrested and fined. If they failed to pay the fine, they were to be put to work in the belief that by doing so he could control their numbers in his state:

if these men are made to work, Kansas will not be such a lure to them. Above all they do not want to work. They are disturbers and in a number of communities have intimidated people and destroyed property. As soon as a few hundred of these men can be employed without pay on rock piles and in road building, I think the iww will look elsewhere for comfort and these agitators will be kept moving.³⁸

When the United States entered World War I the tension mounted, if such was possible, as the importance of wheat production increased, and "a stirring of pseudo-patriotic antiradicalism" was whipped up by the Creel Committee. George Creel's group, the Committee on Public Information, inflamed American patriotism to the point that "the great war" became a holy crusade to defeat the Hun, a "war to make the world safe for democracy." The Wobblies, who opposed all war, became increasingly unpopular as patriots viewed their activities as undermining the war effort and helping the Kaiser. Strong rumors abounded across the nation that iww activities were being financed by German

gold. The rumors were untrue, of course, as federal accountant F. M. Bailey testified in the Chicago trial of Wobblies. Governor Capper increased the Kansas guards to two hundred companies and scattered them throughout the wheat areas in 1918 and 1919. During the 1918 harvest, the shortage of labor was partially solved by a campaign to get people who had never done farm work before to register in the "Harvest Army of Kansas." Sermons on Sundays had catchy titles, such as "Wheat Can't Wait," and 2,148 men in the Topeka area pledged their work for ten days, or 100 hours that season. In addition, "Capper Harvesters" or "Twilight Squads," composed of businessmen in Topeka drove to the fields and shocked wheat for two or three hours after businesses closed. These volunteers became especially important when the rww threatened slowdowns or strikes. In 1919 Capper and Rep. J. N. Tinchler asked the director general of the nation's railroads for a special rate for harvest workers, who declined the request on the grounds that if he granted it he would also have to lower the rates for fruit workers, beet sugar laborers, and other similar occupations.³⁹

After the famous economist Thorstein Veblen made a survey of the Wheat Belt for the U.S. Food Administration in 1917, he recommended that the government take a more conciliatory stance toward the rww. He believed that these men were essential to the wheat harvest and, in an interesting twist, argued that they also could be mobilized and controlled if placed under the direction of the Food Administration and the Department of War. rwws distrusted the Department of Labor and the Department of Agriculture because of their ties to the AFL and the Farm Bureau Federation. Veblen believed their cooperation could be obtained and their efficiency kept high if they were recognized as important to the war effort and advised by friendly groups. But the Wobblies were so distrusted and feared and their antiwar activities seemed to be so dangerous that this concept never was implemented. The move to destroy them as an organization had already proceeded too far by that time.⁴⁰

Coal miners in Cherokee and Crawford counties aroused the ire of public officials in November 1917 when they went out on strike under the leadership of Alexander McWherter Howat, president of district 14 of the United Mine Workers. The strikers tried unsuccessfully to get two districts in the Kansas City area to join them in protest. The *Pittsburg Sun* denounced Howat as "a leader of unpatriotic, anarchist foreigners" and predicted his downfall, but he was overwhelmingly reelected president of his district the following month. Harry Garfield, of the United States Fuel Administration, issued instructions that a clause imposing an automatic strike penalty of fifty cents daily must be inserted in all coal contracts for the duration of the war. When a conference

of UMW district leaders met in Kansas City, the delegates voted on a resolution whether to approve or to denounce the clause. The Kansas men voted 136–3 to disavow the clause, but the Missouri delegation approved it 62–22, as did the Arkansas-Oklahoma group, 98–36. The last two groups caucused and voted to authorize an acceptance of Garfield’s clause, and Howat yielded and signed the agreement.⁴¹

While the United States was engaged in making the world “safe for democracy,” it was busily destroying democracy at home for its less fortunate citizens. In 1917 the federal government found its weapon to destroy the IWW with section 3 of Espionage Act of 1917, which declared that any action with the intent to interfere with American military operations would be punished.

The combination of actions of state and federal governments, and that of the general public as well, eliminated the AWO as an effective force in Kansas and the IWW in the nation. On September 5, 1917, Department of Justice officials raided IWW offices in Chicago, Fresno, Seattle, Spokane, and other cities, acting on “perhaps the broadest search warrants ever issued by the American judiciary,” and illegally seized files of records and arrested over 100 Wobblies. Similar arrests were made in Kansas. Based on the incendiary publications seized, Justice Department lawyers could prove the IWWs were interfering with the war effort, and because of the extremely broad language of the Espionage Act of 1917, could charge that they were committing espionage, sabotage, and treason. They persuaded a grand jury in Chicago to indict 166 leading IWW officials. A federal grand jury in Wichita arraigned several Kansas Wobblies. Bill Haywood and the IWW attorney advised those charged to surrender peacefully and stand trial, contrary to accepted IWW philosophy, as they would be proven innocent of wrongdoing. The Chicago trial began the following April, presided over by Kennesaw Mountain Landis. After the jury returned a guilty verdict, on August 31, 1918, Judge Landis sentenced the accused to the harshest penalties he could impose, and the order never recovered from the prison sentences and fines. While individual Wobblies remained active for several years, the organization never again played a significant role in labor relations. A few of their leaders eventually joined the Communist Party, but Wobblies in general did not like “bosses,” whether capitalist or communist.⁴²

The twenty-six Wobblies arrested in Kansas suffered terribly for months before their trial ended. Haywood, in testifying before the Commission on Industrial Relations told of jail conditions during the Coeur d’Alene strike that had led to the formation of the Western Federation of Miners. A mill was blown up, and, as usual, local officials held the miners responsible. Martial law was declared, and one thousand strikers were arrested and imprisoned

in the “bull pen,” a hastily constructed, two-story building of rough timber “with cracks in the floor above permitting the excrement from the men to drop on those below.” As a result, “many of them . . . sickened and died from the diseases they caught there.” Haywood’s Kansas colleagues, when arrested in 1917, were imprisoned in county jails that were as bad or worse.⁴³

The oil production of Butler County, which became so important in supplying the United States and its allies during the war, was a beehive of activity for the iwws. Middle-class Kansans blamed the foreign element in the iww for all suspicious events in the oil fields. The Wobblies were responsible for a few instances of destruction, including torching wooden oil derricks, burning the welfare hall and other buildings in Midian, and attempting to blow up the Prairie Pipeline south of El Dorado. But “the actual percentage of immigrants who were involved in the organization was very small in comparison to the feverish paranoia and suspicion of all immigrants which characterized this time period.” Local officials, as usual, were prone to exaggerate the danger of the iww.⁴⁴

In August 1917 Butler County attorney R. T. McCluggage alarmed Kansans when he announced that three thousand iwws in the state’s oil fields were “threatening riots and pillage.” By November Governor Capper was calling for federal troops to help protect vital oil production, a development that particularly excited the U.S. district attorney for Kansas, Fred Robertson, who was quite diligent in prosecuting wartime violations of the laws. In addition to draft-evasion issues, he checked on the teaching of the German language in the public schools, actively encouraged citizens to buy bonds, investigated a “German looking” character driving an automobile with Nebraska license plates, and explored rumors of a German air field believed to be located somewhere in central Kansas. His patriotic enthusiasm even led him to recommend that the Department of Justice investigate Governor Capper for “disloyalty.” In November 1917 Robertson, on his own volition, raided the iww office in Augusta and arrested several members on John Doe warrants in what was described as “one of the greatest roundups of iww agitators ever undertaken in the middle west.” Becoming convinced earlier in the month that the iww planned a strike “to tie up the entire industry,” he decided to circumvent it by incarcerating the leaders. He and other federal agents must have believed their own stories about the number of iwws in the area. Oscar Schmitz, an agent from Kansas City went to Augusta to prepare for the hundreds of arrests that would be made and built “a large bull pen” to house them. The raid was postponed until the makeshift jail was ready. Only twenty-seven were actually held and charged.⁴⁵

After consulting with U.S. district judge John C. Pollock, Robertson indicted the men for violating the Espionage Act in obstructing the recruitment of military personnel and the flow of the supply of war goods, namely wheat and oil. The final charges took two years to draft and refine, clearly a violation of the Sixth Amendment guarantee of a “speedy and public trial.” Judge Pollock fixed enormous bails ranging from \$4,500 to \$10,000, depending on what he considered to be the defendants’ menace to society, and the *rw*w, with its manifold legal expenses at this time, could not raise their bond. Following some eighteen months of adverse publicity, Pollock relented and reduced some of the bails to as low as \$500 and freed some of the Wobblies on “personal recognizance.” They were becoming expensive to maintain in jail.⁴⁶

The federal government had no facilities in Kansas for holding accused persons before their trial, so the Wobblies were housed in the Sedgwick and other nearby county jails. There were several shortcomings to these arrangements: these facilities had none of the amenities of the federal prisons, such as windows to admit sunlight, heat in winter, access to exercise; and the per diem of fifty cents for the sheriff to feed them often meant an inadequate diet because sheriffs in the larger counties in Kansas were expected to skim off \$250 annually for housing prisoners. In addition, sickness was a constant factor for the prisoners—the terrible postwar influenza epidemic struck during this period. In addition, the Wobblies complained that when the doctor came to the Wichita jail several days after being summoned, he arrived allegedly drunk and prescribed the same pink pills for all ailments. Mental distress plagued several prisoners. The conditions of some of those indicted in Chicago was in stark contrast with those held in Kansas. When winter arrived, the Cook County jails began to fill with those seeking regular meals and a warm place to sleep. Federal authorities wanted to keep the Wobblies isolated, and the *rw*w were parceled out to nearby jails. Those housed in the Freeport, Illinois, jail admitted they were well treated.⁴⁷

After a year of the intolerable conditions in Kansas, the *rw*w began a protest campaign, which forced the Department of Justice to direct a federal marshal to investigate the Sedgwick County jail. He gave it a good report though, and authorities dropped the matter. Then in March 1919 a federal prison inspector came to Wichita. He was appalled to find the jail was one of the three worst he had ever seen, calling it “unfit for an animal” (the other two being in Grafton, West Virginia, and in Charleston, South Carolina). The inmates were then transferred to other county jails.

Those sent to the Shawnee County jail found conditions little better. A

deputy described the procedure of handling recalcitrant prisoners: “we go in and knock the guts out of those guys.” After their demands for blankets, better food, and decent mattresses were ignored, they went on a hunger strike. The resulting bad publicity forced Sheriff Hugh Larimer to agree to improvements. He brought in new mattresses and kept the cell doors open at night so the men could use the toilets instead of the ever-present gallon Karo cans, but the promised blankets never came and the quality of food improved for a few days, then degenerated again. Winthrop D. Lane, a reporter for the magazine *Survey*, inspected the county jails in Sedgwick and Wyandotte counties. His subsequent article exposed a national civic disgrace in the Sunflower State.⁴⁸

Lane found the Sedgwick facility to be the worst. The roof leaked badly, the plumbing was obsolete, and most toilets required a bucket of water to be poured in order to flush them and were so dirty the prisoners were afraid to sit on them. Rats were constant companions and provided the men with the distraction of experimenting with various methods of extermination. Cockroaches and bedbugs were everywhere. The rotating tank in which the inmates were held was the most revolting aspect of the facility. The thirty-five ton object resembled a giant cylindrical birdcage with two floors suspended by a huge rod. Each tier contained ten V-shaped cells that were six feet wide on the outside and twenty-two inches on the inside; six feet, eight inches long; and seven feet high. Metal sheeting separated each cell, making them virtually isolation wards, and access to each cell was gained by cranking the entire cylinder around to align the cell with a single door. Obviously, it was virtually escape proof, but being incarcerated there was a nightmare. The magazine editor sent Gov. Henry J. Allen galley proof of this article, and he responded that in compliance with state law requirements he had begun an investigation of the state’s jail system “some time” before. That same day he announced the investigation to the press and ordered it begun the following day.⁴⁹

A state epidemiologist inspected the jail and confirmed the reports of Lane and the Wobblies. Cleanliness of the cells, he reported, depended on how diligent the individuals who occupied them were in taking care of their “home” with the limited sanitation supplies given them. He witnessed the “most antiquated . . . unsanitary toilets” he had ever seen. The windows and frames of the building had deteriorated to the extent that on cold days the men had to wrap blankets around themselves and march up and down their cells to keep warm. The Shawnee County jail, in addition to other problems, was so dark inside that reading in most cells was impossible. The plumbing was dirty and the bathtub “was as black as a boiler.” All types of bugs and vermin infested

the cells. There was a dungeon in the basement for “recalcitrant” prisoners that “horried” inspectors. The Wyandotte facilities were as bad as those in Topeka and Wichita. The health officers concluded that the only solution was to level them and build new ones. Of course, after the publicity reached a peak and receded, they were “remodeled” instead. The state inspectors also found that the diets posed difficulties for the prisoners. They all suffered from either constipation or diarrhea. Those with tuberculosis were housed with the other prisoners as were those with mental problems.

The remodeling came too late for the Wobblies. After two years of living in this kind of environment, some of them were suffering from poor mental and physical health. The nominal iww leader requested especially that his men be protected from the Wichita facility. Judge Pollock ordered a seventh inspection of the detention center, and when the report confirmed the previous ones, he ordered their trial to be moved to Kansas City because he preferred his home town anyway, and the accused were moved to the Wyandotte County jail, a facility almost as bad as those in Topeka and Wichita. Following their conviction after two years of this horror, their “ride to Leavenworth seemed like victory indeed and the federal penitentiary there the Big Rock Candy Mountain.” They marched from the interurban train to the prison singing the “Marseillaise.”⁵⁰

The iww had been characterized by the national and Kansas press as being a treasonous, godless, violent organization dedicated to the overthrow of governments. The characters of the defendants did not readily fit these categories. All but four joined the iww during its harvest season drives in the summers of 1915, 1916, and 1917. It is true that few listed an organized church for their religion, although they had a fanatical faith in their cause and were willing to die for it much like the early Christian martyrs. Phineas Eastman, considered the most dangerous of the lot, listed himself as a Presbyterian. None of them were lawless criminals, although the Bureau of Investigation’s fingerprint division file showed that one had been charged in California for disturbing the peace and another was arrested for selling razors in Nebraska without a license. Their average age was thirty-five, and most were unskilled laborers. The public would have been shocked to learn that all those eligible for the draft had registered as required by law. Three claimed a college education. Ten were aliens, and five had migrated from Germany at the beginning of World War I. Five of them were married, including Eastman who had been married for several years. Few of them fit the mold into which they had been cast by the press and Middle America.⁵¹

Pressed by the oil companies to act against the radicals and their efforts

to organize the workers, Robertson was in no hurry to prosecute once he had made the arrests. First, he believed that his action in jailing the Wobblies ended their menace in his area, and this was sufficient, and, second, the government strategy was to convict Haywood and the major leaders of the iww in Chicago before pressing the trials of the lesser lights in Sacramento, Omaha, and Wichita. Once Judge Landis completed his sentencing in the Chicago trial in August 1918, some of the same federal prosecutors were dispatched west to use their successful tactics in those trials. They succeeded in winning the Sacramento trial, but the one in Omaha was dismissed because of poorly drafted indictments. The Kansas trial was delayed time and again partially because of the deliberate delays of the iww attorneys in Wichita.⁵²

The indicted men in Kansas were charged with violating the Espionage Act and the Lever Food and Fuel Control Act of August 10, 1918. The latter encouraged the production and conservation of food and fuel supplies for prosecution of the war. The first Wichita indictment was issued on March 14, 1918, and contained one count of conspiracy and listed numerous acts to support the charge, most of which dealt with attempts to organize the oil-field workers. The defendants were accused of distributing books from their Augusta office, including Emile Pouget's *Sabotage* and Walker C. Smith's *Sabotage: Its History, Philosophy and Function*. iww attorneys filed a motion to quash the indictments for faulty cause. Judge Pollock agreed and issued a continuance until the September term of the court.⁵³

With Haywood's conviction in Chicago, federal prosecutors in Kansas decided to bring a new indictment partially based on the evidence from the Chicago trial that was now available. The Wobblies' chief attorney, George Vandever of Seattle, who directed the Chicago defense came to Kansas and did a "brilliant" job in defending the accused. In the second indictment the iwws were charged with violating a conspiracy statute used to prosecute anti-draft cases previously, in addition to breaches of the Lever and Espionage acts. The books on sabotage again were placed in evidence by the prosecution, in addition to six Wobbly songs including "Christians at War" that was sung to the tune of "Onward Christian Soldiers." Eastman's anticonscription letters also were used. The new indictment meant further incarceration for the prisoners as the iww lawyers applied for a continuance until March 1919, a five-month delay.⁵⁴

The various iww trials were long and costly for the union. Most of their leadership was imprisoned, their organizing campaigns languished, and the delay tactics were partially inspired by the belief that the government might eventually despair of winning the cases and drop them. Without the financial

assistance of the National Civil Liberties Bureau (later the American Civil Liberties Union) and its president, Roger Baldwin, the iww could not have presented as much of a defense as it did. Haywood and eight of his codefendants exacerbated the union's financial woes when they forfeited \$80,000 in bail by not surrendering to authorities after their conviction. Big Bill fled to the Soviet Union where he died in 1928.

In March 1919 a motion to quash the indictments was introduced, and Judge Pollack ordered a continuance while he considered this request. In late May he dismissed the second indictment as faulty and summoned a federal grand jury. The resulting third indictment did not differ materially from the second one except it was rewritten to meet court objections. The government was embarrassed in September when Winthrop Lane's article was published that described the horrible conditions in which the indicted were incarcerated. The Department of Justice, dissatisfied with Fred Robertson's handling of the case, appointed Sam B. Amidon, a criminal lawyer in Wichita who was active in Democratic politics, to assist him. During this delay two developments had an impact on further court action. In August Alexander Howat of the United Mine Workers, wrote the secretary of labor to complain about the lengthy delays in the iww proceedings. Howat viewed the Kansas prosecutions as not merely an attack on radicalism but an assault on organized labor in general. The secretary turned the missive over to Attorney General A. Mitchell Palmer, and one of his attorneys responded in an interdepartmental memo that "it looks pretty bad to hold men in jail two years principally because the Government's attorneys are not capable of drawing a good indictment."⁵⁵

When the court reconvened in September 1919 the iww attorneys took advantage of the Lane article and requested a change of venue. Judge Pollock appointed three of his close associates to investigate conditions in the jail once more. When they reported, the judge immediately granted the change of venue. The prosecuting attorneys offered to house the defendants in Wichita at public expense, but the judge refused as he wanted to try the case in his home town of Kansas City. He set the new trial date for December 1. Frank P. Wermke, the prosecution's star witness in the Chicago trial, proved to be just as effective in the Kansas proceedings. Wermke was effectual because he had participated in sabotage and violence for the iww. While working as a migrant, he claimed to have assisted in an iww jailbreak in Kansas and to have placed phosphorus in wheat stacks, scoop shovels in threshing machines, and bolts and spikes in wheat fields to break machinery. As an active organizer in North Dakota, he was arrested for carrying a concealed weapon, and the

judge supposedly persuaded him to change his ways and join the army. The fact that he had once joined the Colorado National Guard under an alias and soon deserted also played a part in his decision, and he joined the army in 1917 under his real name. He claimed he had joined the rww because he had to have a red card to obtain employment.⁵⁶

The case of *United States v. C. W. Anderson Et Al* finally came to trial when the national attitude had changed from the religious, crusading, ultrapatriotic spirit of World War I into a more insidious one, the Big Red Scare. There were a series of labor disputes in 1919, including strikes in the steel and coal industries and by the Boston police, the national railroad walkout, and the Seattle general strike in which Mayor Ole Hanson gained national attention with his firm handling of the "radicals." The unrest fed a hysteria over the spread of revolution and Bolshevism. In November 1919, the American Legion in Centralia, Washington, marched in an Armistice Day parade and passed by rww headquarters twice. Believing themselves to be under attack with the second advance, the Wobblies opened fire on the marchers, and the Legionnaires responded in kind. The conflict aroused national and local condemnation of the rww. Some members were arrested for the shooting, and that night a mob seized Wesley Everest from the jail, castrated him, and hanged him on a railroad bridge trestle on the edge of town. In the midst of this national hysteria, Attorney General Palmer's agents staged a series of raids across the nation and arrested almost 250 alleged radicals and prepared to deport them to Russia.⁵⁷

The rww situation in Kansas was not helped when newspapers ran a letter written by a member in Leavenworth prison that stated "the only way to get us out is to organize a machine gun company and swoop down upon the penitentiary and blow the place in seven heavens." In Hutchinson, Kansas, a vigilante committee of the American Legion called on six suspects. They swore they were not rwws and were released, and three others on the vigilante's list disappeared. The committee explained, "we are doing what is not in line with law and order. Sometimes it is necessary to take short cuts through red tape." The Legion posted all main roads in the area with the message "Hutchinson and Reno County are, and we intend they shall remain, 100 percent American in every particular. We hereby serve notice that no rww, 'parlor' Bolshevik or similar agitators may land in Reno. To this we pledge ourselves." When the state's county officials met in Topeka for their annual gathering, they endorsed a resolution of "100 percent Americanism and assailed the rww, Bolsheviks, and the Non-Partisan League."⁵⁸

The rwws in Kansas came to trial during this hysteria. By that time one

of the accused had died of influenza, two of them had been committed for insanity, and four who had been released earlier on personal recognizance failed to appear in court. Nine of the twelve jurors were farmers, and the other three were in banking and realty. The prosecution used thirty-nine witnesses, including publishers of *irww* literature. The important publications appeared to be “silent agitators” that were gum-backed stickers proclaiming such messages as “Slow down the hours are long, the pay is small. So take your time and buck them all.” The Butler County sheriff testified they were posted all over his county. Eastman’s two letters of antidraft protest proved to be the prosecution’s best evidence, however, along with Wermke’s description of his *irww* activities. His previous friendship with C. W. Anderson and Oscar E. Gordon proved especially damaging as they had counseled him when he met them in Minneapolis to discuss joining the army in order, he testified, to work as a cook and adulterate the food. They had also approved of his robbing non-*irww* members and forwarding their watches and jewelry to the Minneapolis *AWO* headquarters to assist in its finances. Gordon truthfully responded to no avail that he had visited Wermke for the purpose of ejecting him from the *irww* for his notorious holdup activities. Sheriff E. F. Swanson of Salina caught the attention of the jurors when he testified that, while in his jail, Gordon had explained to him that all of society had to be destroyed so that it could be built anew. All this made a decided impression on the rural jurors.⁵⁹

The *irww* attorneys stunned the courtroom when it was announced it would offer no defense. Both sides were then allotted four hours for summations. Judge Pollock charged the jury, reminding them that the defendants were accused of conspiracy. Conspiring to strike or in any way obstructing the war effort would be sufficient, he said, even if no overt action was taken. The jury had to decide the “intent, and object and purpose” of the *irwws*, he reminded them, and if the men joined and remained in the organization knowing the activities were illegal, the question would become, did they conspire to promote those objectives. The jury deliberated for a surprising twenty hours before delivering a guilty verdict. Eastman, Welcil Francik, F. J. Gallagher, O. E. Gordon, and C. W. Anderson received the harshest penalties, ranging from nine years in the last’s case to seven-and-one-half for the others. Authorities considered these five to be the leaders of the Kansas group and the most dangerous. Pollock announced that he could have sentenced them to as much as thirty years but did not give them the maximum as they were not the major leaders of the organization “but were in the main blind followers, who had been led astray by promoters into criminal ways.” Twenty-one were released from Leavenworth prison on June 17, 1921, on appeal to the Eighth Circuit

Court, which held that conspiracy had to include some type of action or forcible resistance to authority. When the passions and prejudices of the war had subsided, and cooler heads pointed out that France, Italy, England, and Belgium had all freed their political prisoners from the war period, President Calvin Coolidge granted amnesty to the remainder in December 1923.⁶⁰

As the crowd dispersed at the end of the trial, police arrested five men because they were believed to hold iww cards and held them “on charges of vagrancy.” True “patriot” Americans in Kansas believed the iwws got what they deserved. The day following the sentencing, several met in Topeka and formed the National One Hundred Percent American Club. The leaders were Dr. Frank L. Loveland, who became the group’s president; state attorney general Richard J. Hopkins; and W. L. Huggins, public utilities commissioner who was helping draft the bill to create the Kansas Industrial Court. They announced their creed as “Autocracy Breeds Socialism—Socialism Breeds Bolshevism—Bolshevism Breeds iwwism—iwwism Breeds Anarchy—And Anarchy Breeds Hell.” The preamble noted that their purpose was to “coordinate the work begun by [Ole] Hanson, Coolidge, Allen, and the federal government.” Their membership, they generously declared, was not limited to those who had served in the armed forces during the war.⁶¹

Following the iww trial, Fred Robertson expressed the hope that the episode would result in state laws to “make it impossible for any organization ever again to secure a hold on the harvest and oil fields of Kansas.” He drafted a bill patterned after the Oregon criminal syndicalist law for presentation to a special session of the legislature that the governor called for January 1920. The measure defined criminal syndicalism as “the doctrine which advocates crime, physical violence, arson, destruction of property, sabotage, or other unlawful acts or methods, as a means of accomplishing or effecting industrial or political ends, or as a means of effecting industrial or political revolution, or for profit.” Anyone who advocated or taught such a doctrine could be punished by up to one thousand dollars or ten years in prison, or both. In the atmosphere of the Big Red Scare, the required readings for the bill were suspended as though the crisis demanded immediate action before Kansas succumbed to anarchy, and the house approved it the same day 94–5. The next day the senate voted 30–0 for the measure and Governor Allen happily signed it.⁶²

The following June the Butler County district attorney petitioned the Kansas District Court to enjoin the iww from operating in the Sunflower State. After a series of legal maneuvers the state supreme court upheld a permanent injunction against the Wobblies. The high court stressed that Kansas ranked

first in wheat production and fourth in oil and noted that “if successful in their efforts, they could paralyze two essential industries, not only of the state, but of the nation. . . . [T]he action was one to enjoin them from execution of their nefarious designs.”⁶³

The Kansas law reached the United States Supreme Court in 1927. The case had its origins in the activities of Harold B. Fiske, a native of Clinton, Washington. In the summer of 1923, he worked in the wheat fields of western Kansas as an organizer of the Agricultural Workers Industrial Union. Needless to say, this was dangerous work as sheriffs and other officials in the Wheat Belt were still working diligently to rid the state of Wobblies. Fiske had been arrested in Enid, Oklahoma, for vagrancy and held in jail for a week without trial before being fined two dollars and released. He had also been arrested in Goodland, Missouri, on the charge that he was a member of the iww. Fiske went to Geneseo, Kansas, on June 30, 1923, and accepted two men into membership of the iww. He was taken into custody on July 2 by Rice County officials and placed in the county jail in Lyons. At the time of his arrest, he was well provided with iww materials and readily admitted he was an organizer. He was charged with violating the Kansas criminal syndicalism law.⁶⁴

The iww General Defense Committee (GDC) had successfully defended an iww organizer on similar charges in Rice County, and Fiske immediately telegraphed them to send an attorney for his defense. Charles L. Carroll, a Great Bend lawyer who had previously worked for the GDC, was assigned to the case. In response to a request from Carroll and the GDC, the ACLU posted his bond. Carroll argued that Fiske was not guilty of advocating violence as a means to achieve change as prohibited by the law, but Fiske testified that he understood the teachings of the iww and agreed with them.

The jury deliberated for two hours before finding him guilty, and he was sentenced for one to ten years in Lansing State Prison. Carroll appealed the decision to the state supreme court on the grounds that the law violated Fiske’s freedom of speech guaranteed by the state constitution and the First Amendment. The prosecution had argued that the preamble to the iww constitution, which Fiske admitted he understood, advocated change by violence or force, and the state supreme court affirmed his conviction on this basis on November 8, 1924. The court conceded that the iww preamble did not specifically promote violence as a means of change, but the jury could have properly found that Fiske could have so interpreted it when he explained the preamble to prospective recruits. Therefore his freedom of speech had not been violated because laws “penalizing advocacy of violence in bringing about governmental changes do not violate constitutional guarantees.” This was a most unusual

interpretation to hold that Fiske *could* have interpreted the preamble thusly, as no evidence was introduced in his trial to demonstrate that he actually had done so.⁶⁵

The ACLU again posted bond while the case was appealed to the U.S. Supreme Court. The timing was propitious for Fiske as the high court was beginning the process in the mid-1920s of applying the Bill of Rights as a restriction on the states through the Fourteenth Amendment due-process clause. In a landmark decision in 1925, in *Gitlow v. New York*, the Supreme Court held that the state had followed constitutional guidelines in convicting Benjamin Gitlow, a leading American Communist, of violating its criminal syndicalist law but emphasized that his guarantee of freedom of speech had to be protected. He had circulated a socialist pamphlet, “Left Wing Manifesto,” during the Big Red Scare. While the court affirmed Gitlow’s conviction, in a concurring opinion Justice Edward Sanford observed, “we may and do assume that freedom of speech and of the press—which are protected by the First Amendment from abridgment by Congress—are among the fundamental personal rights protected by the due process clause of the Fourteenth Amendment from impairment by the states.” The state could curtail freedom of speech in Gitlow’s case because he had presented “a clear and present danger” with his literature, and states could protect themselves from this type of immediate danger. This was the first case in which the court expanded its interpretation in what became known as the doctrine of incorporation and in the next few years would apply it amendment by amendment until before the end of the twentieth century it included the entire ten amendments of the Bill of Rights to restrict state actions.

Two years after the Gitlow case, *Fiske v. Kansas* arrived at the Supreme Court. Surprisingly, given the Gitlow precedent, counsel for both sides alluded to that important precedent only briefly and concentrated on whether or not the rww preamble advocated violence or unlawful means to bring about desired change. Only at the end of his brief did Fiske’s counsel observe that, based on the Gitlow decision and others, freedoms of speech and press were among the personal liberties protected by the Fourteenth Amendment due-process clause. The Supreme Court, with Justice George Sutherland speaking on May 16, 1927, unanimously reversed the Fiske conviction. The justices had examined the rww preamble carefully and found that it did not advocate force or violence as means of industrial or political change. The Kansas criminal syndicalist act had been applied against Fiske without any charge or evidence that the organization had advocated any crime, violence, or other unlawful acts. This was “an arbitrary and unreasonable exercise of the state’s

police power” that infringed on the defendant’s liberty in violation of the Fourteenth Amendment.⁶⁶

Curiously, this victory in the Fiske decision contributed significantly to the disintegration of the Wobblies. The decline began over the emergence of a group known as the Emergency Program, dissidents who disagreed with the current leadership. These purists continued to view legal defense activities as illegitimate and those who espoused them, as in the defense of the members in Chicago, Sacramento, and Wichita, were “politicians.” The schism came in the highly contentious annual meeting of 1924, and the convention expelled the dissenters. To these rebels, legal defense of their rights was political action, something for which they had a “fundamental contempt.” The expelled members held their own convention in 1925 and resolved that “recourse to legal technicalities, crawling petitions, kow-towing to master class courts, and the building up of funds to keep a lot of worthless pie-cards in office has proved its uselessness.” The iwws then disintegrated as a meaningful organization and were never again a factor in American labor history.⁶⁷

The iwws were never a potent force in labor history, but for a brief period they made a significant impact on Kansas. Their apogee coincided with the World War I era of intolerance and the public’s fear of their violent ways, which combined with a spirit of ultrapatriotism, led to an extreme public reaction and the national effort to destroy the iww and its advocacy of revolution and opposition to capitalists. Their weapons of protest and criticism were interpreted as being disloyal and unpatriotic. As Peterson and Fite have noted, they were destroyed by “a conservative people who displayed an intemperance that would do credit to the wildest of radicals.” This intemperance of the war period and the subsequent Big Red Scare would continue into the Roaring Twenties and threaten the freedoms of organized labor everywhere. In Kansas the threat would take the form of empowering a court to determine labor-management relations unilaterally, the most reactionary episode in the history of Kansas labor legislation.⁶⁸

A Kansas D'Artagnan

The patriotic hysteria of the World War I era carried over into the following decade in the form of the Big Red Scare, and then it worsened. The inflation rate rose to 100 percent from 1914 to 1919, placing a serious burden on workers. At the end of the war there were several national strikes in which laborers were determined to achieve wage increases to offset the rise in their cost of living. The unwillingness to recognize unions also played a major role in these disturbances as management continued to view collective bargaining as a threat to control of their businesses. Trade-union membership had increased to 3.5 million in 1918, almost 1 million above the 1916 figure, and many industrialists became apprehensive of the growing power of organized labor.

The serious upheavals in Seattle, the steel industry, and Boston police in 1919 led to an increased fear of communism. When Massachusetts governor Calvin Coolidge observed, "there is no right to strike against the public safety by anybody, anywhere, anytime" and dispatched the militia to break the strike, he was propelled into instant national fame. Middle Americans interpreted these waves of strikes as Bolshevism's first step in taking over the Land of the Free, with bearded revolutionaries hiding under beds ready to throw their smoking bombs. The bituminous coal strike, however, most directly affected the Sunflower State during these upheavals as it developed into a serious crisis and led to speculation that the governor of Kansas might be presidential material for the Republican Party because of his management of the exigency.¹

At the annual convention of the Kansas State Federation of Labor in 1919, one speaker recalled that in the previous session of the state legislature "super patriots" had "a brain storm" and threw a scare into the legislature by "howling rww, NonPartisan League, and Bolshiviki." It was, he continued, "one of the, if not THE most irrational legislature that ever met in the state house in Topeka. . . . We are of the opinion that at the next session of the legislature a more determined effort (if that is possible) will be made not only to defeat legislation that is desired by the workers, but to secure legislation that is of special interest to the employer." The speaker could not have known

how inadequate this estimate was for the labor movement in Kansas, because he was unaware of the shocking proposal that was being prepared for the consideration of the state lawmakers as he spoke.²

Henry J. Allen, governor of Kansas at this time, was the chief protagonist in the dispute and achieved a national political recognition that lasted even longer than Calvin Coolidge's. W. G. Clugston, a noted political reporter of the time, described Allen as a "Midwestern D'Artagnan" because of his "gay, bold light-hearted maneuvering" in political affairs. Allen grew up on a Clay County farm and, being an ambitious boy, studied journalism and politics at Washburn College and Baker College in preparation for a vocation. He supported himself during those years by learning the art of barbering and, before finishing his degree, took a job as a reporter for a Salina newspaper. The Populists were holding an important meeting there at the time, and politicians of the major parties wanted badly to know their plans, a real scoop if the young reporter could ferret out their intentions. Allen hid in the loft of their meeting hall, overheard their discussions, and wrote a sensational account of the proceedings. He soon discovered, however, that the way to fame and fortune lay not in reporting, (and it was also dangerous as he found out when the Populists discovered him listening in on their plans), but in publishing where the money and the decision-making was. He eventually purchased the *Wichita Beacon*, one of the state's leading newspapers, and became a power in media as well as influential in Kansas politics.³

Allen was rather eloquent in his speeches and writings and expressed proper middle-class values based on his personal religious beliefs. Charles B. Driscoll described the journalist's conversion by the famous preacher Billy Sunday: he "stepped forward and grasped the great evangelist's hand, weeping, while the inspired community rose as one man and shouted 'Glory to God!'" As the publisher of a major newspaper, he automatically became involved in politics. He was a Bull Mooser during the Progressive Republican Insurgency of 1912 and, with William Allen White of the *Emporia Gazette* and W. R. Nelson of the *Kansas City Star*, was an important member of the triumvirate that dominated Republican politics and state journalism for several years. Soon after the defeat of Theodore Roosevelt in 1912, the trio returned their support to the Old Guard Republicans and decided to promote Allen for governor in the election of 1918. To give himself the proper war-hero status, he and his friend William Allen White joined the Red Cross and investigated its facilities in France, mostly, White admitted, to gather stories. Allen was duly nominated, became the only governor of Kansas elected while on a tour of Europe, returned home to take up his duties as chief executive, and the

coal strike gave the rising young politician a great opportunity. He especially believed his authority challenged at this juncture by Alexander Howat and his belligerent coal miners. The *New Republic* observed that the governor "has apparently had bad luck in his choice of friends among labor leaders and has concluded that the chief motives animating such leaders are desire for prestige and fat salaries." Another political reporter observed that Allen was "an avowed admirer of Mussolini," and many opponents of his semifascist labor law of 1920 believed it originated in this philosophy. He also was a practical politician who urged recognition of the Soviet Union in order to garner markets for Kansas wheat.⁴

Alexander McWherter Howat, president of district 14 of the United Mine Workers, became the chief antagonist of both Governor Allen and John L. Lewis, president of the UMW. A powerful, ruggedly handsome, blond, blue-eyed Scotsman, Howat was born in Glasgow in 1876. His family were strict Calvinists, and his father was a stern disciplinarian. He accompanied his parents to America. They settled in Braidwood, Illinois, where he was a breaker boy in a coal mine and grew up with John Mitchell, who liked "the bellicose and impetuous youth." He later worked his way back to Scotland on a cattle boat and found a job as a breaker boy there. Returning to America, he became a successful pugilist for a time. He was defeated so badly in Kansas City one night that the sympathetic audience took up a collection, which he used to travel to the coal fields of southeastern Kansas to look for work. He held various jobs in mining, gaining a reputation as a good miner, a hard drinker, a man of profanity, "an especially bad person to engage in an argument . . . and a handy fist fighter."⁵

Howat soon became involved in the UMW and was subsequently elected president of his local, then of district 14 that had jurisdiction over coal miners in Kansas, Missouri, and Oklahoma. Howat was a Socialist, and the workers in his district voted consistently for the ticket. Eugene V. Debs carried the coal counties in 1912, and several Socialists also were elected to regional and local offices. In 1914 his district 14 convention called for a Socialist government "as the strong right arm of labor." He was a ferocious combatant, absolutely fearless, a natural-born leader that men would follow anywhere. Italian miners were particularly numerous in district 14, and they loved him, calling him Alex and obeying his every command, even to the point of defying John L. Lewis. Known as the "Czar of the Kansas Coal fields," his district was the most powerful union in Kansas and the best organized west of Illinois. He was a delegate to the organizing convention of the Kansas State Federation of Labor in 1907 and by 1928 was serving as first vice president. Howat was honored



7. Alexander Howat. Courtesy of the Kansas State Historical Society,
Topeka, Kansas.

with appointment to the labor mission in 1918, along with Charles Edward Russell of Washington, DC; former editor of *Appeal to Reason* Louis Kaplan; newspaperman A. M. Simmons from Milwaukee; and John Spargo of Old Bennington, Vermont, to address worker meetings in Europe to build morale.

Upon their return to America they reported directly to President Woodrow Wilson.⁶

Howat and his wife Agnes were fond of children but were unable to have any. They especially doted on one niece who described her uncle as "the kindest person I ever knew. . . . My mother told me she had seen him give the coat off his back when he saw a man walking downtown who had none. Many times he signed notes for friends. More times than not the notes were not paid and he stood good for them. . . . He was an eloquent speaker and had a very commanding appearance and manner. He loved to tease and had a twinkle in his eyes." Howat's vice president August Dorchy verified his "being a free spender and a free giver [who] was never able to amass much money. It was said that anyone could go into his office and get five or ten dollars by telling any sort of hard luck story." Mother Jones, a caustic, hard-bitten veteran of many labor wars who was always willing to express herself freely said she "never saw a man who, as a leader, had the complete love of his men as Howat did." She gave him unstinting praise as "one of the greatest labor leaders of all time and probably no union leader ever had more complete control over his men."⁷

Alexander Howat gained immense prestige in the dispute over blasting powder soon after he became president of district 14. Miners led by state solon Matt Wilson succeeded in persuading the legislature to pass a law controlling the quality and storage of powder that was used in mines, as its performance sometimes meant life or death to them. Howat preferred to use the power of his union to enforce the laws rather than go through the questionable channels of regular law enforcement. When the operators overpriced the powder miners had to buy from them, the men wanted to strike. Howat cautioned them that they first had to secure the approval of the UMW as they would need strike-fund assistance. International president Tom Lewis believed such a strike would be premature, that the constitutionality of the law should be tested, and turned thumbs-down on their request. The miners, with Howat's support, then called a series of local strikes and, in most cases, forced the operators to concede. Howat specifically approved a strike in Osage County, and when President Lewis began to negotiate with the operators, he encountered the wrath of the Scotsman, who demanded that he cease negotiating, and Lewis complied, although he refused financial support to the strikers. Howat placed a special per capita assessment on the miners, they won the lengthy strike, and he emerged from it with increased prestige. He had demonstrated that he would not allow even the international organization to compromise his men's demands.⁸

Howat's district 14 had an incredible 100 percent membership and was a

labor organization unequaled in Kansas history. No one could purchase or awe Alex, although his power and influence in the coal fields was so strong that operators went to great lengths to discredit him. In 1914, Charles S. Keith, owner of Central Coal and Coke Company and president of the Southwestern Coal Operators Association, gave Joseph H. Hazen, a coal manager in Crawford County, \$20,000 with which to bribe Howat. Hazen subsequently testified in a suit in Kansas City that Howat had accepted his bribe, but he made the mistake of repeating this charge outside the courtroom. The union chief agreed to resign his office until he proved his innocence, and the international provided him with legal counsel. Howat sued Hazen for slander and won \$7,500 and vindication from a jury composed entirely of businessmen. Hazen fled the jurisdiction of the court, but Keith was forced to testify that he had given Hazen \$10,000 to bear false witness against the union leader. The miners loved Howat so much that in 1919, after the coal strike, he was reelected president with only twenty-one negative votes out of some twelve thousand. The operators had tried bribery, collusion with international officials, and defamation of character to get rid of him, all to no avail. Each episode increased his power and prestige with his members.⁹

Following the meeting with President Wilson in 1918, Howat addressed a gathering in Pittsburg in the company of Clarence Darrow and Gov. Arthur Capper who said, "no man in Kansas has rendered more valuable service toward winning the war than has Alex Howat, I'm glad to call him my friend." Capper's successor would never call Howat "friend" because of his deadly conflict with the leader and his miners.¹⁰

The UMW had a contract with coal companies for the duration of the war. Following the armistice, operators increased their prices 73 to 74 percent on the basis that the war was over, but raised wages only 34 to 50 percent. Miners in the Pittsburg area were receiving \$1.01 per ton, or about \$5.00 or \$6.00 daily, and the men worked an average of about 190 days annually. With rampant wartime inflation of 100 percent, in 1919 they asked for a 60 percent pay increase and a thirty-hour work week in anticipation of the decline in demand for coal as hostilities ended. The operators, insisting the old contract was still in force because President Wilson had not officially declared the end of the war, refused all their demands. The nation's miners were shocked when the Wilson administration agreed with the owners.

When leaders called a strike of 425,000 miners for that November, President Wilson, heretofore friendly to labor during the war, declared the coal strike "wrong both morally and legally." His administration "handled the situation with the tact, timeliness and conciliatory spirit of a German war governor

jack-booting a Belgian town into docility.” First, it requested federal district judge Albert B. Anderson of Indianapolis to enjoin any strike action by UMW officials. The outraged AFL officials, describing the injunction as “so autocratic as to stagger the human mind,” promised the miners its full support. The flamboyant Alex Howat shouted in a UMW meeting, “to hell with him [Judge Anderson] and anybody else who attacks the miners’ rights. We are not going to be robbed by any legal fiction about the war still going on when even the biggest damn fool in the world can see it is over.” But acting president of the UMW, John L. Lewis, fearing prison, ordered the strike abandoned. As he anticipated, the miners ignored him and stayed out of the mines.¹¹

National fuel administrator Harry Garfield telegraphed Howat, directing him to recall his strike order because the coal industry was still governed by wartime agreements. Howat immediately responded saying he had “no knowledge of any authority given [Garfield] by the coal miners of this country to direct the affairs of our organization in this district.” He added, “I am of the opinion that I am in no way obligated to carry out your instructions in this matter. I therefore respectfully and positively refuse to comply with your direction.” This decisive refusal persuaded the coal operators to settle the dispute, but the struggle was soon renewed and extended to a nationwide strike called by the international.¹²

Howat, of course, spent most of his time as a UMW official attending conferences at the headquarters in Indianapolis and plotting strategy for the national strike. F. W. Lukins, president of the Southwest Coal Operators Association, made an offer to negotiate for the public good that he transmitted through Governor Allen, but Howat called “the arbitration offer . . . a joke,” adding that the miners would not “be tricked into separate negotiations, which the operators would drag along until spring” when the summer slowdown began. He realized all the districts had to stick together for national negotiations, and the miners would have to press their demands in November when cold weather would force a fuel famine. The operators had “never extended any sympathy to the public” before, Howat claimed, but instead had boosted coal prices “at every opportunity.” Some operators enjoyed as high as a 7,000 percent increase in profits during the war. Attorney General A. Mitchell Palmer issued a statement at this point that the injunctive proceedings would “be dismissed the instant the strike order [wa]s recalled,” and he frequently reiterated that he had the support of the entire Wilson cabinet in this fight. Reports circulated that even Secretary of Labor William B. Wilson, himself a miner, had strongly opposed the injunctive proceedings, but the cabinet was “unanimous” in opposition to the current walkout.¹³

At this point President Woodrow Wilson was bedridden, incapacitated by a terrible stroke, and all messages, directives, and discussions were handled through his wife, Edith Bolling Galt Wilson. When Wilson first supported Fuel Administrator Harry Garfield's tough position on the strike, and opposed Secretary of Labor Wilson, "the invaluable William B. Wilson threatened to resign." Mrs. Wilson, an acute politician, sent a note to Garfield withdrawing the president's support to pacify the secretary of labor, and the fuel administrator resigned. But the cabinet remained adamant in their antagonism toward the strikers.¹⁴

"Governor Allen Into the Strike Deadlock Today," the *Topeka Daily Capital* reported on November 6 as Allen was planning on meeting with F. W. Lukens, a coal operator, that day. Labor Commissioner Crawford and State Attorney General Richard J. Hopkins also attended the conference. Nothing came of this consultation as all were waiting for a resolution of the national situation. Judge Anderson announced the strike was not only illegal but "under the circumstances it approached Rebellion" as it violated the wartime Lever Act, which was still in effect. He gave the union leaders two more days to call off the strike. Alexander Howat declared in response, "regardless of all the injunctions, prisons and judges in the United States, I will not alter my stand because I believe we are right." The AFL, in convention, agreed and quoted Wilson administration officials as saying the Lever Act was never intended to apply to laborers. Applying it to them, the delegates said, was "an injustice not only to workers, but to all liberty-loving Americans."¹⁵

Governor Allen soon grew impatient with this lack of progress. He still hoped to get Kansas miners and operators together, he announced, but his policy of "watchful waiting was about to end." "The people of Kansas come first," he declared, and before he would let them suffer, "someone will have to dig coal." He noted that there were some 250,000 tons of strip-mine coal just waiting to be loaded, which could be achieved by "steam shovels and unskilled labor." John L. Lewis capitulated on November 11, however, and ordered the men back to work. Secretary Wilson called both sides in to negotiate, and eventually the national officers settled on a 14 percent raise. The whistles blew to call the men back to work on Thursday, but "not much activity" was expected in Kansas mines until the following Monday as "the Pittsburg men" had not yet had word from Howat. They would refuse to work until they received his orders, even though they realized that public opinion was strongly against them.¹⁶

D'Artagnan's short supply of patience ran out on Tuesday, November 18, and

he seized the mines on the basis that the strike was a conspiracy in violation of the state antitrust law. The previous night he had requested the state supreme court to approve the seizure and the appointment of trustees. The court ordered the receivers to "produce and distribute and sell within the state of Kansas all coal possible at once." Allen hoped to have the mines operating by the weekend and promised the miners the state would pay them "a fair wage." He expected to meet with them soon in Pittsburg to persuade them to go back to work. The owners were reported planning to seek an injunction against the receivers as they informed Allen that his seizure was illegal. They wanted the state to take over their mines but to let them continue to operate them with a guarantee against loss or damage. In other words, they hoped to resume business as usual but with the state forcing the men to return to work.¹⁷

At this point the governor of Iowa asked Allen to join him in allowing their miners a 60 percent wage increase until the issue in their states was finally resolved. Allen declined, stating that he would ignore the wage issue in Kansas. He sent Jacob I. Sheppard, a respected labor attorney from Fort Scott, to the mining communities to plead for his plan, and Sheppard urged the miners to go back to work. Allen asked the men to return to the mines as "their greatest duty is to their state." Howat was busy with UMW meetings in Indianapolis, so August Dorchy, vice president of district 14, in charge during his absence, agreed to call a mass meeting of the miners in Pittsburg to listen to an appeal from the governor himself. At the meeting, Dr. P. L. Howe of Breezy Hill, "a Socialist of the radical type," asked Allen if he would leave his office boy in charge in Topeka and come and dig coal. Allen responded yes if the good doctor would show him how. Allen admitted he "didn't know if he could dig a dollar's worth of coal during the whole winter," which drew a round of applause from his listeners.¹⁸

Some ten thousand men answered the governor's call for volunteers to mine coal for the "freezing women and children." Fifteen hundred "rah rah" boys from Kansas State Agricultural College offered to go to the mines, and John H. Bergen, commander of the Topeka American Legion post, promised the governor, as did other posts across the state, that legionnaires would work if necessary: "They are willing to assure the public," Bergen proclaimed, "that the same arms that made this country fit to live in, free from foreign domination, will keep the country warm enough to live in." The veterans were not strikebreakers, he admonished in a convoluted metaphor, but they were thinking of "the women and children who must suffer if famine stalks through the land on snowshoes." Col. E. A. Hemlich of the U.S. Army announced in



8. Coal strike volunteers. Courtesy of the Kansas State Historical Society, Topeka, Kansas.

Chicago that he had a request from Governor Allen for troops to be “ready to rush to the coal fields” of Kansas to protect these volunteers.¹⁹

Kansas coal officials called the 14 percent raise “insulting.” “If we are unable to receive a wage here that will guarantee us a decent living 365 days in the year,” was Howat’s reaction, “we will go home and fight for a while.” Allen responded by advertising in newspapers for forty-five engineers to operate steam shovels and one thousand “able bodied young men to wield pick and shovel.” He also needed “a limited number of men accustomed to use of dynamite.” He would pay volunteers their travel expenses to the coal mines, free housing and meals, plus five dollars per day to work the mines. “The very lives of Kansas people are at stake if coal is not mined in Kansas next week,” he warned ominously. Following the Missouri game, the University of Kansas football team enlisted in the cause. Attorney General Hopkins met with university chancellor Frank Strong, Wint Smith of the AEF Club of KU, and Dr. James Naismith (the father of basketball), representing the faculty, to recruit students who were told they would not lose credits as a result of their working in the coal fields. The work would be hard, Governor Allen warned, with eight-hour days, possibly for seven days per week.²⁰

Speaking to one thousand men of the Club of Kansas City, Gen. Leonard Wood told them Kansas was fortunate to have a governor “strong enough



9. National Guard at coal strike of 1919. Courtesy of the Kansas State Historical Society, Topeka, Kansas.

to have seen his responsibility to meet the needs of the people without regard to loss or gain of votes.” He reviewed recent events in the crisis and noted that he would supply the volunteers with blankets, tents, and kitchen equipment from nearby Camp Funston and Fort Riley. He also sent 600 regular troops to Pittsburg at the request of the governor, and Allen called out the 1,200 men of the 4th Infantry of the Kansas National Guard, even though the need for military protection was unnecessary at that point and, in fact, never was during the entire burlesque. Capt. John A. Ashworth, commander of Company H in Topeka, dramatically reminded the departing troops, “we are going down to make this state a safe place for our youngsters to grow up in.”²¹

In Pittsburg Allen was conferring “day and night” on November 25 and 26 on plans for operating the steam shovels and coordinating the efforts of the volunteers. Adj. Gen. Charles I. Marten attended some of these sessions in arranging protection for the men and in housing them and the soldiers on the campus of Kansas State Normal in Pittsburg. Supplies for the volunteers and the civilian truck drivers, including work shoes, rubber boots, unionalls, gloves, and blankets, totaled almost \$18,000, in addition to the \$60,000 pay for the workers. The operation broke even as the receivers reported to the governor at the end of January that they had \$140,432.93 to pay bills totaling \$140,353.96. It is difficult to follow their mathematics in concluding they “broke even” while spending almost \$150,000 in state funds. Allen, though,

was happy with their report because he did not want to be too specific about the financial details. He and his trustees also had to coordinate the destination of the coal to communities on the basis of need.²²

At this point Alexander Howat returned from Indianapolis to take charge of the strike. He warned that Governor Allen's actions would make the strikers "more determined to fight." He deplored the use of troops where there was no hint or threat of disorderly conduct, calling it "an insult and a disgrace to the people of this state and to the people of this district." When Col. Perry M. Hoisington, commander of the federal troops declared martial law in Crawford and Cherokee counties, Howat ordered all UMW members guarding the mines in order to prevent violence to leave with the arrival of the troops. He was correct. The only purpose in calling out the troops was to enhance Allen's reputation as a vigorous commander in chief. But while Howat had the miners on his side, Allen had an enthusiastic public supporting his aggressive actions against "radicals" during the Big Red Scare.²³

Volunteer mining operations began on December 1 and lasted twelve long confused days. The condition of the strip mines had deteriorated because of weeks of disuse. The pits had to be pumped out, and in addition, the weather refused to cooperate with the crusading governor. Winter arrived with a vengeance when a blizzard struck and temperatures dropped to ten degrees, then zero, for several days. But the patriotism of World War I was still strong in the Sunflower State, and newspapers carried the headline "Men With Frosted Faces Laugh as They Work." The open pits proved to be terrible holes inviting the cold winds in, and the water seepage at their bottoms became sludge that then froze solid. Allen moved his field headquarters to the Hotel Stillwell in Pittsburg and constantly visited his troops in the trenches to cheer them on.²⁴

The men finally dug twenty-seven carloads on December 8, which was more than the entire previous week, and Allen was ready to terminate the state's role. It was an expensive experiment. The *Labor Chronicle* estimated that the maintenance of troops and other expenses cost the taxpayers from \$90.00 to \$300.00 per ton to mine coal valued at \$4.00 per ton. On December 12 the governor and Phil H. Callery, attorney for the UMW, signed an agreement to run for sixty days, and the volunteers would leave that evening. The following day Howat approved the plan and ordered his miners back to work. The governor and the public anticipated the coal famine ending with the five hundred cars produced weekly by the regular miners. "Patriotism of Kansans Proves Interests of Whole People Are Above Those of Any Class," Allen proclaimed and moved his office back to Topeka. The *Emporia Gazette* quoted



10. Hotel Stilwell in Pittsburgh. Courtesy of Marilyn Lee.

the governor as saying “no one could have believed a month ago that 1,000 volunteer miners could come into the midst of this, the most strongly organized union district in the United States, and dig coal for two weeks without a single disturbance of the peace.” It happened because the miners and their leader were seeking justice, not violence. The governor returned the mines to the owners on December 18 and released the receivers on March 24, 1920. The whole sorry episode confirmed the truism that “you can’t dig coal with bayonets.”²⁵

On December 4 Judge Anderson cited Howat and eighty-three UMW officials for contempt of court for encouraging the strike, an interesting interpretation of both the Lever Act and the fact that the UMW had called off the strike, with miners ignoring their official orders. Howat declined to post the exorbitant ten-thousand-dollar bond so a federal marshal brought him to Indianapolis where he posted his bail with a check written on a bank in Kansas. Anderson refused to accept it and jailed him, saying that Howat had “openly and defiantly disobeyed the law.” Howat soon purged himself by posting bail, and the judge released him, noting that the mine leader had been “contumacious and insolent.”²⁶

Governor Allen declined to express his opinion of Alexander Howat, but noted the mine boss had been “very nice when he came in to sign the contract with the state.” Allen’s experience here, and with the Red Cross in Europe, led him to a momentous decision on how to resolve future labor disagreements.

While the coal strike was still in progress, he was proceeding with plans to call a special session of the legislature to establish a semifascist court that would solve labor-management disputes by compulsory adjudication.²⁷

Allen believed that the state was justified in regulating the personal habits of its citizens, which Kansas had been doing for many years in regard to the use of cigarettes, alcohol, hypnotism, and public snake eating. From this philosophy it was a short step to the conclusion that the state should be able to tell its inhabitants when and how they must work and forbid them from quitting their jobs without the state's approval. At the same time, he believed that the state must be empowered to forbid employers from firing employees without official permission. During the coal conflict the *New York Sun* compared Allen to Lincoln and Theodore Roosevelt because he "acted on the spot," and thanks to him, other governors had an example of how to get coal for their state. The *Topeka State Journal* noted that his call for a special session of the legislature to create his Industrial Court attracted "national attention as perhaps a national solution to strikes." The newspaper was certain Allen had "presidential ideas."²⁸

Allen appointed William L. Huggins as his public utilities commissioner in early 1919 and believed, from speeches Huggins had made during the 1911 and 1912 coal crises, that he had sound ideas on labor-management relations. William Huggins was a farm boy from Ohio who came to Kansas in 1885 with fifteen dollars in his pocket. He taught in a country school with the goal of becoming a lawyer. During his service as superintendent of Emporia schools, he studied law, passed the bar, and practiced law until his appointment, on the recommendation of William Allen White, as public utilities commissioner. The Pullman strike made a deep impression on him. Some friends who were fellow Masons had opposed the strike but joined it because otherwise they would have been disgraced in union eyes. Some were fired and blacklisted for their efforts. Huggins concluded from this experience that workers were forced to fight for industrial justice because there was "a lapse in the law." Irresponsible labor leaders should not have the power to force men to strike against their will any more than capitalists should be able to exploit their workers. The law had to be changed, therefore, to create an alternative to striking and to the need for such drastic action. When Governor Allen asked Huggins in December 1919 to draft a law implementing his ideas, he eagerly accepted the challenge.²⁹

On January 5, 1920, in the midst of the coal crisis, Allen issued a proclamation that summoned a special session of the legislature to consider his revolutionary proposal. He observed that if you were to

do away with these seventeenth century methods [arbitration and lock-out] of solving industrial problems, then you must guarantee to laborers and to employers a just tribunal in which their causes may receive final and righteous judgment. This tribunal should not have upon it a representative of either party to the quarrel; otherwise it could not be impartial. . . . I believe that the Kansas legislature . . . will be able to create in bold outline a tribunal and a code of laws with sufficient power to be both just and final.³⁰

One authority concluded that the subsequent law was “a joint product of the coal strike and the general alarm over radicalism.” The author, a Kansan, explained that his state had been the scene of considerable IWW activity during the war, especially in the wheat fields and that there existed a “widespread belief that the leaders of the Kansas coal miners [were] ‘dangerous radicals’ although the facts seem[ed] to indicate that they [were] usually advocates of orderly political action and exponents of a relatively conservative, if vigorous, business unionism.” The essayist further noted that when the state “faced its first serious industrial problem, it took off its coat, rolled up its sleeves in regular Kansas fashion, and went to work to meet the situation.”³¹

The agriculture-dominated legislature met when summoned, eager to roll up its sleeves and enact a criminal syndicalism law and a statute curbing union activities. Groups supporting and opposing the governor’s measure deluged it with petitions. Some labor leaders wanted a march of fifty thousand people on the state capitol to demonstrate their power and unity on the issue, but it was decided, instead, to send a group to lobby the legislators. The delegation was composed of representatives from the Kansas Federation of Labor and district 14 of the UMW led by members of the Big 4 railroad brotherhoods. The last, being a part of interstate transportation, was governed by special federal law and would not be affected by the Kansas statute. But the railroaders believed this was their fight also. If such a philosophy caught on nationally, it could mean disaster to organized labor as a whole.³²

Numerous national newspapers and magazines sent reporters to Topeka, and because the circumstances were significant both to the nation and to Kansas, the lower house met as a committee of the whole and held a series of open hearings. Employers, employees, and the general public were invited to present their views, which they did for a week. Frank P. Walsh, friend of labor, chairman of the U.S. Industrial Commission, and joint chairman of the War Labor Board, spoke against the proposal for five hours. The idea, he declared, had all the vices and none of the virtues of compulsory arbitration. Under this

law collective bargaining would be a farce, and unions ultimately would be killed. He called it state socialism in its worst form, giving the board far too much power and ultimately forcing involuntary servitude. Finally, he insisted, the law would be declared unconstitutional.³³

William Huggins spent two hours attacking Alexander Howat who, he declared, believed in Bolshevism, a term always certain to frighten Kansas legislators. The God-given right to work must come first, and unions denied workers that privilege, an argument that would surface again, powerfully in Kansas two decades later. The Industrial Court, however, would guarantee fair wages and decent working conditions without interfering with the individual's right to quit work. It would also promise capital a fair return on its investments. Huggins even predicted that the law would work so well that within two years labor would urge its adoption in other states.³⁴

John S. Dean spoke of the employers' opposition to the proposal. There was no question in his mind that the state had the right and obligation to regulate labor unions and to forbid combinations to fix wages, limit production, or restrain trade. But, he warned, if the bill gave the state the right to regulate the proposed industries, it could similarly control the production of agricultural commodities, a point especially directed at his agrarian listeners. He also emphasized that forcing workers to accept a wage they believed to be unjust would constitute involuntary servitude, a conclusion endorsed by union men. Finally, he believed that the measure would allow property to be confiscated and would be declared unconstitutional.

William Allen White was the self-appointed spokesman for the public. Allen's concept was part of the continuing process, White declared, of bringing under control public matters that were previously of private concern. Dueling to settle private disputes had been outlawed, and banks and public utilities previously unregulated by the state now accepted government controls. The public was concerned about justice. There must be fair wages, steady employment, and leisure to study issues in order to have intelligent participation in government. Capital must have a fair return, the publisher emphasized, but wages must be sufficient to promote thrift so that the laborer would have a stake in society. Labor, capital, and the public, therefore, must all trust in an "equitable bureau, or court, or commission to referee labor-management disputes but it must have teeth as well as a brain and a heart." This would mark the beginning of a new era, he promised, and eventually the world would take the step that Kansas was about to explore.³⁵

The speakers had little effect on the legislators for they knew what they were going to decide before they arrived in Topeka. The house voted 104-7 for the

bill and the senate tally was 30–4. Governor Allen signed it on January 23, 1920, and it became effective the following day. A detailed statute containing thirty sections, it declared five categories of commerce of great importance to have a public interest:

- (1) manufacture of food products;
- (2) manufacture of wearing apparel;
- (3) production of fuel;
- (4) transportation of these commodities;
- (5) public utilities and common carriers.

It abolished the Public Utilities Commission and gave those duties to a Court of Industrial Relations, a “public service commission” composed of three judges appointed by the governor with the advice and consent of the senate. Each had a three-year term with one member’s expiring each year, with the one with the greatest seniority serving as presiding judge. No qualifications for the job were specified, and the salary of the judges was set at five thousand dollars annually, a handsome sum equal to the governor’s.

The law empowered the court to establish rules and regulations governing the specified businesses. Workers in these industries were to have “fair wages and healthful and moral working conditions,” and the employers to receive “a fair rate of return on their investment.” The court could investigate through complaints by either party in a controversy, the state attorney general, any ten taxpayers of the community involved, or upon its own initiative. The judges could establish minimum wages or changes in working and living conditions, hours, and rules. The right to bargain collectively was specifically acknowledged, but was meaningless in light of the power of the court mandates. If the court determined that an action in a labor dispute was contrary to the law or the court’s orders and would endanger the public welfare, it could go to a state court and ask for permission to take over and operate the industry. Strikes, boycotts, picketing, and intimidation were outlawed, but the right to quit work was specified. Violation of the law was punishable by a one-thousand-dollar fine and/or one year imprisonment. Employers could not discharge, discriminate against, or blacklist an employee for utilizing the court. Finally, the law had the usual separability clause: if any section or provision should be declared unconstitutional, the remainder of the law would remain valid.³⁶

The ink on the law was hardly dry when Governor Allen, who was hostile to the miners anyway, decided Howat’s men were testing it. It was not uncommon for a miner to take a long weekend after payday and not show up for work on Monday. When miners at two locations did this, Allen immediately

concluded it was a protest strike and “hopped on it as gracefully as a duck to a grasshopper.” He dispatched Attorney General Richard Hopkins to Pittsburg to investigate but, try as he might, he was unable to unearth a conspiracy, especially when the men appeared for work as usual on Tuesday.³⁷

As one critic noted, Henry Allen was determined “to legislate labor-management behavior just as the Kansas prohibitionists had already legislated drinking customs.” He defended his ideas vigorously across the nation. In an article in the *Saturday Evening Post* he reminded readers that the attack of the “red wave . . . of Bolshevism” led men “to shout about a danger which diminished in proportion as the volume of oratory against it grew.” But he saw “a danger more subtle and far-reaching” than communism and that was the concept that “labor’s rights were paramount to the rights of the public.” The coal strike in Kansas and his prompt action in meeting the crisis had made everyone realize that action must be taken “to make the recurrence of that particular form of industrial warfare impossible.” He noted that the state legislature “in a spirit of calm determination” had established a Court of Industrial Relations, that made “strikes, lockouts, boycotts, and picketing unnecessary.” The court was rooted in the principle that “the public has the same right to take jurisdiction over offenses committed against it in the name of industrial warfare that it has possessed through its criminal and civil courts to take jurisdiction over recognized crime.” Allen lamented the fact that when a miner joined the UMW “he surrendered himself absolutely to his union officials.” Because their dues were “not collected through voluntary payment,” unions were “robbing labor of its rights,” and he hoped his new plan for industrial relations “would resolve all these problems.”³⁸

With Allen crisscrossing America telling audiences about the merits of his solution to labor-management conflicts, the AFL challenged him, and Allen agreed to argue the issue with Samuel Gompers. Both men were skillful debaters with great faith in their respective positions, and the nation eagerly anticipated the event to be held in Carnegie Hall. Chairing the meeting, former presidential candidate Alton B. Parker believed this might be the most significant debates since Lincoln and Douglas’s. Unfortunately, because no agreement had been made about the specific format or questions, Gompers argued that the state had no right to prohibit strikes, while Allen spoke on the theme of “The Industrial Controversy,” observing that his adversary would present the AFL’s remedies and that he would present the Industrial Court’s approach. Thus the two debaters rarely talked about the same issues.³⁹

Gompers’s argument followed the basic principle of ownership of one’s self from which sprang the right to organize, strike, and picket peacefully.

Free men had the right to withhold their labor and to induce others with common cause to join them, all of which were part of the unalienable rights in the Declaration of Independence. In fact, these rights were essential to the public welfare, and he quoted Lincoln: "thank God we have a right to strike. Whatever the pressure there is a point where the workingman may stop." Allen responded that unions were harmless under simpler economic circumstances, and he was glad they had made progress for the working man. In modern times, however, life had become so complex and interdependent that unions were dangerous organizations. A man should be able to quit his job and could under the new Kansas program. But a strike was a private conflict between labor and capital that was initiated by union leaders not union workers. The Kansas program intended to curb the leaders and their "divine right to order a man to quit work." But his law protected collective bargaining. Today it is the public that loses in a strike, he argued, no matter what the outcome, and the time had come to regulate these harmful conflicts. The Kansas experiment, he insisted, was the only effective method yet attempted to protect the public interest.⁴⁰

Allen forced Gompers to admit that when a strike threatens the peace and health of the public, the public did have rights, but he insisted this was not of primary consideration in AFL philosophy. Allen retorted that this smacked of "the public be damned." As Domenico Gagliardo points out Allen often vented his spleen against union officials drawing salaries from the dues of laborers without having an understanding of the role of union officials or their loyalty to rank-and-file members. If Sidney Hillman could have answered Allen, his response would have been that his philosophy of unionism asked the public to endure strikes because a stronger industrial unionism would promote better workmanship and a more certain supply to the public when workers had more control over decision making in the workplace. Nevertheless, Allen garnered national attention in his campaign for the Republican presidential nomination, a quest that ended in a "smoke-filled room" in Chicago with the compromise candidate Warren G. Harding. The delegates then rebelled against boss rule and loudly made known their choice of Massachusetts governor Calvin Coolidge for the second spot, whom Allen ran second to in the balloting.⁴¹

Meanwhile, Governor Allen appointed William Huggins to the court, and he was to be its presiding judge until his term ended in three years and he was replaced by a Democrat. Allen also nominated George Wark, a party hack lawyer and a member of the senate judiciary committee that had considered the court bill. His third appointment was his personal secretary, Clyde

M. Reed, who immediately became active in Republican politics, promoting Allen for the presidency. In fact, critics complained that he neglected his court duties to carry on this work. The Industrial Court was the principle issue in the election of 1920, and organized labor exerted its influence to defeat Allen's reelection. The Democrats argued that Allen had used the Industrial Court as "a press agent story to advance himself politically." The court was still highly popular and had not really begun its work or demonstrated its incompetence, and Allen won decisively. "The victory in Kansas," Allen proclaimed after his reelection, "was the greatest blow the Gompers leadership ever received."⁴²

In 1921, emboldened by his political success, Governor Allen pressured the legislature to re-create the Public Utilities Commission that had been absorbed into the Industrial Court the previous year. The solons acquiesced, but appointments to the revived commission and to fill vacancies in the Industrial Court resulted in a bitter legislative fight. Reporter W. G. Clugston remained unnoticed in an anteroom and overheard the proceedings. When discovered, the senate demanded that he apologize and promised him his freedom if he pledged secrecy. He refused to do so of course, and they held him prisoner for eleven hours before releasing him. Clugston reported a senator complaining that Allen had delayed sending his appointments to the senate until the last afternoon of the session, thus denying them their constitutional right to five days deliberation before deciding on the qualifications of the appointees. He was pressuring them to "rubber stamp" his appointments, and he gave five legislators some type of appointment in return for their support. Senator M. V. B deMark of Concordia grumbled that the governor had resorted to "promises, threats, and bribes" to obtain his legislation, and another senator called the mess "cheap, dirty politics." Senators approved Reed's appointment to the resurrected Public Utilities Commission with no vote to spare. John Crawford, commissioner of labor and industry, met even more opposition in his appointment to the Industrial Court, which failed when he received only sixteen votes of twenty-one needed for confirmation. Allen, however, gave him a recess appointment as some of the lawmakers predicted would happen. James A. McDermott, a former state legislator, was later confirmed as the third member of the Industrial Court in 1921. One senator grouched that Allen's demand to divorce the Public Utilities Commission from the Industrial Court, which he had insisted they combine only the year before, would cost the people \$100,000 annually.⁴³

A writer for the *Yale Law Journal* viewed the Court of Industrial Relations as a "bold experiment." He traced the long development of the English law

code, noting the unrestrained power of the nobility during the medieval period who “refused to submit to the law.” The result was the establishment of Star Chamber proceedings that required the king to bring them under control. In the United States, the uncontrollable antagonists in labor-management disputes needed to have the authority of the state exerted against them to protect the public. The capitalists, he believed, were well regulated by the trust laws, and the unions’ unrestrained power had to be curbed. He noted that the Canadian Industrial Disputes Act of 1907 contained powers of compulsory investigation as did the Colorado Act of 1915—which was patterned on the Canadian model—that resulted from that state’s coal strike and the Ludlow Massacre. Australia and New Zealand, he observed, had successfully tried compulsory arbitration as early as 1894. During the Kansas coal strike Governor Allen had shown “courage and industry” but had failed to receive any cooperation from the miners, who were without compassion and were willing to let hospitals suffer a fuel famine. Now it fell to the lot of “our state of Kansas to make the latest, boldest, and most interesting experiment in the adjustment of labor disputes.” Howat’s fear, the author observed, was that the court would become dominated by employers. “There is nothing in the record of the first year of the court’s activity to justify that fear.” The author had heard that Howat was calling a strike in defiance of an injunction. If this were true—and it was—he concluded that the irresponsible action would “indicate that the turbulent great men of our day are as unwisely overconfident as those of the time of Henry VII.”⁴⁴

At the biennial convention of UMW district 14 in March 1920, Alexander Howat described Governor Allen as “one of the worst enemies organized labor ever had.” Howat determined to fight and to defeat the Industrial Court. He wrote a book entitled *The Industrial Slave Law*, and in an advertisement for it he declared that “organized capital over the whole nation is rejoicing in the belief that a way at long last has been found to destroy organized labor and to take from working men . . . the right to strike . . . the only protection they have had in the past against being reduced to helpless, cowering slaves.” This was the theme of his book. A district 14 miner agreed: “we elected Alexander Howat to fight this out for us . . . though we knew he might have to go to jail for it. We will stick by him as long as the grass is green and waters run. Before we go back to work he must be out of incarceration and the industrial court law wiped from the statutes.”⁴⁵

All work stoppages resulting from direct opposition to the law came from the coal miners. In its first year of operation the court heard twenty-eight cases. Twenty-five were initiated by labor, one by an employer, and two by the

court. The *Monthly Labor Review* erroneously reported that “only low paid labor, as a rule, has been before the court—a situation naturally resulting from the object of the law to establish a minimum wage.” The court investigated a flour mill and also the mining industry, a primary focus of attention since the coal strike. Most of the hearings were of minor consequence, and none had an impact outside the state. During the course of these hearings, the court established fair-wage guidelines to be based primarily on skills, hazards of employment, and cost of living. The judges took a more conservative view on hours, considering nine hours as fair and allowing up to ten hours for a normal working day. When conflicts between “fair wage” and “fair return on investment” surfaced, the court tended to view the latter more favorably. Yet it is worth noting that the Federation of Kansas Industries later joined the Wolff Packing Company in asking that the law be declared unconstitutional.⁴⁶

Late in June 1920 the “Saturday holiday” event occurred. There was a continual shortage of railroad cars, and as the mines operated only when they were available, several locals voted not to work on Saturday so the cars could accumulate and provide more steady work for the beginning of the week, a seemingly obvious and justifiable objective. This conflicted with the contract providing for one dollar for every day lost due to illegal stoppages, but the operators had never previously enforced this provision. Now some did, which Alexander Howat considered “an outrage,” and several miners struck in protest. Howat belligerently invited state officials to invoke the law and compel the men to work.⁴⁷

Meanwhile, a more important issue, the “Mishmash” strike occurred. Mishmash was employed at a mine at a boy’s wage and on March 22, 1918, he requested a man’s pay because, according to the contract he should receive this rate upon reaching nineteen years of age. At that point he was the sole support for his mother and five brothers and sisters. The issue dragged on until February 4, 1921, when Howat and his executive board called a strike against the mine, claiming that a joint board of miners and operators had arbitrated the issue and approved the raise and back pay, but it had not been forthcoming. Howat intended to defy the Industrial Court law.

The Industrial Court investigated and awarded the back pay; *however*, they ordered the money paid through the clerk of the district court and instructed Howat to end the strike. Howat defiantly announced that the money had to be paid at the company office or the strike would continue, and it did for a few days. He had no choice because if he agreed to go through the district court, he would be admitting the legitimacy of the Court of Industrial Relations. Mishmash finally collected his money, but Howat and August Dorchy, mean-

while, had to begin serving jail sentences for contempt of court over events that occurred during the 1919 national coal strike.

The "Howat strike" of 1921 ensued when all the miners walked out in protest over his imprisonment, and by October 3 all mines were idle. With the permission of the sheriff, Howat made a speech from the jail declaring the miners would never obey the Industrial Court and had a few choice epithets for the governor. He also informed his listeners, "we have committed no crime. We have merely refused to tell three corporation lawyers appointed by that skunk of a governor, Allen, something about mining. That brute, that tyrant, that would-be oppressor of the workingmen had no authority to compel us to tell those corporation lawyers anything." Judge Huggins believed the miners had been persuaded to strike against their wishes, and he argued that the Industrial Court would be violating the law if it did not assume jurisdiction in the dispute. He proposed sending in military police to protect local miners, and if they were unwilling to work, he would import strikebreakers. Governor Allen, though, persuaded a majority of the court that there was no emergency because a sufficient supply of coal was available due to imports from Colorado and Illinois, and John L. Lewis suspended district 14 for disobedience.⁴⁸

Howat wrote John Walker, his friend and strong supporter and the president of the Illinois Federation of Labor, thanking him for his encouragement in the rebellion against the court. He expressed his deeply held views on the justice of his course and observed, "we don't give a damn who is against us. . . . some of us may be compelled to suffer, but by the Eternal God, we would rather go to jail, fighting for a principle, than to stay out of jail, and be slaves and surrender our principle." He told Walker that, following Lewis's suspension of him and district 14 officials, the international representative for his district sent a letter condemning Howat's fight against the Industrial Court. The Howat miners responded to this with "an unmerciful calling down." International representatives from Missouri and Oklahoma then toured the Kansas mines, telling the recalcitrant members they should obey the international's orders and conduct their fight against the Industrial Court "in an orderly and dignified manner . . . as long as it was the law." Howat responded to this pacific approach with the observation that, despite the great public support Governor Allen enjoyed, "the day is past when men and women can be chained to their jobs like slaves."⁴⁹

Howat appealed to his miners to continue their support of the district actions, which they did overwhelmingly. He described to them the intransigence of Lewis "in suspending the autonomy of our district, without the least justification for doing so, [as] the most cowardly and dastardly outrage that has ever

been perpetuated against the Labor Movement in the history of the country.” John L. Lewis responded that the Joint Wage Agreement was being violated with impunity. The Lewis strategy was designed to break the autonomy of districts and locals and to enhance his own powers. Mother Jones loathed John L. Lewis as being ruthless, corrupt, and uncaring for his men. “If the organization ever gets into the hands of this fellow,” she once said, “that is the end of the miners.”⁵⁰

The Lewis plan could have devastated the Howat strike except that on November 11, 1921, Frank Farrington’s district 12 voted to send \$90,000 monthly to aid the strikers and ultimately some \$300,000 worth of foodstuffs reached Kansas. The “loyal Lewis men,” led by Van A. Bittner, ordered the men back to work, and operations resumed. Bittner hired Lewis supporters and blacklisted the rebels by convincing the surrounding districts not to accept transfer cards from Kansas miners, which crushed the Howat revolt because these men could not find work without their union cards. Howat warned the UMW convention delegates that it would soon become a “one man organization,” a prophecy that Lewis fulfilled.⁵¹

Howat asked the international board to reinstate the miners on the basis of the agreement district 14 had made in Kansas City in March 1920 that the decision of union officials would be supported by the members, and if the officials were jailed, “the miners, in turn, would stand with their officials to a finish for any member of our union . . . [and] would refuse to work while any of them were in jail.” The men were only fulfilling their promise, and if disciplinary action were necessary, it should have come at that time that it was made. Howat’s miners had not worked since September 1921, and he reminded William Green, secretary of the UMW that they had never received any assistance from the international office. He called attention to the fact that because some district 14 officials “were active in distributing the provisions among the miners that were sent . . . from Illinois,” they were being denied membership by the provisional officials of the suspended district 14. He concluded, “the manner in which the expelled Kansas miners are being humiliated and persecuted and crucified, not only by the operators but by some of the Provisional Officials as well, is a disgrace to the United Mine Workers of America, and to the name of organized labor.” John L. Lewis remained intransigent.⁵²

On Sunday December 11, 1921, Kansans were shocked to read that five hundred women from mining camps surrounding Pittsburg had crowded into a church hall and roundly condemned the “Alien Industrial Slavery Law” and the international UMW. They proudly proclaimed, “it is our duty to stand

shoulder to shoulder with our husbands in this struggle.” They also defined the conflict as “the fight for our democracy that we was [*sic*] to receive after the World War.” The following morning between two and three thousand women assembled at 4:00 a.m. and marched to the mines to talk miners into walking off the job, and if reasoning with them failed, the women were willing to resort to more objective arguments, offering to return with their butcher knives if necessary. They also strung an American flag across the street to bar “strike-breakers” from access to the mines. The *Topeka State Journal* described the march as “headed by the girls’ band of Arma, playing martial music, ‘General’ Annie Stovich, the Joan Arc [*sic*] of the ‘Amazon Army’ led her invading hosts, already weary and footsore, into the enemy country, this afternoon [with] pent up fury.” The *New York Times* condemned the “red sector of Kansas,” characterizing them as both foreign and unwomanly. The liberal *Appeal to Reason*, of course, described their conduct as “remarkably peaceful” and with “admirable restraint” in wanting “to shame the men who had returned to work.” On December 13, though, the *Times* described a more violent confrontation when “the workers’ dinner buckets were taken and a bombardment of bread, butter, bacon, jelly, eggs and other food was begun. . . . Coffee compartments were opened and the working miners as well as the sheriff were showered with the drink intended for their lunch.”⁵³

Several miners appealed to the Industrial Court and to the county attorney for protection. When a steam shovel was dynamited, the Crawford County sheriff immediately deputized men and stockpiled guns at the Hotel Stillwell. On December 15 the governor sent in four hundred members of the Kansas National Guard, although he did not declare martial law. Authorities arrested forty-one women, including Mrs. Skubitz and three men, for unlawful assembly, assault, and disturbing the peace. Phil Callery, a local Socialist and later attorney for district 14, defended the women on the basis of “mass psychology,” the phenomenon that frequently led people to do things during a period of labor unrest that they would not normally do as individuals. The women pleaded guilty, were fined from one dollar to two hundred dollars and paid court costs and were released. The episode resulted in another negative note: under pressure from the attorney general, the towns of Girard, Cherokee, Arma, and Mulberry enacted ordinances making it illegal for unemployed men to refuse work when it was available, with a penalty of ten to thirty days at hard labor. On January 13, 1922, defeated by local opposition and his international union, Alexander Howat ordered his striking miners back to work.⁵⁴

Several locals in the district passed resolutions asking Howat to post bond and get out of jail. In January 1922 they called a mass meeting at the skating

rink in Franklin. Mother Jones addressed the crowd, saying "you women must get Alexander Howatt [*sic*] out of jail." A woman in the audience asked how.

Go out and raise hell, don't be afraid of jails. I've been in lots of them, but I never paid a lawyer a penny in my life. Women have a peculiar power they have not come to realize, they are not shot down by men. They can do things men can't do. . . . You have another John Brown in Alexander Howatt who is fighting industrial slavery.⁵⁵

Delegates to the annual meeting of the Kansas State Federation of Labor in 1921 endorsed a strong resolution denouncing Governor Allen and his "continually hypocritical mouthing about the sacred rights of the mysterious and indefinite public, shedding crocodile tears over the wrongs to the 'Party of the Third Part.'" At the same time, Allen had failed to use the state's antitrust law and permitted the "big food administrators to rob and plunder the people of millions of dollars." When suit was brought against them, "these 100 percent American robbers came in and pleaded guilty [and] were permitted to escape by paying about \$300 each after they had robbed the people of millions." The Federation condemned Allen and his Industrial Court and commended Howat, Dorchy, John Fleming, James McIlwrath, Wiliard Titus, and Hearl Maxwell for their "gallant and fearless stand and the heroic fight to protect labor."⁵⁶

Meanwhile, the packing-house workers were struggling to organize the Big Four, Armour, Wilson, Cudahy, and Swift. The workers' wartime contract had expired on December 15, 1921, and the companies installed "assemblies of workers" that negotiated new agreements of about a 6 percent reduction in wages. The Amalgamated Meat Cutters and Butcher Workmen of North America, that had about 50 percent of the workers in Kansas organized, called a national strike on December 1, which affected about ten thousand workers in Wichita and the Kansas City area. They argued that their members had not participated in the wage negotiations and that the approval of the wage cut was illegal. Governor Allen observed that the state might have to take over the packing houses, and his attorney general filed a complaint with the Industrial Court, asking it to assume jurisdiction. The court held hearings while the workers picketed them, and the strikers exhorted subpoenaed witnesses not to appear to testify. Because neither side wanted the issue adjudicated, the court ordered a temporary continuance of the existing contract. Local authorities enforced the order, there was little violence, and the militia was not called out.⁵⁷

The president of the Kansas State Federation of Labor went to Kansas City,

reporting that most of the local strike leaders and two national officers had been arrested and jailed. The treatment of George W. Reid, a black strike leader, demonstrated the antiunion attitude of Mayor Burke, the police judge, and the chief of police of Kansas City, Kansas. According to these city officials, Reid "ran amuck," stopping a street car and drawing two revolvers. He fired through the windows, yelling that he was going to "dump all the scabs in the river." He was arrested, fined, and paroled on the promise he would leave the city for 130 days. After spending twenty-four hours at his home in Kansas City, Missouri, he returned, repudiated his parole, and was locked up, the police judge setting his bail at a preposterous five hundred dollars. When AFL officials presented bond, the judge rejected it. A district court judge ordered the bond accepted, but the police judge refused to yield. Labor officials met with the mayor who declined to act, saying if he were the police judge, he would rule the same. In a conference with the judge, they were informed he would continue to deny Reid his freedom and, if forced to release him, Reid would be arrested again on another charge requiring another bond. They obtained another mandamus proceeding in the district court, Reid was released, re-arrested and another bond required. This "horse play" continued for "five or six cases . . . until our bondsman had been exhausted," the union officials reported. Finally, Reid agreed to the original parole and returned home again. The AFL leaders then "spent the major portion of one night" securing the release of the national vice president of the Amalgamated Butchers who had been arrested by the Kansas City, Missouri, police for "investigation." With this obdurate opposition of local officials, the strikers discovered they had lost the fight and asked the Industrial Court to intervene. The court, however, held that the strikers were no longer employees and thus had no standing to make a request. The strike then ended on February 1, 1922, in utter failure, the court again demonstrating its ineffectiveness.⁵⁸

In July, 1922 approximately 60 to 70 percent of Kansas railway shopmen walked out over cuts in wages, both of which were a violation of the Court of Industrial Relations law, but because the walkout came under the jurisdiction of the Railway Labor Board, the court remained above the fray except to prevent picketing and violence. After discussions with the attorney general and the Industrial Court, Governor Allen announced that the court would take no action until service was "seriously impaired."⁵⁹

State militia and special deputies were placed on duty in Topeka, Newton, Emporia, Arkansas City, Herington, and other rail centers. A few arrests were made for minor violations, a man was shot in Herington, and there was some violence in Arkansas City, but no widespread "serious disorder" occurred as

in previous railroad conflicts. Some of the railroad shops had to shut down temporarily for lack of workers, but they soon recruited new ones. In some cases finding them was difficult, and officials often arrested hoboes and put them to work. Two men arrived in Parsons and were told they either had to work in the shops or face time in jail for trespassing. The poor quality of replacements soon led to a deterioration of the rolling stock, prompting the four brotherhoods to enter the fray.⁶⁰

When the workers successfully persuaded merchants in some towns to discriminate against the scabs in prices and services, state officials made a few arrests on charges of conspiracy. It was an anomalous labor dispute because the men had the right to strike and picket under federal statutes, but state law prevented them from picketing. Yet the Industrial Court held it had no jurisdiction. In Parsons, a major center for the Katy railroad, the local militia supported by several deputies remained in place for some time because of the adverse community attitude. The scabs' children were prevented from "playing in the school orchestra," "epithets were yelled at the scabs and their wives," and they met with "refusal of service by local stores."⁶¹

The strikers distributed posters reading "We are for the striking railroad men 100 percent. We are for a living wage and fair working conditions." Nearly every store near the Santa Fe depot and yards displayed one of these signs. William Allen White hung one in his office window but, saying he believed the strike was untimely, changed the number 100 to 49 while promising he would add 1 percent for every day the strikers refrained from violence. State officials ordered the poster removed, and White refused on the grounds of freedom of speech and press. Governor Allen took issue, claiming that a citizen should not violate the law and encourage others to do so in a dangerous situation. A complaint was drawn up to arrest the editor for conspiracy to hinder railroad operations. The warrant was issued to White's attorney, and the editor removed the offending sign. The governor requested postponement of the trial until after he left office, but the district judge refused and the Emporia editor demanded a trial or an apology from the attorney general who neither apologized nor prepared for the case. The Industrial Court asked that the trial be dismissed, which the judge did with caustic criticism: "rumor charges the defendant and Governor Allen with having planned this matter that the Governor's political ambitions might be realized, by demonstrating the Governor's courage in having his best friend arrested; false, of course, but nevertheless prevalent public opinion. Mr. White has insisted on all occasions, and is now insisting on a trial of this case. Of course his demand must be refused."⁶²

In 1922 the UMW again ordered a national strike. The operators insisted they

had to reduce wages to make a profit, provoking the miners into action. Howat charged that the companies had "not only exploited and robbed the general public for many years, with the outrageous prices they . . . charged for their coal, but in addition to that, they . . . kept the miners and their wives and children in hunger and starvation for all these many years." The problem, he insisted, lay in the operators selling coal at cost to their allies the railroads and then were forced to charge the public enough to make a profit on sales to both the lines and the general consumers. On August 15 a national agreement was reached that ended the strike.⁶³

Alexander Howat and August Dorchy were in and out of jail several times in their attempts to have the Industrial Court law declared unconstitutional. At the March 1920 convention of district 14 Howat stated that "if I call another strike in Kansas—and I am inclined to think that it will be called—it will be a strike not only in protest against this law, but a strike to show the operators they must respect the rights of the U.M.W. of A." The test came the next month when the Industrial Court began an investigation of coal mines and ordered the union president to appear and testify. He and his fellow officers deliberately refused and were cited for contempt of court on April 7, 1920. Two days later they were found guilty and sentenced to jail until they agreed to submit to court orders. The State Federation of Labor unanimously endorsed a resolution commending Howat, Dorchy, and district 14 officials "for the gallant and fearless stand and the heroic fight which they in the past year have been waging to protect Labor in the exercise of its constitutional rights . . . especially their manly resistance to the vicious and pernicious principle of government by injunction."⁶⁴

District judge A. J. Currin of Crawford County presided over these trials. At that time Kansas judges were elected officials. In 1914 Charles H. Cordray ran for judge on the Socialist ticket. When challenged that he was unqualified because of lack of training in the law, Cordray responded that "any man who knows right from wrong is amply qualified to be the judge in any court." Frightened by Cordray winning as many primary votes as the Democrat and the Republican combined, the two major parties joined forces and managed to elect Currin. They made certain that a Socialist never again won an election in the county.⁶⁵

When the miners struck in protest of Howat's jail term, Judge Currin ordered Howat to direct them to return to work, and he refused. While Howat was in jail, the sheriff allowed him to address a meeting of his miners. His speech was most intemperate, and the attorney general believed it constituted a treasonous attack upon the governor. Howat had called Allen a number of

names and instead of interpreting it as political trash talk, Attorney General Hopkins took it literally and brought criminal charges against the mine leader and began other proceedings against the sheriff for permitting him to speak. Howat's lawyer, Frank P. Walsh, appealed the sentence that the Industrial Court had given the mine leader to the state supreme court. When the state court determined that the Industrial Court's power of investigation was constitutional, Howat appealed to the U.S. Supreme Court. The high court, however, dismissed his appeal because the separability provision of the law did not permit the testing of the constitutionality of the Industrial Court's powers of investigation.⁶⁶

In February 1921, a federal judge also sentenced Howat to an additional year in prison for contempt of court in calling the Mishmash strike. At the same time, the state brought criminal charges against him for the same offense. After ten hours of deliberation the jury found him guilty of a misdemeanor, rather than a felony as the state had asked, and the union leader was sentenced to six months and fined five hundred dollars. The state supreme court rejected his appeal but the U.S. Supreme Court, which had already rendered its decision on the Industrial Court law, ruled that the state could not regulate wages in the coal industry. The state court, however, insisted on the validity of the separability question when Howat's case was remanded to them and sustained his conviction. Upon re-appeal the Supreme Court affirmed his conviction by deciding the Mishmash strike was "distinctively coercive" and as such violated common law doctrine. In addition, in March 1921 Howat called another strike involving about 150 men at a strip mine where, the men claimed, the foreman gave a job to his son rather than to a man with more seniority. Attorney General Hopkins and the county attorney filed for an affidavit for contempt of court by Howat for calling the strike. He was fined two hundred dollars and required to post a peace bond of five thousand dollars. He refused to post the bond and appealed to the Supreme Court. There was a stay of execution on the bond until the appeal was heard. Howat was thus sentenced to jail on three different occasions.

While under sentence but before he began serving time, Howat, State Federation of Labor president W. E. Freeman, and district 14 attorney J. I. Sheppard determined to begin a "campaign of education." They planned a series of mass meetings in several cities, but, when they were ready to hold them, Sheppard became seriously ill. He subsequently died that October. Freeman and Howat spoke in Wichita, Arkansas City, Hutchinson, Dodge City, Newton, Herington, and Emporia. Freeman believed they "were well-received" in addition to receiving "fairly good writeups in the daily newspapers of the

respective towns,” which gave them additional “educational coverage.” They had to abandon plans for further meetings as Howat had to begin serving his jail sentence in Columbus. Miners declared the day he turned himself in, September 30, a holiday in district 14. His men met and voted to strike in protest of his incarceration.⁶⁷

The international restored district 14's charter in 1924. Two years later the district elected M. L. Walters its president. Walters wrote John L. Lewis that “a number of people in our district . . . have requested me to try and arrange a conference between yourself, Alexander Howat and myself, with the view of re-instating Mr. Howat and the Old Board to all their rights and privileges in the organization. We feel that if this could be done, harmony would be restored among all factions of the district.”

Lewis was unconcerned with harmony in district 14 and wrote a terse reply: “Please do not write me again about Mr. Howat. I have no interest in him [or] . . . for those scabbing in 1922. Personally I am very much occupied just now in the Anthracite strike, and in trying to provide food for hungry men, women and children. I have no time to give to those who have been rebels or traitors to the United Mine Workers of America.”⁶⁸

For the next few years Howat and Dorchy campaigned for reinstatement into the UMW. They traveled to mines all over the United States and Canada seeking the support of district union leaders with the financial assistance of district 12. Opponents also claimed they had the endorsement of the Communist Party in its attempt to “bore” into the UMW. Howat had taken the party's financial aid but never accepted membership. When asked at a UMW convention about his association, Howat responded “sure Bill Foster did come to see me and asked me to go along with his outfit. But I didn't see nothing [*sic*] in that for Alex Howat, so I didn't join up.” An annual ritual soon developed. Lewis would open the annual convention, refuse to recognize Howat as a delegate, Alex would march down the aisle, stand beside Lewis on the platform, attempt to speak, and be dragged from the podium by Lewis supporters.⁶⁹

In 1928 the UMW reinstated Howat, over the objections of Lewis, and he was elected vice president of the Kansas State Federation of Labor. He spent the year working part-time visiting local unions in order to recruit them for the AFL and “secured practically 100 percent of the unions personally visited by him.” He became president of district 14 the next year, and in 1930 he joined the rebellion to unseat Lewis.

After crushing Howat's control of district 14 and defeating John Brophy of Indiana in 1926 for the presidency of the international, Lewis turned on his last major enemies, John Walker, Frank Farrington, and Adolph Germer of district

12. When he suspended their charter in 1929, they along with Brophy and Howat decided to join forces and challenge Lewis's leadership of the UMW. In her last public act, Mother Jones sent a one-thousand-dollar contribution to the rebels. Because Lewis had failed to call a national convention that year, the conspirators claimed his union was illegitimate and summoned their own meeting. At their convention they slated John Walker as president, Brophy for secretary-treasurer, and Howat for the powerless vice presidency. Just before their meeting in Springfield, Illinois, the Socialist publisher of the *Illinois Miner*, Oscar Ameringer, better known by his pen name of Adam Coal digger, threw his and his journal's support to Howat, and the Kansan then demanded the presidency. When his supporters endorsed his candidacy, the delegates formed the Reorganized United Mine Workers of America, Walker withdrew his candidacy, Howat was chosen president, and Germer was elected vice president. "Eager to play the role of radical labor leader," Howat then played into the hands of Lewis by courting radical leftists such as A. J. Muste.⁷⁰

In the following civil war Howat provided weak leadership. He became increasingly unstable and suffered from alcoholism. As a result he turned over most of his duties to Vice President Adolph Germer. In addition, his flirtation with leftists such as Muste and Tom Tippet, his administrative bungling, and long stays in the Kansas coal fields among his admirers, boded ill for the rebellion. Both sides played rough. When Howat and Adolph Germer were scheduled to speak at a rally in Royalton, Illinois, they were met with fifty carloads of Lewis men. Ray Edmonson, Lewis's agent, told them no one would be permitted to speak that afternoon, and a riot involving five hundred men ensued. Germer and others were badly beaten, and Edmonson, a constable, and five miners were shot and wounded. After the Lewis men left town, things quieted, and Howat spoke to the crowd.⁷¹

The end of Howat's rebellion came in the Illinois courts where in March 1930 district judge Harry Edwards ruled that Lewis's Indianapolis UMW was the legal organization. Kansas, which Howat promised to deliver to the rebels, only had sixty-five dues-paying members. Howat's union career was in tatters, and for the next several years he worked at various jobs: editing a labor newspaper, working as a state border guard, and assisting in WPA strikes in his area during the Great Depression. Lewis maintained control over the UMW, but it was a hollow victory as hydroelectric power and petroleum had replaced bituminous coal as the nation's major energy sources during the Roaring Twenties, and his union slid into serious decline. The coal industry in Kansas, which had never produced a high-quality product, became moribund, and on the national level the UMW shrank from 500,000 members after World War I to

150,000 in 1933. Early in the depression, coal operators asked the governor for help. Kansas used 8 million tons of coal, but 5 million of this was shipped in from Colorado, Oklahoma, and Illinois. The owners persuaded Gov. Harry Woodring to pressure railroads and other consumers to buy Kansas coal but he responded that their problems resulted from "industrial evolution."⁷²

The U.S. Supreme Court eventually gave Howat his victory over the Industrial Court. Workers of the Wolff Packing Company met to vote on a strike but decided instead to submit their case to the Industrial Court. The court then prescribed wages, which the company refused to accept. The court began mandamus proceedings when the company argued that the prescribed wage scale deprived them of property without due process of law as required by the Fourteenth Amendment. The Kansas Supreme Court concluded that almost every law restricts freedom of contract in some way, and the company was not being forced to do business at a loss; it could cease operation. Packing houses had been declared institutions affecting the public interest in the law creating the Industrial Court, and if a company was compelled to suffer a loss by paying its employees a living wage, "it ought to quit business."⁷³

The company appealed to the Supreme Court, which sustained its contentions in 1923. Most importantly, the majority, with William Howard Taft speaking for the court, devastated the foundation of the Kansas Industrial Court. A legislature merely stating that an industry had a public interest did not make it so, the justices noted. Taft said, "at present one does not devote business to public use, or clothe it with a public interest, merely by making commodities and selling to the public." The chief justice listed only three types of business that fell into this category:

- (1) public utilities carried on through a public license;
- (2) those long recognized as subject to regulation, such as inns, grist mills, and cabs;
- (3) those where natural economic laws did not operate, such as monopolies, or those whose nature had changed so as to warrant regulation.

Thus, while it did not destroy the Industrial Court or compulsory adjudication, the result was the same. In one fell swoop Taft reversed a half-century of constitutional development and placed much of American business outside the reach of state regulation. It was a significant victory for labor in the short run, and over time a more liberal court again broadened the definition of public interest and the reach of state regulation.⁷⁴

Two years later August Dorchy appealed his conviction and, on the basis of their *Wolff* decision, the Supreme Court held that the Court of Industrial

Relations could not control coal as a public interest and freed him. This decision also exonerated Alexander Howat and vindicated his determination that the court was unconstitutional and thus he and other unionists must contest until they were vindicated.⁷⁵

The Industrial Court again became a political issue in the Kansas election of 1922. Republicans nominated W. Y. Morgan, an ardent court supporter, for the governor, and the Republican platform reaffirmed the law. Alexander Howat called the law "a disgrace to the state" saying it had made the governor and his court "a laughing stock of the nation." Democrat Jonathan Davis campaigned in opposition to the court. A political observer toured the mining district around Pittsburg and found numerous women campaigning, or "electioneering" they called it, against Henry Allen's Industrial Court. The people had "stopped being afraid" under Alexander Howat's leadership. His "fighting spirit . . . [had] permeated his whole district." The reporter noted that women in the area would never forget the "women's march" of the previous year. Whether or not they actually had marched, all the coal women felt "a tingling sense of power which filled the air before election." The reporter observed this spirit not only in native stock, but also among the French, Italian, and Austrian women. William Allen White concluded that Davis won the election because he was forceful, honest, and liberal and because he proposed a tax reduction. Labor, which wanted the court abolished, joined forces with farmers who wanted tax relief and gave the victory to the Democrat, one of the few examples of farmer-labor cooperation in Kansas history.⁷⁶

Howat appealed to the new governor who commuted his sentence and reduced his fine to one dollar. The next year Howat was offered a lucrative contract as superintendent of the Sheridan Coal Company at six thousand dollars annually guaranteed ten-years but declined this attractive management position to resume his work with his miners. Davis had promised, if the court was still functioning, he would appoint a labor representative to it. In March 1923 he revoked Crawford's recess appointment and nominated Lee Goodrich, a member of the Brotherhood of Locomotive Firemen. The Republican attorney general ruled that he had no power to revoke a recess appointment, and the Republican senate then confirmed Crawford. Davis proposed abolition of the court, but the Republicans who controlled the legislature decided to retain it because, while they might be sympathetic to the idea, abolition would constitute recognition of Davis's legislative program and also because a few political jobs were at stake. Governor Davis later nominated Henderson Martin to the court, a Democrat who supported it, and most Kansans viewed his appointment and work on the court with approval.⁷⁷

When James A. McDermott's term on the court expired, Davis appointed Joseph H. Taggart, a Democratic legislator. Taggart and Martin then fired the state mine inspector and appointed Lee (Leon) Besson, a Socialist and Howat supporter, to replace him. The politics of the Industrial Court was finally terminated in 1925 when the legislature again merged it with the Public Utilities Commission and the Public Service Commission. The Industrial Court's powers were given to the new commission, and the consolidation was a recognition that the court had failed to live up to its promoters' expectations. It had broken no new ground in wages, hours, or working conditions. It had failed to reduce the number of strikes, lockouts, or other industrial conflicts. Many wondered at times about the judges' logic. Alex Howat called two strikes involving two hundred men and was fined and imprisoned. The UMW led twelve thousand Kansas miners on strike in protest against wage cuts, and the Court of Industrial Relations took no action against the union or its officers. Allen and his minions seemed determined to punish Howat. The Kansas concept of compulsory adjudication was unsuccessful, unjust, and fortunately the idea did not spread.⁷⁸

Meanwhile, petroleum was rapidly replacing coal as a major fuel source both nationally and in Kansas, and the coal industry declined in importance. While Edwin Drake was bringing in his first oil well in Titusville, Pennsylvania, in 1859, George Brown was becoming interested in oil seepage near Paola, Kansas. Brown, editor of a Lawrence newspaper, and Erastus Heath, a member of the territorial legislature, formed a company in 1860 to drill wells along Wea Creek. The Civil War interrupted the primitive exploration, but it was resumed following hostilities. Paola was the heart of this fledgling oil industry until 1890, refining petroleum for lubricants and later kerosene and natural gas, which often accompanied the petroleum, for heating and lighting homes and factories in the large towns. In the mid-1890s the Standard Oil Company of Kansas bought the refinery and moved it to Neodesha, which became the center for the southeast fields for several years.⁷⁹

These early, small oil fields used local labor, but as they grew larger and technology developed, the companies required a larger number of more-skilled labor. As the eastern oil fields began playing out, the experienced men there moved to Kansas, Oklahoma, and Texas, and operators also recruited from among the miners of southeastern Kansas and from the increasing number of immigrants, offering these unskilled laborers jobs that had some advantages over working in the mines. As they grew, these companies soon outpaced the consumption of Kansans and sought wider markets. By 1904 the Kansas Natural Gas Company had more gas on hand than was needed

for local demand, and their officials decided to build a pipeline to towns in the Kansas City area and in neighboring Missouri. Fearful of depleting their unknown reserves of gas, "Kansas Oil for Kansans" became the rallying cry of xenophobic locals, and they called mass meetings in Coffeyville and elsewhere to demonstrate their opposition to shipping "their" gas out of state.

Just after the turn of the century, monopolists such as John D. Rockefeller and foreigners were disliked intensely, and as a result, the Gas Protective Association was formed in 1904, partly out of chauvinism and partly out of intolerance for foreigners. The Kansas Natural Gas Company hired Greeks, Italians, Austrians, and Mexicans to lay the pipeline but soon found local farm teams tearing up portions of completed lines. On December 19 a gang of fifty to one hundred men with teams of horses threatened the workers with Winchesters and dynamited a section of the line. The following day many immigrants quit work in fear of their lives. Local bigotry and harassment ensued in other areas. The Garnett, Kansas, newspaper printed the following description: "Dagos of all kinds and sizes, dozens of them, smoking all kinds of pipes, were seen jabbering on the streets Saturday. Our people had begun to feel they were invaded by Italy but it later developed that they had been employed by the Prairie Oil and Gas Company to lay the pipeline from the oil field to Kansas City and had just completed their work and had been paid off. . . . [They] are not desirable citizens and we are glad to see they have left."⁸⁰

Labor strife in the early oil fields was minor, however, compared to what occurred with the big companies in the Teeter, Kansas, field from 1914 to 1918, which brought in the iwws. El Dorado and Augusta in Butler County gained prominence from these discoveries as did the oil industry that supplied fuel needs in World War I. With the gusher of Stapleton #1 in 1915, El Dorado boomed, its population growing from one thousand to seven thousand within eighteen months and to twenty thousand in five years. From that point on, "growth in the field was geometric," and labor was reaping rewards from this boom. By 1917 pumpers, who operated the stations that pumped the petroleum to storage tanks, were earning \$75.00 per month, as did roustabouts, who were jacks-of-all-trades, and teamsters made \$5.00 per day. By the end of the war these wages had risen, with pumpers earning \$135.00 a month, roustabouts, \$125.00 a month, and teamsters \$12.00 a day. During the Roaring Twenties, following the decline of wartime inflation, roustabouts were still making \$120.00 and pumpers \$130.00. The company also provided a three or four-room house for pumpers, much nicer than the shacks in the field camps. The work was dangerous though, second only to mining in annual casualties.⁸¹

Housing was extremely scarce in the new fields until companies built cottages for the men and their families. Many of the oil workers were single, living in bunkhouses and eating in boarding houses. The one at Teeterville fed 130 men at one point. For the married workers, the companies built shotgun houses, so-called because the rooms were in a straight line, and one could fire a shotgun from one end to the other without hitting anything. The companies also provided raw gas from their wells for heating, lighting, and cooking. It was an isolated existence, however, with little social life or time for it. Many settlements had a grocery store, and most had a one-room schoolhouse, in which community meetings and sometimes church services were held. Shopping was usually several miles away, and before automobiles became plentiful, "going to town" was an event. The weather, of course, affected travel before "all-weather" roads were built, and flat tires and breakdowns were quite common. Oil field women often had to ask for a ride to take a sick child or injured husband to the doctor. They developed close family ties and formed good friendships with fellow workers, often providing their amusements for their families and neighbors. They organized clubs and card games, those who could played musical instruments, and they all joined in singing. There were always special school events, such as Christmas programs, school entertainments, or end-of-school picnics.⁸²

The men enjoyed fishing, horseshoes, and playing cards in the evening. Many families had croquet fields, some of them with gas lights for evening play. There were "soup suppers" and potlucks, and the women had box suppers, good wholesome food to be auctioned off to husbands and bashful bachelors for a good cause. Ice cream socials, candy making, and dances were popular homemade diversions. Some of the camps or towns had annual fairs or Halloween parties where people came in costume.⁸³

Elsie Dunham lived in the booming oil fields of Greenwood County. Her father obtained a job with Cities Service, and the family also fed the men who lived in bunkhouses, providing breakfast and supper and a lunch pail if needed. When she married an oil worker, the couple lived in a two-room house—bedroom and kitchen—and she had to haul water for drinking, cooking, and washing laundry and diapers. Later her husband built a back porch, which they wallpapered with newspapers and used as a kitchen. When they moved an outbuilding to the side of the house to make an "L," they were able to room and board a couple of schoolteachers, the woman sleeping on the divan in the living room, and the man in the little back room with the son. Their house was handy for the teachers because it was next to the schoolhouse. Elsie taught Sunday school in the schoolhouse. With the company providing raw

gas, she did not get electrical appliances until the World War II period.⁸⁴

Verna Beeman had a different experience. Her husband worked for Cities Service in Seeley, and she helped his family run their grocery store. In the early years, the store had an icebox, but when electricity became available, they purchased a refrigerator for meats and produce. The family had milking cows, and they bottled milk and cream for sale in the store. They stocked dry goods in addition to groceries and sold ice and gasoline. One day a local woman wanted to sell her apples. Verna had her own supply, but said she would tell customers the woman had some for sale. "I don't want no oil people," was the response because farm folk considered them rough or even dangerous. But after most of the oil camp people left, the farm families became more friendly and discovered that the oil workers were just "people" like them.⁸⁵

Alice McKnight lived in Teeterville in the Flint Hills. The family lived in a shotgun house. They had a cistern and thus did not have to haul water as long as it continued to rain. The children had swing sets and teeter-totters made of gas and water pipes. They attended a two-room school, and one of the teachers lived with them, which the children thought made them something special. All the oil wells had wooden derricks. One was close to the house and made a lot of noise. It did not bother the family, though, unless it stopped running at night and the quiet woke them up. They later moved to a lease house that was large, with a front bedroom, a kitchen, a screened-in porch, and, "of all things," she declared, a dining room. The children also had a bedroom large enough to serve as a play room. The kitchen had an old wood stove fitted with gas burners, which was a convenience because as she said, "you don't have to carry in wood; you don't have to carry out ashes and so forth."⁸⁶

By the late 1950s these oil camps were breaking up, and those workers who came from an agrarian background were returning to farms. Campsites were turning into pastures once more, with an occasional abandoned shotgun house or beds of flowers as a reminder of a bygone era.

Life was harsh for the workers in the early years of these camps, but it would grow even more bleak when the Great Depression settled over the land.

New Deal Labor Policy

The Court of Industrial Relations and the American Plan, as it was known in the Roaring Twenties, to impede unionism resulted in disarray for organized labor when the Great Crash of 1929 ushered in the Great Depression. Industrialists no longer worried about the power of unions and their leaders, and by 1933 only 8 percent of the “organizable” workers in the country belonged to unions. Economics professor Paul H. Douglas revealed that real hourly wages in unorganized industries rose about the same as in organized ones from 1914 to 1926, and hours for those who did not belong to a union dropped further than for union members, although they were higher from the beginning. Unions began to appear to be meaningless. Then the depression resulted in huge lines of unemployed, a drastic decline in wages, and the springing up of sweatshops; and unions began to seem more necessary again.¹

Following the stock-market crash, unemployment rose to an unbelievable 6 to 7 million by 1931, a figure that probably doubled in the next two years to an unprecedented 25 percent. On April 1, 1930, Kansas had 36,000 idle workers; by November 1, 1932, there were 195,000 unemployed; and on Inauguration Day 1933 the number reached a staggering 235,000. Certain types of laborers were particularly hard hit. In 1931, for example, about 80 percent of the carpenters in Kansas City were out of work, which significantly exceeded the 55 percent unemployment rate of union and nonunion labor as estimated by the Kansas State Federation of Labor. In 1932 William Allen White reminisced about the depression of the 1890s and the panics of the 1870s and 1880s: “but I have never seen times so black for everyone as they are now.” Workers and their families were “starving amidst plenty,” as a presidential candidate would soon express it, because the capitalist system of exchange was rapidly disintegrating. Something had to be done to help these desperate people as the free enterprise system had ceased to function as it should.²

While the Sunflower State was predominantly agrarian at this time, destitute rural Kansans could starve just the same as urban New Yorkers. Although farmers were not affected as desperately as the factory workers in what was primarily an industrial depression, American agriculture had been in a distressed

state during the Roaring Twenties primarily because of overproduction. Any economy that depends heavily on farm income will be seriously hurt under such conditions, and the situation was aggravated when industries curtailed production, railroads laid off clerical staff, oil companies shut down, or packing houses closed. People began to move from country to town during the prosperous Coolidge years, and by 1930 Kansas had twenty centers of population with more than 10,000 inhabitants, a remarkable change from the turn of the century. These areas were quite vulnerable to the effects of unemployment. The Commission of Labor and Industry reported that unemployment in 1930 was "probably more severe at the close of this year than it has been in several years." A survey of the President's Emergency Committee on Employment (PECE) in November 1931 found between twenty and forty thousand employable Kansans who were unemployed, the problem being worst, of course, in the major cities of Kansas City, Wichita, and Topeka; but there also was widespread suffering and destitution in the oil and mining regions. The main question was what governmental institutions should do to mitigate these terrible, unprecedented conditions.³

In June 1930 representatives of the AFL and farm groups in Kansas met and called for a shorter workday and a ban on Mexican labor to alleviate unemployment. The problem was greatest at that time in the coal mines and on railroads. F. J. Lucey, southwest regional director of PECE, also requested the governor to work toward the discontinuation of hiring Mexicans. On November 21, 1930, Republican governor Clyde Reed called on the presidents of six major railroads in the state to transport their Mexican laborers home and to replace them with native Kansans. Six months later the new Democratic governor Harry Woodring received a call for help from the state's coal operators. Only 1,200 miners were working while 3,000 others were idle. The problem, the operators noted, was that Kansas consumed eight million tons of coal annually and five million of these tons were shipped in from Colorado, Arkansas, Oklahoma, and Illinois. Woodring obligingly asked railroads and other users to buy Kansas coal but noted that the industry's basic problem was "industrial evolution"—the recent increase in use of natural gas, petroleum, and hydroelectric power—and the growth in strip mining had particularly devastated the deep-shaft miners. But the unemployment problem, of course, was much too complicated to be resolved this easily.⁴

On November 6, 1930, Gov. Clyde Reed notified PECE that Kansas could take care of its own unemployment problems. But the following January, before he left office, he appointed a Governor's Committee for Employment with Harry Darby Jr. of Kansas City as chairman and C. J. Beckman, commissioner

of labor and industry, as secretary. By the time the committee held its first meeting, Woodring had succeeded Reed in office. The group agreed that local communities should raise funds, identify the needy, determine public works to be undertaken, and place able-bodied men who wanted to work in meaningful jobs. The committee recommended that mayors establish local committees to undertake this important effort based on New York and Illinois models, and by October 1931 twenty-three cities had such agencies functioning and fourteen communities had established committees to help the unemployed.⁵

Organized labor considered these efforts totally inadequate, and, yielding to their demands, on August 23, 1931, Governor Woodring called a statewide meeting of union leaders to receive their opinions on the problem. They informed him the state should accept responsibility for unemployment relief and recommended calling a special session of the legislature to raise funds by increasing the gasoline tax from three to five cents and permitting cities and counties to issue three-year bonds for work relief. They further demanded a five-day week and six-hour day without a decrease in pay, noting that the crisis would only intensify with the onslaught of winter. The union leaders' proposals were unprecedented, and Woodring responded that the voters were insisting on a reduction in expenditures and recommended that the workers present their demands to the Governor's Committee on Employment. He suggested to Harry W. Burr, secretary-treasurer of the Kansas State Federation of Labor, that "each community [should] take care of its own." The labor organization discovered that the committee planned to conclude that their labor proposal was a dole system, and Burr deduced they had simply "passed the buck," and confronted C. J. Beckman in a public meeting. The commissioner of labor suggested that "some records were stolen" and that one of the pilfered items was a "worksheet" implying that the governor's committee was going to use the "dole" argument in their reply to Burr. "I did not take it," declared Burr. Beckman remained adamant that the document they read was not a response to labor's demands but just a "worksheet."⁶

The situation in Crawford and Cherokee counties continued to worsen, and that November Beckman and members of the Governor's Committee on Employment made a four-day tour of the area, and a representative from PECE also visited there. The committee found not only widespread unemployment but also underemployment—those miners who did have a job usually worked only about one hundred days annually. Many merchants had been forced to eliminate credit for their customers, and numerous families were surviving on bread and water. Children were unable to attend school because their families had no money to buy shoes and clothing for them. One area welfare officer re-

ported that he could give families on his list only \$1.50 weekly. Beckman, writing the committee's report, optimistically found that these conditions were "serious but not critical" and that they could be resolved locally.

The representative of PECE reported the situation differently. Children had to use newspapers to insulate their bodies, food was stolen routinely, and many families were forced to survive by bootlegging liquor, conditions not resolvable by local authorities. His report prompted PECE officials to visit Emporia, Newton, Wichita, McPherson, Salina, and Kansas City. Mayors and bankers in those cities were far more optimistic than were the unemployed, who were becoming more restive and demanding, more willing to petition and march in protest of their conditions. Two bitter winters and a third one approaching were having "a chilling effect" on the population.⁷

Help, however meager, was soon forthcoming. Under the prodding of President Herbert Hoover, Congress passed the Emergency Relief and Reconstruction Act on July 21, 1932, making federal relief available to states in the form of loans from the Reconstruction Finance Corporation (RFC). The state of Kansas received \$3.25 million maximum as its share, which it earmarked for highway construction. Governor Woodring immediately appointed a bipartisan commission of twelve (Kansas Employment Relief Committee [KERC]), composed primarily of business and civic leaders with Harry Darby as president and John Godfrey Stutz as secretary. The group later chose Stutz as its executive director. In a radio address Woodring noted that the committee members "were flooded with telephone calls and requests for jobs and information" as soon as their names were announced.

The committee was cognizant of the importance of its actions and quickly determined that they would need accurate information if Kansas was to attract its share of the federal funds and that the money must supplement, not supplant, the relief revenues raised by local committees. KERC divided the state into eleven districts for administrative purposes, and each of the 105 counties had to establish a County Emergency Relief Committee to present their unit's requests for funding. They were to survey the needs of the unemployed and the sums required for work relief, and KERC would then recommend proper action to the governor. KERC also stipulated that the rate of pay on these projects should not exceed the prevailing wage of the area for similar work so as not to compete with private employment. County applications for the period September 1 through December 31 came to \$4,267,187, a sum well in excess of the expected federal largesse. The governor's final request to the RFC totaled \$1,269,752 for the months of October, November, and December.⁸

Governor Woodring pursued a policy of financial austerity that allowed the

state tax commission to reduce levies. He eliminated state jobs, postponed needed construction, cut salaries drastically, including his own, and reduced funding for state institutions. He proudly boasted in September 1932 that he was the first Kansas governor to spend less than the amount appropriated by the state legislature. His fiscal policies might have been popular with the taxpayers, but they certainly deepened the depressed conditions in Kansas. As Peter Fearon suggests, the governor was far too impressed with the depression myths—the economic crisis was caused by working women, the foreign born, and the lazy—and therefore would not advocate a more humane program. His appointment of John Stutz as secretary of KERC proved to be a fortuitous one, however, as he later became the executive director and proved to be a very capable administrator.⁹

In 1932 Republican Alf Landon challenged the reelection of Harry Woodring. Landon successfully united his party and defeated Woodring while Kansans voted overwhelmingly for Franklin D. Roosevelt. The state had supported only two other Democrats for the presidency during its history, William Jennings Bryan during the troubled agrarian times of 1896 and Woodrow Wilson in 1912 and 1916 when the Progressive movement split the Sunflower Republicans as it also did those on the national level. Because of their early and steadfast support of him, Roosevelt appointed the defeated Woodring as assistant secretary of war and his political henchman and highway commissioner, Guy Helvering, as commissioner of Internal Revenue. The Democratic-controlled Congress, which Roosevelt called into special session during the Hundred Days (from March 9 to June 16, 1933), enacted much of the early New Deal program, including relief measures for the unemployed. Among these were the Civilian Conservation Corps (CCC) to put young men to work and the Federal Emergency Relief Act to assist states in providing work relief for the unemployed.

This session of Congress also provided relief for industry with the National Industrial Recovery Act (NIRA). Part 1 of this act established the National Recovery Administration to set up “codes of fair competition” for various industries to attempt to bring order out of the economic chaos. Part 2 provided for the PWA (Public Works Administration) to “prime the pump” for heavy industries with 80 percent of the funding spent on stimulating industry and the remainder on work relief wages. Part 1 included five principal features: The first involved the concept of national planning to attempt to control overproduction and underconsumption. Second, the economic situation demanded increased government expenditures to “prime the pump” of the private economy. Third, business planners advocated at least a temporary suspension of

the antitrust laws. Fourth, a group of “start up” planners sought to achieve rapid recovery to avoid further pressures to increase government spending drastically, a program promoted by the president, and fifth, the current “share the work” goal by reducing weekly hours, so popular with the AFL.¹⁰

The National Labor Board was established under the NRA to control labor relations under this program, and President Roosevelt appointed Senator Robert Wagner of New York to chair the group. The “codes of fair competition” were controlled by big businesses with little to attract workers and soon labor leaders were describing it as the “National Run Around.” The NIRA was collapsing under its own weight, and the administration was secretly pleased when the Supreme Court declared part 1 of the law unconstitutional but left the PWA standing. These early relief measures contained little of benefit to organized labor, and because of the stress caused by great labor unrest throughout the nation, a different approach was desperately needed. Like their counterparts in the 1870s, laborers in the 1930s were ready to challenge the system itself.

From 1933 to the end of 1938 strikes and picket lines sprung up everywhere, in Kansas and across the nation. From mid 1933 to the end of 1934 state governors called out troops to break strikes in sixteen states, and eighteen thousand strikers were arrested in the years from 1934 to 1936. Between August and October of 1933 fifteen strikers were murdered on picket lines; another forty in 1934; and forty-eight more in the next two years. “Almost all the labor warfare of this period was in fields either previously immune to unionism or where the existing labor organizations were in a comatose state.” The strife was reminiscent of the massive labor unrest of 1877 when there were few viable unions to speak for workers, and they rose in rebellion to right the terrible wrongs imposed on them by the economic system. President Roosevelt assisted them tremendously by refusing to send in federal troops.¹¹

Learning from his frustrating experience on the National Labor Board, Senator Wagner wanted to use trade unionism “in a comprehensive scheme to refashion social and economic power” because doing so “would not only protect workers against autocratic employers” but would also assure that economic rewards were distributed more fairly. Higher wages coming from less profits would stimulate purchasing power of the masses and would subsequently stimulate recovery. These ideas echoed those of Frank Walsh and the Commission on Industrial Relations two decades earlier.¹²

Born in Germany, Robert Wagner immigrated to America in 1886 with his parents and was raised in the slums of New York City. He worked his way through college, studied law, and became interested in politics. A state

senator when the terrible Triangle Shirtwaist factory burned in 1911, killing many young working women, he was appointed chairman of a committee to investigate the tragedy. His subsequent work in rewriting the state factory regulations gave him a national reputation as a labor legislation expert. After serving on the state supreme court, he entered the U.S. Senate just as the depression was unfolding and soon became the leader of forces working to fight economic blight, especially in helping unions to improve working conditions for their people. His experience on the National Labor Board convinced him that the route to economic recovery lay in improving working conditions by encouraging trade unionism.¹³

The relief and government employment programs of the so-called First New Deal were intended to relieve suffering temporarily in the hope that the economy would recover and private employment return to normal. By 1935 little or no recovery had been made though, and the so-called Second New Deal enacted several pieces of liberal legislation that had major and lasting impact on the labor movement. Senator Wagner was able, through great effort, to implement his ideas on promoting the welfare of the working people through government support of their activities in organizing unions. The Wagner Labor Relations Act of July 5, 1935, the Social Security Act of August 14 of that year, and the Fair Labor Standards Act of June 25, 1938, had significant meaning for laboring men and women for many generations.¹⁴

A sea change in trade unionism began with the Wagner Act that gave governmental sanction to unions by recognizing the right of workers to organize and bargain collectively. The origins of this law lay in the Railway Labor Act of 1926 and the Norris-LaGuardia Anti-Injunction Act of 1932 that contained clauses assuring workers of their right to organize and choose an agent to bargain for them. Section 7(a) of the National Industrial Recovery Act also specifically stated that the codes of "fair competition" must contain a clause that laborers had the right to organize and bargain collectively. The paucity of these promised protections frustrated the labor movement. As chairman of the National Labor Board, Wagner realized probably more fully than other member of Congress that America was not an industrial democracy and that wealth and income were distributed unevenly (as Frank P. Walsh and his Committee on Industrial Relations had correctly observed two decades earlier). Wagner was also determined to rectify this situation that he viewed as having worsened with the Great Depression. When the Supreme Court struck down the NRA, he revived and rewrote section 7(a) into the act bearing his name. Invoking interstate commerce power, the law listed a series of "unfair labor practices" that employers had utilized in the past to defeat unionism and created the Na-

tional Labor Relations Board (NLRB) to hold hearings on laborers' complaints that management was employing these tactics to combat unionizing activities. President Roosevelt supported the legislation, admitting its "one sidedness," but was determined to help labor obtain a larger share of the nation's wealth. In the following decade, the NLRB heard thirty-six thousand cases involving companies interfering with workers joining unions and another thirty-eight thousand concerning employee representation, resulting in the dissolution of thousands of company unions, unions dominated by their company, including some in Kansas.¹⁵

Using the slogan "President Roosevelt Wants You to Join the Union," a major campaign to organize mass industries' workers ensued. Laborers were determined to improve their condition and became more militant in the process, rejecting the AFL's concept of voluntarism and becoming politically active. While their doing so managed to avoid political extremism in most cases, it produced a huge schism in the union movement. The problem, AFL president William Green soon discovered, was many of these new recruits were malcontents that he would call "irresponsible." They wanted to run their own affairs free of Green's veto but, more importantly, "were ready to strike over wages, the discharge of a militant, or the issue of union recognition at the drop of a hat."¹⁶

Certain leaders in the AFL, including Sidney Hillman, David Dubinsky, and John L. Lewis, had long sought to organize the millions of unskilled workers. Lewis, who watched his mine workers union decline drastically in membership, began an aggressive drive in the 1930s to enlist new members. As a harbinger of the fight developing within the ranks of organized labor, delegate Henry "Hank" Allai representing the UMW in Pittsburg, Kansas, sent up a trial balloon at the annual convention of the Kansas State Federation of Labor in 1935 to oppose the seating of Alexander Howat of the Pittsburg Trades and Labor Council, because accepting Howat meant one less seat for his UMW. The majority overruled Allai, and on the following day he explained that the members of his organization wanted the representation "they [had been] justly entitled to" and "if they were denied that right, then [the convention] could not expect his miners to remain affiliated with an organization that denied them the right to fair and just representation." He had received news that "a certain faction" came to the convention determined to "Clip the Miners' Wings"; the rumor proved to be true when, according to Allai, the UMW was denied representation "on the most important committee . . . namely the Hard Rock Miners and Coal Miners." Six months later John L. Lewis and Hillman sought to persuade the AFL hierarchy to join their orga-

nizing efforts but lost the vote in the national convention. The rebels then organized the Committee on Industrial Organization, and three years to the month after Allai's plea, the AFL expelled the UMW and Lewis. His supporters finalized the split when they established the Congress of Industrial Organizations (CIO), which undertook a massive effort to organize laborers in the steel, rubber, textile, and automobile industries. They utilized some communists, who proved to be very effective in exploiting workers' frustrations; employed new tactics in the auto and textile industries such as the "sit-down" strike, in which workers prevent a lockout by maintaining control of the factory; and utilized the services of the recently established NLRB. By 1939 the CIO claimed an astonishing 3.5 million members. Meanwhile, the AFL leadership changed its position, entered the competition for recruits, and raised its membership to over 4 million dues-paying men and women, twice as many members as had existed in 1932.¹⁷

This drive to organize workers created havoc and violence in the Tri-State mining area—Jasper and Newton counties in Missouri, Ottawa County in Oklahoma, and Cherokee County, Kansas—where lead and zinc were important. The first white travelers in Kansas found the natives wearing lead ornaments, and early settlers found lead there in 1848 and zinc in 1871. Picher Field in Oklahoma and Kansas, which was developed in 1871, became the world's greatest source for these two metals. Early on the WFM (Western Federation of Miners) made unsuccessful efforts to organize the miners, work that was continued by its successor, the International Union of Mine, Mill and Smelter Workers (MMSW). In spite of the usual dangers involved in mining, high rates of silicosis and tuberculosis, and generally wretched poverty decade after decade, mine operators successfully played on the workers' nativist sentiments. And by using strikebreakers and spies to ferret out union leaders and by offering minimum-wage increases and other concessions at crucial times, the owners were able to forestall widespread unionism.

Persuading the lead and zinc miners not to join unions was made easier by their background and attitudes. In contrast to coal miners in the region, most of them had roots in farming and were native, white, and Protestant with "strong xenophobic attitudes toward foreigners [outsiders] and blacks." Only Cherokee County contained a few blacks by the time of the Depression, and the entire mining region was composed of 98 percent American-born whites who firmly believed that outsiders brought in un-American ideas about unions and property rights. Blacks were simply not made welcome. They were convinced of this philosophy so firmly, in fact, that the area was notorious as a source of strikebreakers. Equally important in their antiunion attitude



11. Galena mines. Courtesy of the Kansas State Historical Society, Topeka, Kansas.

was the fact that many miners sincerely believed they would someday become mine owners, and many of them did. Partners often started mining operations, one man to working the mine, the other smelting. These small entrepreneurs often went bankrupt, returned to work for a large company, and then repeated the process. Because of such conditions, even the large-scale industrial mining introduced in the 1920s failed to encourage unionization.¹⁸

The arrival of the Great Depression hit this area particularly hard, although it had been poverty stricken for decades. In 1926 the labor force averaged over 10,000; in 1933 the number dropped to 2,000, many of them part-timers, forcing the others to go on direct relief, work relief, or find odd jobs. A survey of area housing at the time found 3,500 of 5,000 houses were “unfit for habitation.” Silicosis, sometimes aggravated by the onset of tuberculosis, was widespread. Without a strong organization to speak for them, the workers were powerless to combat their frightful working and living conditions. By the time of the New Deal, the area appeared ripe for the MMSW to exploit the simmering hostility that was ready to boil over.¹⁹

In a 1939 article entitled “American Plague Spot,” the *New Republic* reported the findings of the Tri-State Survey Committee, a branch of the National Committee on People’s Rights. Area housing, it noted “was condemned as a health menace twenty-five years ago and has, if anything, deteriorated since.” Silicosis was rampant, and those with it were discharged from work in the mines, thus burdening the relief and Works Progress Administration (WPA) rolls in the area. In a three-year period, two hundred miners with above-

normal employment had average weekly earnings of twelve dollars each. The progress of trade unionism there, the report stated, was “one of the bloodiest chapters in labor history” and the NLRB was expected to ban “company influence in the choice of unions,” which it did soon after the report was issued.²⁰

Believing the time was propitious, the MMSW sent Roy A. Brady, an aggressive organizer, into the Tri-State area. Arguing erroneously but effectively that 7(a) of National Industrial Recovery Act *required* workers to organize, he insisted that the union would assure recovery in the industry and provide more jobs with better wages and working conditions. Working diligently for two years, Brady had organized about 50 percent of the workers when he absconded with union funds. The local of MMSW at Picher expelled him, and the International Union replaced him with Thomas H. Brown, who labored successfully to undo the mischief. The union under his leadership subsequently encouraged the workers to challenge the companies in litigation for work-injury compensation, which the operators viewed as increasingly annoying harassment but made no significant efforts to block the organizing effort.²¹

Like coal mining, lead and zinc work had its slack season, summer in the former and spring in the latter. Brown, who found that wages and working conditions in the Tri-State were as bad as anywhere his union functioned, discovered his followers were restless in the spring of 1935 because the union had not delivered on its promises and had even failed to force the operators to recognize it as their bargaining agent. Unfortunately, he chose May 9, a slow period, to call a strike. The union made certain that it left pumpers and hoisters on duty so there would be no damage to the mines. J. F. Cuddleback, who spoke for the operators, wrote Gov. Alf Landon that the strike was supported by a minority composed of “organizers, radicals, misled miners, and relievers” who had joined the union to take advantage of New Deal relief and labor programs. Union leaders had assured them that WPA work relief was determined by merit, not the conditions under which one ceased to be employed. The strike came at a propitious moment for the operators, and forty-nine of fifty-four mills shut down operations immediately as the industry was not profitable at that time anyway. The area’s production dropped in the next three weeks to its lowest level ever recorded.²²

Leaders urged the strikers to go on relief and gave assurances that the AFL would come to their aid. Neither promise materialized as local relief rolls already were laden beyond capacity, and only the UMW local in Pittsburg sent supplies. As Stanley Vittoz notes, during this phase of strikes employees “proceeded to establish or strengthen their own company-dominated organizations” and this occurred in the Tri-State region. A “back to work” move-

ment was soon forthcoming, initially led by Tom L. Armer, a blacksmith from Treece, a town on the Kansas-Oklahoma border. When this movement failed to compel the UMW international union to call off the strike, Armer and his supporters met with representatives for the operators on May 25 and decided to form a new union to get the mines and smelters reopened. F. W. "Mike" Evans, a major entrepreneur and mine operator in the Picher area, took the lead in establishing the Tri-State Metal Mine and Smelter Workers Union (later known as the Blue Card Union) to replace the International Union in the region. Evans became its president and Glenn A. Hickman its secretary and, later, editor of the union's influential newspaper the *Blue Card Record*. Despite the opposition of Alexander Howat and G. Ed Warren, president of the Oklahoma State Federation of Labor, the back to work movement signed up over three thousand disillusioned workers in two days. On May 27 twelve men, eight of them supervisors, signed the articles of association. To qualify to sit on its executive committee, one had to have worked in the mines for five years, the last three in a supervisory capacity, which made the Tri-State a company union, although the first twelve elected included four miners without supervisory experience.²³

The mines immediately reopened and mine officials used Tri-State's headquarters as a hiring hall. No violence occurred in the first three weeks of the strike, but the competition of the two unions broke this fragile peace. Trouble came first in the Picher vicinity. When Ottawa County sheriff Eli Dry and deputies tried to escort Evans to a meeting there on May 27, they were set upon by a mob of strikers and beaten with pick handles (a term locals used for hammer handles) and lead pipes, causing Oklahoma state troopers to have to come to the rescue. Sheriff Dry suffered a fractured skull and henceforth became a staunch supporter of the Tri-State Union. Joe Noland, who became known as the "Pick Handle King," led a mob of several hundred back to workers to Picher in retaliation. Only the intervention of the state militia, sent in by Oklahoma governor Ernest W. Marland, prevented further violence. The presence of the national guard "became the decisive element in breaking the strike." Under its protection the movement of ore accelerated, and many workers wavering between support of the two unions decided to go back to work. Bad pay was better than none, and the military uniforms were intimidating.²⁴

The Kansas adjutant general assessed the Picher situation for Gov. Alf Landon on May 9. He said that three known "reds" involved in the conflict had fled to Kansas when Oklahoma issued warrants for their arrest. His report observed that it was quiet in the area until the Tri-State Union was formed and both communists and deputy sheriffs employed by the operators joined

it. William Green had promised the strikers a carload of food, but it never arrived. The merchants in Galena were disturbed over developments as they and the city officials had been supportive of the Tri-State Union. The WPA in Galena fed some of the miners, a few of which were reported as joining the union.²⁵

A threat to peace and order soon developed at Central City, two miles east of the Kansas-Missouri border. Bob Wells was driving a truck loaded with five tons of dynamite into the mining area for DuPont. He saw a car in front of him with Oklahoma license plates. A man got out onto the running board and threw a rock into his windshield, splattering glass on his right arm. Wells sped up as did the automobile, which escaped, but state troopers escorted him safely to his destination. In addition, Ted Chastain, a picket at Treece was "struck in the right side by a dozen shots from a shotgun," and a crowd quickly gathered. The Kansas militia stopped further violence and arrested Chastain, Rodney Flowers, and Roy Keller of Treece for violating Kansas picketing laws in their attack of two truck drivers, Felix Didlot and Floyd Gearhart.²⁶

The violence in Picher soon moved northward on Highway 69 to Baxter Springs. F. H. Beck of that town opened his tailings mill on June 7, and the International Union increased pickets there to two hundred. The picketers stopped Didlot and Gearhart, and Didlot was slapped. These incidents were sufficient for Cherokee county attorney Corbin Shouse to agree with the town's businessmen that the situation was getting out of hand. Ignoring the fact that picketing had thus far been peaceful, Shouse wrote the governor that only the arrival of the Oklahoma State Patrol had prevented "bloodshed" between the two "armies," and the radicals had then invaded his county. He predicted trouble and telegraphed the governor asking for troops just before rioters arrived. While troops were en route, he noted, "various acts of violence—the destruction of property, power lines, and trolley wires—were committed." Governor Landon complied and ordered troops trucked in that night from Iola, Pleasanton, Wichita, and Kansas City with Col. Charles H. Browne locating his headquarters in the Empire Hotel in Baxter Springs on the morning of June 8. Labor commissioner James Blakeley sent former UMW officer Harry Burr to assess the situation. Burr telegraphed him that no turbulence or destruction of property had occurred, and the request for troops was based on *potential* violence. The only known violent act was committed after it was widely known that troops had been called in: a dynamite blast at the Empire Electric company cut off power to the area.²⁷

Browne deployed his troops where trouble was expected, in Treece, Baxter Springs, and Galena; ordered citizens disarmed; announced approval of

labor meetings and pickets; and prohibited public gatherings and publications that criticized public officials. Browne's surveillance included the activities of Alexander Howat. On June 19 he attended a gathering at Baxter Springs where Howat addressed over two hundred people, one-fourth of them women, for one and a half hours. His speech, in Browne's words, was "radical and highly inflammatory, but not enough to justify arrest. His theme was that the strike was almost won because, in his experience, the operators always asked the governor for troops when they were losing. He is a skilled speaker who knows how to rouse the rabble, but he goes just far enough to make his audience understand what he wishes to infer, yet saves himself from prosecution by a clever choice of words." Howat was careful not to criticize the troops, noting they were merely obeying orders. Browne's fellow officers believed Howat toned down his remarks because of their presence, and they found no cause to arrest the union leader.²⁸

On the morning of June 18, Browne's troops dispersed pickets in order to permit mines to reopen. As in Oklahoma, the state militia was crucial in breaking the strike. When peace appeared at hand, Browne began reducing his forces rapidly. Cherokee county attorney Shouse and Baxter Springs mayor S. A. Douthit appealed to the governor to leave the troops in place until the mines were fully operating because the county commissioners were balking at paying for deputies to replace them. Col. Browne reported to Landon that the commissioners were trying to embarrass the sheriff as he was the only Republican official in the county. Landon called the local officials and the three Democratic commissioners to Topeka for consultation. The county commissioners again declined to hire additional deputies unless the companies paid for them. The governor refused, correctly observing that this would make them company police and threatened to remove the commissioners from office unless they complied. They finally conceded, and he removed the troops on June 27.²⁹

As the last of the troops left, company officials announced the opening of their huge smelter at Galena, just off famous Highway 66 on the Kansas-Missouri border. International Union pickets determined to keep the smelter closed, and on the night of June 27 several hundred armed men gathered across the highway from the plant. The "greatest violence" of the strike soon erupted. As Missouri strikebreakers crossed the state line their vehicles were stoned, shot at, and overturned. Fortunately, no one was hurt, and the strikers successfully resisted the blacklegs. Later that night armed guards at the smelter, including the notorious criminal Luther Sons, and the pickets opened fire on each other, but again no one was injured. Tri-State Union members

began rallying in response to the tumult. Galena mayor Fred Farmer supported the Tri-Staters, and he and county officials sent another request to the governor for troops. Landon was reluctant to commit the guard again, asserting that "the operators organized company unions and placed a thoroughly disreputable man [Evans] at the head of them. No decent public officer can cooperate with him." The *Kansas City Star* quoted Landon's remarks about Mike Evans, prompting Tri-State supporter F. J. Cuddleback of Baxter Springs and M. H. Loveman of the Tri-State Zinc Company in Joplin to protest his defamation of this "fine character." L. B. Boucourt, a union representative from Centerville, assured Landon that his statement was "100% correct."³⁰ Interpretations depended upon which side one supported.

Wendell A. Link, owner of the Link Chemical Company in Emporia, complained to Landon that violence arose because of "the thwarted cry of the great masses of people for justice and decency by the elements of force as symbolized by Col. Brown [*sic*] and his child soldiers." At the end of his letter someone added the note "I know this chap. He is a radical and agitator among unemployed. A Ketchum [Omar Ketchum, Democratic mayor of Topeka] worker."³¹

The turbulence that ensued, however, exceeded the first episode's, and the governor ultimately felt compelled to act. Col. Browne and his troops returned on the morning of June 29. His occupation this time was more harsh. He declared martial law in Galena, confiscated hundreds of weapons (mostly from Missouri visitors), and arrested and convicted sixty men in his provost court for rioting and seditious speech. Again he used his troops to break the strike, dispatching guardsmen to various mines to drive off pickets and reopen them. On July 16 he sent troops to open the Galena smelter. Landon wanted to withdraw the troops as rapidly as possible and finalized plans for Browne's men to train a twenty-five man force of deputies to replace them. By October 6 conditions had stabilized to the point where the last of the special deputies could be discharged. Supported by the military, the Tri-State Union proceeded to tighten its control over the industry.³²

Two years later, union politics began playing a role in the Tri-State area. When the CIO initiated its drive to organize the mass industries labor force, the International Union affiliated with it and Reed Robinson, international union leader, sent organizers into the region in the spring of 1937. Mike Evans declared that John L. Lewis's and Alexander Howat's brand of unionism was unwelcome in Tri-State country: "Those who want the kind of stuff Howat handles can have it, but they've got to get it somewhere else. We don't want it here. We are not threatening, mind you. All we want is the right to peacefully

earn a living for ourselves and family. We want to work with our picks and pick who we work with, but if we are forced to do this with our pick handles, thank God, we've still got the courage to do it."³³

On April 10, CIO men who were distributing leaflets and their yellow buttons to new recruits at Joplin, Missouri, were badly beaten by Blue Card unionists. Kansas Allied Workers (KAW) officials called on Democratic governor Walter Huxman to intervene and prevent bloodshed in the area, but he declined to act. They then wired President Roosevelt of the turmoil and danger, and he had the Department of Labor send in J. E. O'Connor of the conciliation service to try to mediate.

The following day some five thousand Blue Carders armed themselves with pick handles and wrecked the International Union hall at Picher, stealing union records in the process. Five hundred of them traveled to Treece for a similar attack and continued on to Galena where they were met by members of the International Union. When one demonstrator smashed the plate glass windows of the union hall, the occupants inside opened fire. Marchers, in turn, threw smoke bombs into the building. Bystanders huddled against buildings to escape the deadly gunfire. When the smoke cleared, eight men and a teenage boy lay wounded. Lavoie Miller, who allegedly smashed the windows, later died. There were a number of women leading the Blue Card marchers, swinging pick handles "with as much gusto and pleasure as any of the men." A news reporter witnessed "one woman, wearing a purple, sleeveless sweater [who] strode down the street swinging her pick handle, swearing and using invectives that the toughest miner would be proud of. She looked entirely capable of using her pick handle too." When Cherokee County sheriff Fred Simkin arrived, he found men looting the International Union records, but otherwise Galena was quiet. County officials tried to prosecute rioters on both sides but dropped most charges because of insufficient evidence. One week after this episode six thousand Blue Card men voted to affiliate with the AFL. Despite being scurrilously vilified by the *Blue Card Record*, for years, William Green and the AFL happily accepted the move as a defeat of their archrival.³⁴

Expecting trouble in Galena, the state KAW committee, always vigilant in these troubles, requested the governor wire the Cherokee County sheriff to prevent a situation they were convinced would turn violent. When Huxman refused to intervene until requested by local authorities, the committee wired President Roosevelt that day of the "illegal organization" of Tri-State, a company union under the terms of the Wagner Act, which shot five union men and wounded hundreds "while peace officers [were] conveniently absent."

Following the violence, Huxman immediately wrote Mayor E. B. Morgan of Galena and Sheriff Simkin asking for a report. He was not criticizing anyone, he explained, he just wanted to know what happened in order to try and prevent future similar disturbances. The sheriff did not respond, but the mayor sent the governor an interesting account.³⁵

According to the mayor, there had been no indication of trouble that weekend, and he had been out of town from 2:00 to 4:30 p.m. When he returned, Main Street was still crowded with cars and men with pick handles. "Feeling was intense at that time," he noted. A. J. Connor had recently been elected mayor in a contest in which Morgan had not run, and Connor did not plan on taking the oath of office until April 20. Morgan immediately took charge of the situation because he could not find any constables. He closed all bars, ordered the headquarters of both unions padlocked, met with "what officers [he] could find," and had "a few intoxicated persons" arrested; and the town had quieted after these actions. The "vast majority of those who came with pick handles and other weapons and who were most belligerent," he observed, "were from Oklahoma." He had had difficulty in the past finding neutral law officers because "nearly everyone who [was] able-bodied" was a member of one of the two unions. Bert Elliott, a city constable, was also a guard at Eagle Picher and member of the Blue Card Union. "Mr. Hatcher," his assistant, "mysteriously disappeared" that afternoon and was reported somewhere in the countryside with a disabled car and "was towed in after it was all over." The mayor also could not locate George Parker, another constable, whom he had fired ten days previously. Confronted with the chaos, Mayor Morgan explained to the governor, "the Tri-State Union is determined to continue the operation of the mines and smelters. They are satisfied with their employment. Their acts are controlled by passion rather than judgment. . . . I will go out of office as quickly as I can induce the mayor-elect to assume his duties. . . . The incoming mayor is a straw boss on a WPA project. He was nominated and elected largely by the WPA vote. The men are largely sympathetic with the CIO." Mayor Morgan criticized the Ottawa County officials in Oklahoma because they had "made little if any effort to control the situation down there." Those in authority had to keep the men from drinking, he warned, because it "inspires their courage to make trouble." The new mayor, Connor, promised the governor on May 1 that he planned to name "a neutral police force."³⁶

Part of the Blue Card strategy in affiliating with the AFL was the expectation that doing so would prompt the NLRB to decline to hold hearings on charges that it was a company union. But the NLRB agreed to a hearing because the

International Union filed a complaint charging that company supervisors had an active role in union activities and that the companies had refused to hire members of the International Union. The NLRB held hearings from November 1937 through April 1938 and found the Tri-State, or Blue Card, Union to be the creation and tool of the district operators. The Eighth U.S. Circuit Court of Appeals sustained the board and issued an enforcement decree on May 21, 1941, reinstating fired union men and awarding back pay for many International Union members. This case, brought during the early years of the NLRB was an important test for the board's authority to intervene in industrial disputes. Workers received sanction to organize in the Tri-State free of the terrorism they faced from 1933 to 1937, although public sentiment in the area remained antiunion.³⁷

At the same time as the unrest was occurring in the mining areas, the results of organizing efforts of the Kansas City meat packers were much more positive than in mining because of the multiracial nature of the work force and the fact that union advocates were able to create an interracial community of mutual trust and respect. Packing houses operated by the Big Four—Armour, Cudahy, Swift, and Wilson—were spread along the bottoms of the Kansas River, and by the mid-1920s they and seven smaller companies generated 25 percent of the industrial production of the Kansas City, Kansas, area. By 1930 it was the second largest meat-packing center in the nation.³⁸

The work force for the packers included large numbers of blacks and eastern Europeans. Blacks began arriving soon after the Civil War as Exodusters, and by 1930 they constituted about 40 percent of the packing-house labor. They lived along the river, and while the work was hard and disagreeable, the pay was good and the companies—in contrast with other Kansas City industries—were willing to hire them in some capacity other than as janitors. The skilled trades were closed to them as the AFL would not admit them to membership. They existed in a tightly segregated society with its own neighborhoods, schools, services, and recreation. Restrictive covenants and “improvement” associations maintained strict residential separation; when a “blockbuster” moved into a white area, white homeowners quickly fled to new developments. Restaurants, hotels, and department stores refused to serve blacks. Downtown stores sold them goods but would not allow them to try on clothing or work as retail clerks. Blacks were denied admission to skating rinks and swimming pools, and even Swope Park had designated areas where they could picnic. They enjoyed the Kansas City Monarchs baseball stars such as Satchel Paige, while whites watched future greats Yogi Berra and Mickey Mantle play for the Kansas City Blues, a farm team for the New York Yankees.

Blacks, in turn, forged a viable culture, and informal networks of rooming houses and restaurants catered to visiting black luminaries. Black workers long remained antiunion because their seniority was meaningless, and whites who dominated the unions made certain they achieved their own goals while remaining indifferent to any gains that might filter down to the blacks.³⁹

After 1900 numerous eastern Europeans, especially Croatians, immigrated to the Kansas City vicinity, buying homes in the area above the bottoms known as Strawberry Hill after the luscious wild berries that grew there. They constituted about 30 percent of the labor force there during the Great Depression. They, too, were exploited because top management was Protestant and foremen were usually Irish Catholics or Germans who called them Hunkies and relegated them to working with blacks. The Croatians organized several CFU (Croatian Fraternal Union) lodges to provide sickness and death benefits and for cultural purposes. In contrast to blacks, the CFU encouraged its members to support trade unions. Added to this cultural mix were numerous Mexicans and unemployed miners from southeastern Kansas who arrived in the 1930s in search of a livelihood.⁴⁰

Whites supported the strike of 1921–1922 but not blacks, who helped break the walkout. One black worker recalled later that “we used to go up to white brothers and say, if you don’t let us in your union, we’ll break your strike. It was one of the weapons that we could use.” The dynamic changed, however, during the depression when three hundred Kansas City firms went bankrupt, and the number employed in meat packing declined from eight thousand in 1929 to six thousand in 1933. Shortened work weeks and pay cuts hurt those who escaped layoffs. Communist organizers sought to exploit the situation and to organize unions, but four Socialists proved to be more successful in the Armour plant. Charles R. Fischer and Howard Rentfro were mechanics in the powerhouse, and Clyde Shockey and James Lumpkin worked in the machine shop; all were dedicated to socialism and were skilled workers of native stock. They made slow but solid progress in uniting ethnic divisions.⁴¹

Their leader, Charles R. Fischer, ran for public office as a Socialist, and they campaigned for Norman Thomas in 1932. They first found support in the Armour plant from Orville Ussery and other former UMW members from the coal fields. The addition of the blacks to their cause was important because of their sheer numbers and because of the depressed conditions that led to favoritism rather than seniority in determining layoffs, which had eroded their loyalty to the company. Slowly the organizers won over key black workers, and the formation of the CIO allowed them to accelerate their efforts. William Raspberry recalled that he changed his mind about unions when he read about the

CIO: "The CIO came along and said well, if you get on a job, from the day you're hired your seniority starts. I kind of liked the idea. Equality of man." He also appreciated the role the CIO played in breaking down segregation in Kansas hotels. At an annual convention, CIO officials forced the Lima Hotel in Salina to admit blacks to its rooms and restaurant. Raspberry felt for the first time "like a real U.S. citizen." The organizers soon made progress in departments dominated by white women and among blacks and ethnics on the killing floors.⁴²

They were highly successful in using social gatherings to promote their cause. Cultural events in CFU halls using black and ethnic musicians drew hundreds. While they did not dance with each other, blacks and whites mixed socially. They also received assistance from a couple of CIO organizers from the Chevrolet plant on the east side of Kansas City, Missouri. The company responded to this alarming trend of union support by resurrecting their old employee representation group into the Employees Bargaining Association (EBA) and by rescinding wage cuts. On March 8, 1937, the Big Four announced that their plant (EBA) boards had negotiated an across-the-board nine-cent raise. Armour plant manager Paul Detts noted that the raise followed the upward trend in wages and suggested that it showed how effective these boards were in helping workers. The following day the packers announced an increase in meat prices caused, they said, by a current shortage of cattle following the heavy sell-off of livestock during the drought of the previous year. Armour's concession proved ineffective, however, when many of the EBA officials were persuaded to join the CIO. On August 5, 1937, a certification election was held in which the CIO local defeated the EBA by vote of 1,049-768.⁴³

Certification was just the beginning of the fight. On September 2, 1938, four blacks and a Croatian working in the hide cellar protested an increased workload. They and the union grievance committee met the next day with Armour officials, but management rejected their demands in addition to refusing to pay the workers \$22.09 for their lost time that day. Following the lead of the spectacular forty-four-day sit-down strike of the United Auto Workers (UAW) at Flint, Michigan in early 1937, the local union carefully organized a "sit-in" at Armour that lasted only four days. With Mayor Don McCombs attending a conference in Washington, DC, George T. Darby was acting mayor. Company officials were expecting some kind of a strike for three days before the sit-in, and they pled with Darby for police protection. He responded that his police would take no part unless violence occurred, which the strikers carefully avoided. Paul Detts insisted that the occupation of the plant constituted violence as it represented financial loss for the company. Darby remained firm.

Management must sign complaints making specific charges against individuals before his police would act. Detts asked, Would the police arrest the strike's ringleaders if company officials pointed them out? No, he would have to file exact complaints, Darby responded. On the second day of the takeover, Detts offered to negotiate if the strikers would vacate the building. The workers did not fall for this obvious ploy, and the strike continued.⁴⁴

Women wanted to join the sit-in but the men believed it best for them not to remain in the plant day and night because of possible adverse public reaction. The women instead prepared meals, and men used ropes and buckets to bring in the food, drink, and cigarettes, but no alcohol. Pickets kept watch for police and strikebreakers and built fires to brew coffee for the men inside. To build morale, Jim Lumpkin organized an entertainment committee that provided interracial musical performances. Unfortunately they did not have a piano, but they sang and played guitars, saxophones, and trumpets.⁴⁵

The strikers had strong community support from businessmen and public officials. They also received national attention and Armour workers in other areas of the country threatened sympathy strikes. The company appealed to city hall for assistance in retrieving what they estimated as fifty-two thousand dollars worth of beef that had been slaughtered but not processed when the strike began. Darby responded that the strikers were willing to let the beef be salvaged by company officials, but they would not help.⁴⁶

George Darby continued to press the company to negotiate. Under his pressure management finally agreed not to discipline the participants and to arbitrate the workers' grievances. The arbitration board awarded the hide workers their pay and ordered both the company and the union to absorb the cost of the meat that had spoiled during the first day. A Catholic priest appointed by Darby cast the tie-breaking votes on these issues. With this great victory the union proceeded to entrench itself throughout the plant and in May 1939 won another significant goal of achieving equal pay for equal work for women. By 1941 there were only about fifty nonunion workers at Armour. A good balance of blacks, ethnics, and women served on committees and as elected officials and stewards.⁴⁷

The spectacular success at Armour led to similar organizational drives at Wilson, Cudahy, and Swift. Using the same tactics with identical ethnic groups, the Packing Workers Organizing Committee (PWOC) succeeded in winning certification by vote of 813-19 at Cudahy in 1940 and in the Wilson plant the following year. The only failure came at Swift where the dominant white workers remained unconvinced of the desirability of industrial unionism over company paternalism. They particularly preferred racial privilege

over equal opportunity, and the higher paying jobs at Swift remained all white. Although there was persistent black support for the CIO, whites remained in control. It was not until January 1942 that workers at Swift voted to accept PWOC as their bargaining agent and join the modern labor movement. Other than Swift, the CIO enjoyed remarkable success in Kansas City in blacks being accepted as equals in the workplace, but they still remained apart socially.⁴⁸

The fight for the passage of the New Deal social security measures provided another wedge between the craft unions and the mass industries workers because the concept of social-welfare legislation appealed to the emerging CIO's leaders, while the idea was substantively opposed by the AFL because of its continued insistence on voluntarism and antistatism. The issue had its origins in the Workers Bill, also known as the Lundeen Bill, which Ernest Lundeen, Farmer-Labor congressman from Minnesota, proposed early in the Depression. Although the AFL went on record in 1932 as favoring some kind of unemployment protection and was primarily pushing for a thirty-hour week, William Green strongly opposed the Lundeen measure because of its broad coverage. Supporters of the legislation sought to establish national-government programs for unemployment insurance as well as coverage for old-age dependents and other types of benefits for both workers and farm laborers. Thus "the struggle for unemployment insurance coincided with the struggle for organization of the unorganized into industrial unionism." Before workers could succeed in pushing the Workers Bill through Congress, President Roosevelt decided in early 1935 to establish the Committee on Economic Security to meld all the various proposals being promoted at that time into an omnibus social security program. Even as governor of New York he had been concerned over these questions, and his concept was to blend these plans into a federal-state cooperative effort that would preclude the federal constitutionality question and treat these issues of economic insecurity as problems of individual catastrophe.⁴⁹

Edwin Witte, the noted professor of economics at the University of Wisconsin, chaired the Committee on Economic Security. He used the radical Workers Bill "as a scarecrow to get action on [the committee's] own bill." On August 14, 1935, Congress enacted one of the most important pieces of legislation in its history, the Social Security Act. This omnibus measure containing three major parts created a Social Security Board to administer its two federal-state cooperative programs. The first provided for an unemployment compensation system by establishing an insurance plan whereby a federal payroll tax of 1 percent was levied on employers with eight or more employees

(with important exceptions such as agricultural workers in order to get enough congressmen to accept the measure), and the tax would increase to 3 percent in two years. Each state in turn had to create and administer its own program and would receive up to 90 percent of the federal tax paid by its employers. It also provided for grants to states from the remaining 10 percent to help defray the costs of administration. The second part of the law provided for matching federal grants to meet the costs of pensions for the aged and blind and for dependent children, with a maximum national contribution of fifteen dollars per month. The part of the law that became Old Age and Survivors Insurance, popularly known as Social Security, authorized a levy of 1 percent payroll tax, to be increased to 3 percent, to be paid in equal amounts by employers and employees.

Beginning in 1942 those workers age sixty-five or older could receive a pension, the amount being determined by the formula of the number of annual quarters worked times the amount paid into the system. Social Security was completely national and was designed to help workers build a fund to help supplement their retirement income from private sources with a minimum ten dollars or a maximum eighty-five dollars monthly. The unemployment and pensions for dependents programs required state action for implementation. Many European countries had established similar social security plans for their citizens that were financed by the state. President Roosevelt, instead, determined to have workers contribute to their retirement funds to make it more difficult for future Congresses to abolish the program.⁵⁰

The New Deal relief programs in Kansas had a direct bearing on what happened next. In 1933 Congress had established the Federal Emergency Relief Administration (FERA) with a \$500 million budget, specifying half this amount for direct aid to states and the other half to be distributed on the basis of \$1.00 for every \$3.00 of state and local funds spent for relief purposes. Harry L. Hopkins, who was to become President Roosevelt's trusted adviser over the next decade, was placed in charge of the program. FERA had authority over the funds given to the states, which strengthened local relief agencies while controlling their expenditures. Local politics affected the administration, however, because county poor commissioners controlled relief, which was directed by Kansas Employment Relief Committee.⁵¹

Governor Landon asked Harry Hopkins for additional FERA funds in the fall of 1933. His state was having difficulty because of drought, and, in addition he said his constitution forbade the state from spending for relief. In view of the counties carrying the burden, he asked for additional assistance up to 40 percent of the county relief needs rather than the required three-to-one ratio,

or 25 percent, that the law required. A penciled note at the bottom of the request read "yes 40% ok Hopkins."⁵²

When the FERA field representative recommended that Hopkins approve the sixty-forty agreement with the state in October 1933, he asserted, "we now have in Kansas one of the best State Relief Administration set-ups." The highly capable John Godfrey Stutz impressed federal administrators, especially his avowed nonpartisanship, and three days later Hopkins informed the Postmaster General's office that he believed Stutz was "thoroughly competent and in the main the decisions that are made represent his best judgment." Hopkins took pride in his relief programs that operated without political influence or pressure, and he made this a part of his public relations agenda. He and his staff over the next few months held Stutz and KERC in high esteem for what they considered his nonpartisan administration. All this was not a completely correct evaluation, of course, as relief programs such as Hopkins administered were rife with possibilities for partisan politics and graft, and John Stutz was not without his faults, especially his well-known favoritism for Republican applicants.⁵³

The governor called a special session of the legislature to enact the necessary measures for highway construction for the counties to spend this FERA money, which Attorney General Ronald Boynton declared unconstitutional. He argued that counties must provide relief, and any participation by the state government would be illegal. Because of this commonly held view, Landon instructed Boynton to bring a friendly suit in the state supreme court to challenge the law authorizing the highway department to use FERA funds for state highway construction.⁵⁴

To their consternation Boynton and the state won in the case of *State ex rel Boynton v. Kansas State Highway Commission*. The court asked, "is the act a valid exercise of the police power of the state? Or, stated more specifically, has the State, through its Legislature, power and jurisdiction to provide work for the unemployed, or otherwise care for poor and needy citizens of the state? . . . Our constitution nowhere prohibits the State from making provision for the poor and needy. To the extent therefore that the bill in question attempts to or does furnish relief to the poor and needy it violates no constitutional provision."

Deliberately ignoring this significant interpretation, Landon and his administration continued to perpetuate the myth that relief work was the responsibility of the counties, not the state. Thus Kansas obtained millions of federal funds it would not have received if it had accepted its responsibility for poor relief, an obligation that almost every other state assumed.⁵⁵

One year later a memorandum to Aubrey Williams, one of Hopkins's trusted lieutenants, discussed the status of relief funding in Kansas. The state had "fared comparatively well," considering it had never appropriated money for unemployment relief. In February 1935 the legislature appropriated \$775,000 for the succeeding twenty-eight months to pay salaries of state administrators for relief supervision. After the lower house approved this sum, Stutz warned the reluctant upper house that if the money was not appropriated, the federal officials would withhold the \$23 million for March relief the next day. He had to remind the solons that the national government had contributed \$30 million to Kansas relief while the counties raised only \$6 million as a "matching" amount. The senate grudgingly approved the bill after they informed Stutz they were "tired of being told what to do." None of this money could be spent for direct relief, however, according to the myth. Local governments had spent over \$13 million in the three previous months, and in a memo to Hopkins, FERA officials estimated the state's contribution to be "only 3/10 of one percent of all relief expenditures from public funds," an amount that went for administrative costs. All of this caused "serious concern" to the FERA because it worked "a serious hardship" on local financing and also because, according to federal law, both state and local ability to contribute should have been exhausted before federal funds were available. Harry Hopkins noted on the memo that he wished he "had known" this when the state supreme court handed down its decision on the constitutionality of state relief spending for highways and claimed publicly that Kansas had never "spent a thin dime" on relief.⁵⁶

A few days after receiving the memo, Hopkins publicly criticized Landon in a news conference when a *Kansas City Star* reporter asked about Landon's chances for becoming a candidate for the presidency being enhanced because he had balanced his state's budget. Hopkins shot back, "the State of Kansas has not put up a thin dime for unemployment relief. Its governor made no effort to do so, as far as I know," adding that Landon "was trying to get enough from me to keep his schools going." When another reporter asked if Landon was not balancing his budget, Hopkins replied, "Oh, yeah, and he is taking it out of the hides of the people." Many believed this was an unfair attack that in fact improved Landon's candidacy for the White House, agreeing with the *New York Times* editorial that Hopkins both had his facts wrong and that he had made an unnecessary partisan assault on the innocent Kansan. Columnist Arthur Krock noted that this attack "quickly became celebrated" because the New Dealer had "singled him out" unfairly. Still smarting from this exchange, Hopkins replied the next day to the question on whether Kan-

sas should amend its constitution to meet the problem, that other states had changed their constitution because money for relief purposes normally came from real estate taxes.⁵⁷

Hopkins's credibility on this issue was further diminished when he responded to a question about New Deal taxing and spending policies. New Dealers believed they had to spend to stimulate the ailing economy, which necessitated high taxes and borrowing, and he predicted that in the upcoming election people on relief would vote for Democrats and thus give Roosevelt the victory. Political columnists asserted that the WPA administrator believed in the formula "Tax and tax, spend and spend, elect and elect." James T. Williams Jr., a writer for the Hearst newspapers that supported Landon, believed Hopkins's attack clinched the Kansan's nomination by Republicans.⁵⁸

When Congress enacted Social Security in 1935, Alf Landon was in the process of laying the groundwork for his run for the presidency. Republicans, in searching for a candidate to run against "the Champ" in 1936, decided a westerner was needed in order to hold the traditional Republican farm vote. Landon was the sole Republican governor to win office in 1932 and then be reelected in the disastrous election of 1934. His name continued to surface because he had balanced his state budget and therefore would be popular in business circles, never mind that it was his legislature that did the balancing by voting taxes and expenditures. The Republican convention nominated him and publicized him as "a liberal Coolidge."⁵⁹

Following Roosevelt's election in 1932, Landon was quoted as saying "even the iron hand of a national dictator is in preference to a paralytical stroke." He added, "if there is any way in which a member of that species, thought by many to be extinct, a Republican governor of a mid-western state can aid [the President] in the fight, I now enlist for the duration of the war." He now effectively used the charge of waste and corruption of New Deal bureaucrats to contrast with his own administration. He criticized the early New Deal policies that were based on scarcity of commodities, and in his acceptance speech for the nomination, he called for the nation to produce "more and more until there is plenty for all with a fair chance for all to earn their share." He supported the concept that workers should be encouraged to form unions for collective bargaining. Organized labor, however, opposed the Kansas governor, in fact leading the attack on his acceptance speech. They charged that he had acted as a strikebreaker in the 1935 miners' conflict, failed to fight for a minimum wage for women and children, neglected to enforce his state's eight-hour workday law, and supported Governor Allen's "Fascist-

like” Industrial Relations Court, all of which was accurate but misleading because he was basically pro labor.⁶⁰

Landon repeatedly affirmed his support for relief for the needy in his campaign. He promised to balance the federal budget, saying “but it is not going to be balanced by depriving our needy unemployed of the relief that is their right until they can recover real jobs at real wages.” He criticized the expansion of federal power and late in the campaign believed he had struck a political nerve in his attack on the newly established Social Security program. Workers would bear a large part of taxes for participation, which Roosevelt had deliberately planned in order to insure its political survival. But Landon also warned of the great difficulty in keeping track of such a complex system, suggesting that it would require federal snooping and fingerprinting and that each worker would have to wear a large metal tag around his neck. Postmaster General James Farley had indiscreetly referred to Landon as the governor of “a typical prairie state,” but that provincialism appealed to many voters. When the votes were counted, however, Roosevelt, losing only in Maine and Vermont, defeated Landon by the largest margin in the popular vote up to that time. Landon failed even to carry his home state. A politician could not fight Big Government at a time when the livelihood of so many millions depended on FDR and his New Deal programs.⁶¹

The Kansas legislature had biennial sessions in the early months of odd years, and the governor did not consider Social Security issues important enough to call a special session. Thus the state failed to establish the necessary programs until almost two years later. In the summer of 1936, in the midst of his presidential campaign, Landon summoned a special session of the legislature to consider amendments to the constitution to allow the state government to enter this mythical forbidden territory of relief for its citizens. He asked the legislature to propose two amendments for a referendum in the general election that fall. The first would add the proviso that “the state may participate financially in such aid and supervise and control the administration thereof.” The second measure declared that “the state may provide by law for unemployment compensation and contributory old age benefits and may tax employers and employees therefor.”⁶²

The lower house and senate duly met and endorsed the Republican leadership’s contention that the situation represented an emergency so that they could dispense with normal legislative procedures and maintain close control over parliamentary debate. The Democrats were outnumbered fourteen to twenty-six in the senate and a small band of them, led by Joseph S. McDonald of Wyandotte County, were determined to expose the political farce. During

the course of debates, McDonald asked, on point of personal privilege, to insert the following criticism of Landon's requesting amendments with the observation that there was no need for them: "Nowhere, Mr. President, has the governor cited a letter or a recommendation of the attorney general of the state to the effect that a constitutional amendment is needed. On the contrary, I have placed in this record concrete and conclusive evidence from the attorney general, who is the constitutional officer of the state, that there is no need of a constitutional amendment." He noted that Landon himself had never in his presidential campaign advanced the idea that he had balanced the budget but that newspapers had been the source, but it was "a lie because the legislature balances" it through control of finances, he asserted, not the governor. This session, he said, had gone "to a great deal of expense to justify a political explanation."⁶³

Senator McDonald and a dozen Democrats also wanted to debate other issues that they deemed vital and used a number of delaying tactics to slow down the Republican juggernaut. The senator reportedly had two hundred bills he wished to introduce, although a page managed to carry all of them to the desk in one trip. At one point McDonald was still talking when the Republican leadership temporarily adjourned the session. During this parliamentary rampage the legislature insisted on fixing the legal content of alcohol in beer. A number of senators from "extremely dry counties" were seeking reelection that fall and managed to postpone the decision until 1937 when Democratic governor Walter August Huxman persuaded the legislature to allow 3.2 beer for the first time since prohibition began. In 1936 McDonald charged that the needs of Kansas were "being crucified on a cross of booze" because needed legislation was being blocked by the "sidetracking" of the beer bill.⁶⁴

McDonald continued to bedevil the Republicans. Following the vote on an amendment on Wednesday July 8, he asked permission to append in the senate *Journal* a written explanation of his vote that day. On Thursday the senators read to their dismay what he had inserted: "the people of the state who go hungry, whose children are not cared for, have right to invoke the wrath of God upon the one individual who is now causing their suffering and that individual is the present governor of our state, Alf Landon." This caustic comment caused "considerable consternation" among the Republican ranks, especially when McDonald refused to delete the offending passage. Senator Dallas W. Knapp of Montgomery County, Landon's home, was retiring after sixteen years of legislative service. He felt compelled to describe this "tirade" as the most unusual he had ever heard and "a slur to our state and our governor."

McDonald had yet another monkey wrench to throw into the Republican machinery. He had inserted in the record the decision of the state supreme court in 1934, in *State ex rel Boynton v. Highway Commission*, holding that there was no constitutional ban on the state providing relief for needy people. Senator M. A. Bender of Jackson County responded that the chief justice's opinion was mere "dicta." McDonald then introduced an amendment to the pending proposal that would allow Governor Landon to enforce the state civil service law of 1915, a "dead letter" since 1919. "Governor Landon is very strong" for civil service for the national government, he noted. "He even would require the postmaster general Mr. [James] Farley, to come under its provisions. Now we believe he ought to be equally strong for civil service in the state of Kansas, and we ought to give him funds to enforce the state civil service law." Republicans failed to find this amusing and voted it down 9-27.⁶⁵

After defeating Democratic efforts to achieve something substantial, Republican senator E. H. Benson introduced the proviso for the amendments that there could be no ad valorem tax levied to finance relief and aid programs, but the Republican majority defeated it. The house approved the proposed amendments on July 9 with a proviso inserted in committee that the legislature could not enact a "direct ad valorem tax" to finance the additional programs and approved them 117-0. That same day, the upper house agreed with the tax insertion and gave its stamp of approval 37-1.⁶⁶

The voters duly approved these unnecessary constitutional changes in the election of 1936, and the succeeding legislature took the proper actions to implement the social security system that could have been begun the previous year, as McDonald and the Democrats insisted. The federal program of Old Age and Survivors Insurance (OASI) required no state participation, but Kansas had no unemployment compensation program as, indeed, no state did in 1935 except Wisconsin. Despite Democratic opposition, the special legislative session was necessary in order to enact the unemployment compensation program.

As early as 1934, the commissioner of labor and industry recommended that the legislature ratify the pending national child-labor amendment, make provisions for old age pensions to supplant the current county poor relief programs, and enact an unemployment compensation plan, but nothing was done. When the legislature met in 1935, Governor Landon pleaded for ratification of the child-labor amendment, saying that "Kansas has no sweatshops and would not be materially affected by such legislation. But we should be willing to give support to any program for improving conditions for thousands of boys and girls in the industrial states of the South and East. This is part of

our responsibility in the new social program.” But rural legislators disagreed and failed to act.⁶⁷

In its convention of 1935, the Kansas State Federation of Labor strongly resolved that Kansas should follow the lead of other states and provide all persons over age sixty and less than \$800.00 annual income with a minimum pension of \$30.00 monthly. Immediately after the passage of the social security bill in Congress in 1935, thirty-five states joined Wisconsin in establishing systems to take advantage of the payroll taxes being collected by the national government. In 1936 the Kansas commissioner of labor and industry observed that if the state had enacted one that year it could have received its share of \$2 million from Washington, as most of the other states had. He further warned that \$4 million would be lost the following year provided the legislature failed to act.⁶⁸

Professor Domineco Gagliardo of the University of Kansas guided the legislature in taking advantage of the new laws. Gagliardo explained the folly of not acting sooner. In 1936 Kansas employers paid \$2 million to the national government for the unemployment compensation program and received nothing in return because the state had not established a participatory plan. The professor estimated that in the current year employers would pay \$3,452,800, a sum to be lost again if the state failed to act that session. His admonishment provided the necessary stimulus, and in its longest session to date, the lawmakers provided for the usual two-year needs for the state, in addition to the lengthy and complicated new social security plans.⁶⁹

When discussing the unemployment compensation bill, Rep. Frank Pomeroy of rural Jackson County introduced a facetious amendment to name it a measure “to encourage idleness, discourage employers, reward the faithful, and soak the public.” He noted that it was a concept “brought over from Europe,” but despite his objections the lower house approved it on March 10 by 84–12. Eight days later the senate agreed to the measure but deemed some changes necessary. The house approved their alterations by vote of 75–7 on March 20, permitting Kansas to participate in the national program. The statute’s preamble declared, “the achievement of social security requires protection against this greatest hazard of our economic life.” It further stated, “the public good and general welfare of the citizens of the state require the enactment of this measure, under the public powers of the state, for the compulsory setting aside of unemployment reserves to be used for the benefit of persons unemployed.” The act established an agency to administer the joint program and the funds distributed by Washington. The law prohibited benefits being paid to those who voluntarily left their employment. This great innovation

in public responsibility to assist helpless laborers was a bitter pill for agrarian legislators to swallow, but the alternative of losing the funds Kansas employers paid to the national government appeared even less palatable.⁷⁰

Establishing a pension plan was a more demanding problem. Many legislators were content with the current system of poor farms and county poor commissioners distributing relief to the aged, and also there was little sympathy for helping the poor when relatives could do so but refused. The lower house sent its proposal to Washington to verify that it complied with federal law and thus qualified for matching grants and, after extensive debate, approved it on March 13 by a vote of 82–2. The senate endorsed a different measure on March 18 with a 37–0 tally. The proposal then went to conference to iron out the major difference between the two versions: prohibiting persons from receiving old age assistance if any relative was financially capable of caring for them. The conference committee finally deleted the objectionable requirement, and the lower house then endorsed the compromise 99–0 on March 30 and the senate gave its approval 34–0 the same day.⁷¹

The statute established a State Board of Social Welfare to administer the program, coordinating state funding with matching federal grants. It included this significant reactionary disclaimer: “it is not the policy of the state to discourage or interfere with the universally recognized moral obligations of kindred to provide, when possible, for the support of dependent relatives, but rather it is the policy of the state to assist the needy and where necessary, the relatives in providing the necessary assistance for dependents.” It provided for pensions for those age sixty-five or older, blind people, and dependent children, thus abolishing the need for the archaic, degrading county poor farm. The following criteria were guidelines for the board in judging who qualified for assistance:

- (1) insufficient income;
- (2) Kansas residence for one continuous year;
- (3) not an inmate in a state institution; and
- (4) no transfer of property by the applicant for two years prior to application.⁷²

On May 24, 1937, the United States Supreme Court narrowly upheld the constitutionality of the provisions of dependent pensions program and the unemployment compensation plan of the Social Security Act by a vote of 5–4. Based on these expanded interpretations of the constitutional power of the national government to provide social security for its desperate citizens, Roosevelt sent a message to Congress the next day asking for a minimum-

wage law. In 1936, the conservative majority of the court had held the New York minimum-wage law to be unconstitutional, casting doubt on all similar state wage laws. But in the midst of the Supreme Court fight the following year, a majority of the justices found a similar law in Washington state to be acceptable, leading to the famous observation that “a switch in time saves nine.” This decision helped thwart Roosevelt’s “Supreme Court Packing Plan” by encouraging the plan’s opponents, and it also stimulated states to enact minimum-wage laws, which Kansas did in 1938. The New Deal Congress enacted its last major legislation to benefit laboring people, the so-called Wages and Hours law on June 25, 1938.⁷³

For centuries Christians recognized the need of a “just wage” for workers. With the coming of the Industrial Revolution the concept was transformed into a “living wage,” which at the turn of the twentieth century translated into about six hundred dollars annually for a minimum standard of living for a working family. During the Great Depression, Pope Pius XI issued his encyclical *Quadragesimo Anno* in 1931 urging governments to ensure employment with wages that would provide a decent standard of living. The NRA codes covering wages and hours resulted in about 85 percent of them providing for forty hours a week at thirty cents an hour, an income of six hundred dollars annually or about half the amount necessary for subsistence at that time. Few workers were saddened when the Supreme Court declared the NRA unconstitutional. At the same time many states were establishing minimum wages, and in 1937 the Supreme Court sustained the Washington state regulation. By that time a law establishing national standards was crucial.⁷⁴

Minimum-wage laws were an issue in the presidential campaign of 1936. The Democrats urged a national law, and the Republicans favored state legislation or interstate compacts. An impressive study by the Commission of Labor Statistics revealed that one-third of American families fell below a subsistence standard of living in the years 1935 and 1936. They had no fuel or electricity for heating or cooking and lacked sufficient food. Yet the National Association of Manufacturers (NAM) continued to oppose national wage and hour regulations, and even the AFL disliked minimum wages because they might lead to the setting of maximum wages. After months and years of negotiations, especially with recalcitrant southerners who opposed any national standards on labor, New Dealers finally achieved success. When President Roosevelt recommended wages and hours legislation, he said that in a democracy such as America, there was no place for child labor, the sweatshop, or for “chiseling” labor’s wages. He also acknowledged that “fair standards” would vary from industry to industry and by region. He wanted to establish

standards to help workers achieve, as Herbert Croley put it over three decades earlier, "The Promise of American Life." He wanted the states to act on this to cover intrastate activities, an additional motive because low-paid, overworked labor could contribute little toward whipping the depression. Unfortunately, he did not receive solid support for his ideas because the AFL and the CIO were at odds on how to achieve this goal.⁷⁵

Based on its power to control interstate commerce, Congress established a minimum wage of twenty-five cents per hour, increasing gradually to forty cents in seven years, and a minimum of forty-four hours work weekly, decreasing to forty in three years, with time and a half for overtime. The nation was so divided over the measure that it languished in Congress for over a year. Northerners supported it because they thought it would help them compete with low southern wage differentials, and southerners opposed it for the same reason. Conservative AFL leaders persuaded William Green to oppose it while liberal labor leaders such as Sidney Hillman fought for it. It proved to be an unsatisfactory law because, while it applied to workers in interstate commerce, supporters had to agree to numerous exceptions to acquire its passage, yet many Americans were amazed that three-quarters of a million workers received an immediate raise. Laborers were not surprised, because they knew what they were earning. More importantly, it was a beginning that could be added to later. The Kansas legislature in 1938 also revived the state's defunct minimum-wage law. The national government and the states now exerted their powers to control wages and hours to an extent undreamed of before the Great Depression, and while this was only a promising beginning, Congress would increase the minimum wage many times over the next decades.⁷⁶

Unlike some state labor laws that had not been enforced in the past, employers would be held accountable for these national requirements. In 1943, on the fifth anniversary of the wages and hours law, it was reported that employers would be forced to make restitution of nearly \$1 million to seventeen thousand Kansas workers in 1215 establishments after a review that showed this amount for wages and overtime had been illegally withheld from them.⁷⁷

The third important part of the law revived the child-labor provisions of the Keating-Owen Act of 1916, which precluded the necessity of ratifying the child-labor amendment when the Supreme Court sustained the wages and hours statute in a case in 1941, again through the newly expanded interpretation of congressional power over interstate commerce, one far broader than that taken in 1918. The year before Congress acted, President Roosevelt wrote the governors of the states that had not yet ratified the child-labor amendment to press their legislators to do so. Governor Huxman supported the

idea, responding, "it is my intention to do all I can to see that this purpose is accomplished." Busy as the legislature was in the 1937 session, the lower house responded to Huxman's call and supported the joint resolution to ratify. The senate split 20-20 and Lt. Gov. W. M. Lindsay cast the deciding positive vote. A group of Republican legislators immediately challenged this action in the state supreme court. In the case of *Coleman v. Miller* the high court determined that the lieutenant governor's deciding vote was constitutional as he was authorized to vote in case of senate ties. The challengers also argued that the legislature had rejected the amendment when it was first presented to them in 1926 and thus could not reverse that action. The state supreme court held, however, that while a state cannot rescind a ratification, there was legal precedent that it can reconsider a negative vote and reverse itself. Kansas thus ratified the child-labor amendment in a proper constitutional process, although again this action was meaningless as the law of 1938 achieved the same goal and was sustained by the Supreme Court.⁷⁸

When the economy began to improve through production of war materials for shipment overseas, the Roosevelt administration and Congress sought to economize by cutting back on WPA spending, causing hardships in many areas where the economy was still languishing because of the paucity of military production, such as in Kansas. The slash of 35 percent in 1937 prompted Clarence Nevins, Kansas director of WPA, to assure Harry Hopkins that his program could handle it. Kansas Allied Workers (KAW) headquarters immediately telegraphed Senator Capper to protest, saying private employment in Kansas had not increased sufficiently to take up the slack and that relief rolls were still heavily overburdened. Further cuts in 1938 led some seventy-five to one hundred workers in Crawford County to demonstrate, not only against the reductions but also the low WPA pay scale of \$38.50 monthly for Region II workers. They wanted to be shifted to Region I where the rates were \$50.00 to \$57.00. In late August marchers closed down two projects but on September 1, WPA workers rebelled against further action by the strikers. When KAW leader Ernest McNutt attempted to address them, he was booed, and they insisted they would not listen to anyone who was not a WPA laborer. Ten KAW members were arrested for unlawful assembly in this incident. The following day Senator George McGill unsuccessfully asked Harry Hopkins to place an additional four thousand Kansans on WPA rolls and to pay them the Region I scale. Hopkins expressed his amazement at the audacity of workers on public relief striking over working conditions. On Sunday September 4 KAW leaders called a mass meeting of protesters on the courthouse lawn in Girard. They voted to march the next day to demand that Clarence Nevins

close all WPA area projects “until the present situation is settled.” Sheriff Leon Delamaide accompanied them to make certain there was no violence. Senator Capper wired Hopkins to request an increase in the WPA quota for Kansas and a shift to Region I pay scale for Crawford County workers, again without success. Finally the strike ended on September 8 when Nevins promised to increase the quota as funding became available and agreed that all WPA workers who had participated in the strike would be allowed to make up lost time. In turn, KAW leaders agreed that they would stage no more marches until WPA officials had “reasonable time” to comply with their demands.⁷⁹

In 1939, Congress slashed President Roosevelt’s request for \$150 million in deficiency funding for the WPA to \$100 million to carry the program through the remainder of the year, which reduced employment rolls to 2.5 million people. The president requested \$1.5 billion for 1940, and the Emergency Relief Appropriation Act of 1939 provided this sum, but it abolished the Federal Theater Project that was highly unpopular with an increasingly conservative Congress, who believed communists dominated it; reduced the security wage; and set an eighteen-month limit on continuous WPA employment. It also changed the name to Works Projects Administration. This law resulted in a nationwide strike of WPA workers and a dismissal of many from their jobs. As late as March 1942, four months after Pearl Harbor, President Roosevelt successfully asked Congress to provide for an additional \$1 million in WPA funding to be used in communities where people were being dislocated from peace-time work to retrain them for needed defense industry skills.⁸⁰

The New Deal labor laws and the rivalry between the AFL and CIO in recruiting new members had a significant effect on Kansas labor, in union activities, pay, and working conditions. From November 1938 to May 1940, fifty-one new organizations affiliated with the AFL. Early in 1938 the AFL revoked the charters of eight insurgent unions, and the rebels immediately formed their own CIO organization, the State Industrial Union Council. Henry Allai, president of Alexander Howat’s old district 14, and Joseph E. Hromek of the same UWM union, were chosen president and secretary. They held their first convention in Topeka in April 1940, and delegates from 113 locals represented thirty-five thousand members. Both the Kansas State Federation of Labor and the State Industrial Union Council in annual conventions endorsed a wide variety of measures for social security improvements over the next few years, including extended coverage of both the Social Security program and the national minimum-wage law, federal aid to education, compulsory national health insurance, and expanded child welfare services.

Both unions strongly supported the recommendations of the Social Se-

curity Board, which President Roosevelt forwarded to Congress in January 1939. That summer Congress approved them by amending the program to

- (1) advance old age benefit payments to January 1, 1940;
- (2) contain supplemental old age benefits to aged wives;
- (3) replace total wages with average wages for computing benefits;
- (4) extend the plan to maritime workers, persons earning wages after reaching age sixty-five, and employees of federal instrumentalities;
- (5) postpone the increase in payroll taxes until 1943;
- (6) increase the maximum federal matching grant by \$15–20 monthly;
- (7) increase the federal aid to states for dependent children from one-third to one-half the amount the person received.

Over the years the percentage of taxes on both employers and employees was increased substantially as was the expansion in coverage, which ultimately led to the politically explosive conclusion a few short decades later that Social Security was an entitlement. The CIO with its Political Action Committees was particularly effective in local, state, and national elections, for the most part supporting the Democratic Party. The emergence of World War II in Europe and defense preparedness at home created a shortage in labor that resolved the depression problems in Kansas and the nation. The resulting prosperity brought economic affluence to laborers, and the war created sea changes in the labor scene, especially in the industrial areas of Kansas City and Wichita.⁸¹

The Greatest War

By 1939, employment opportunities were increasing as contracts from Europe poured in for war materials. In Kansas the defense program of Franklin Roosevelt brought a limited increase in military construction and expansion of war production. When the Japanese attacked Pearl Harbor on December 7, 1941, the United States entered the war, and mobilization of the economy for hostilities subsequently ended the Great Depression. Now a dearth of labor existed, and both the AFL and the CIO took advantage of the situation. During the 1930s, laborers chased jobs; now in the 1940s employers chased workers. In its annual convention of 1940 the State Federation of Labor reported 9 million unemployed, but the following year the number was down to 6 million. In the 1943 convention the organization issued the happy report that they were “at the bottom of the barrel” in looking for skilled laborers. The improved economy not only created great demand for skilled workers but also brought significantly better wages and working conditions for all levels of laborers. It particularly had an impact on organized labor through the increased importance of women and blacks and other minorities in the Kansas labor market. The war years also brought a renewed attack on organized labor.¹

Scarcity of labor during hostilities ameliorated the condition of minority workers and brought millions of women into what were formerly all-male preserves. The strong American tradition that woman’s place was in the home reluctantly gave way to the temporary acceptance that her place now was wherever she could contribute most to the winning of the war, and at one point during the conflict women constituted 36 percent of the total labor force. In addition, 3 to 5 million blacks migrated northward and westward to war industries. Unions also took advantage of the conflict to secure maintenance of membership clauses in contracts and, in turn, signed “no strike” pledges for the duration. These two policies were a quid pro quo developed by New Deal bureaucrats. There would be no attempt to force a closed-shop agreement, but those workers who joined a union were required to maintain their membership through the life of the contract, a development that resulted in an additional 3 million new union members during the war years. Unions had

difficulty in collecting dues, especially from new members, so they instituted the checkoff to collect the dues from the workers' paychecks before they were paid.²

To prevent the reoccurrence of the terrible inflation of World War I, the Office of Price Administration (OPA) froze wages in 1942. The New Dealers also fought inflation through higher taxes and almost compulsory savings through the purchase of war bonds. Prices began to rise in 1940, and wages followed suit the next year. They rose more rapidly in defense plants than elsewhere, however, and significant differentials resulted and created the greatest issue the War Labor Board (WLB) faced during the lengthy conflict. In July 1942 the WLB established the principle that it would pursue for the remainder of the war, the "Little Steel" formula of a 15 percent raise to offset inflation, although such a formula was difficult to maintain. Following a coal strike in 1943, Congress passed the Smith-Connally Act over a presidential veto. This anti-strike law authorized the commander-in-chief to seize any struck war industry, a measure that enraged union leaders, who had faithfully adhered to the "no strike" pledge. Finally, the CIO became very active politically during the war with its Political Action Committee (PAC) that supported the Democratic Party as a reward for all that it had done for workers during the New Deal. Industrial opponents, of course, who backed Republicans, castigated the PAC as radical, un-American, and communistic, especially as its success rate rose.³

In 1940, Kansas still had basically an agrarian economy, but that changed rapidly thereafter, particularly in employment patterns in Wichita and Kansas City. In 1940 there were approximately 450,000 males and 17,000 females gainfully employed in the state. Most of these worked on farms, with over 25,000 men in construction work, and only 45,000 men and 8,000 women in manufacturing, primarily in food processing and petroleum. But the numbers on industrial payrolls rose to a wartime peak in late 1943 of 285,000. Eighty percent of this increase occurred in four aircraft companies and two ordnance plants. In 1940, Kansas manufacturing wages averaged \$109 monthly, which rose to \$225 by the middle of 1944. Kansas ranked high among states that won war contracts. By the end of the war, one cent of every American defense dollar was being spent in the Kansas City industrial area of Jackson and Clay counties in Missouri and Wyandotte County in Kansas. The early defense spending could be attributed primarily to Gov. Payne Ratner and his Kansas Industrial Development Commission, created in 1939 with a relatively high, for that time, annual budget of \$60,000.⁴

Ratner of Parsons, a Landon supporter, defeated Walter Huxman for the governorship in 1938 by 341,271 votes. Although he was a Christian, his fa-

ther was a Jew, and anti-Semitic slurs were cast during the campaign. Ratner won reelection two years later by the slender margin of 430 votes. He left the executive office with a significant legacy, which included the merit system for state employees, a retirement plan for teachers, a merger of some forty fee-collecting agencies into one Department of Revenue, and most importantly for the coming war, the Industrial Development Commission for which the state Chamber of Commerce had lobbied. When Ratner addressed their annual convention in Wichita in June 1939, he gave the organization full credit for persuading the legislature earlier that year to enact his proposal. The governor named Rolla Clymer, a newspaperman, as the agency's first director. He also addressed the annual Kansas State Federation of Labor meeting the following year and reminded the union leaders that "the interests of labor [were] definitely linked to" his objectives for industrial expansion in the state. He assured his listeners that state officials were "working closely" with the Industrial Development Commission, and he encouraged "the cooperation of laborers and employers alike" in this endeavor.⁵

The timing for the creation of the commission was fortuitous because millions of dollars in defense contracts were being let, and New Dealers were trying to promote decentralization of defense production by encouraging small businessmen in every state to apply for contracts. The War Department found that defense orders were piling up in giant companies that were often waiting for government-financed facilities expansion, and the orders were not being filled, while the resources of small companies went unused. "It is a plan we have been urging for months," Ratner wrote Floyd Odlum, director of the Division of Contract Distribution in September 1941, regarding the distribution of defense contracts, adding, "Splendid cooperation is being received from your regional office in Kansas City, Missouri. The manager, Mr. Roy W. Webb, has a most sympathetic and helpful attitude."

Despite this noble effort, the Office of Production Management (OPM) reported in July 1941 that 75 percent of the army and navy's supply contracts were awarded to fifty-six companies, and six of these received 31.3 percent of them. As new secretary of war Harry Woodring wrote Ratner, his department could only advise defense contractors, but the military believed it was desirable to move aircraft production facilities, among others, inland, and "the Midwest had the advantage of location for defense industry." It was up to Kansas officials to help economic powerhouses such as Jesse Clyde Nichols, who developed the Country Club Plaza in Kansas City, to promote their area. Nichols called his city "a sleeping industrial giant" and did all he could to awaken it. Soon after Pearl Harbor, Nichols, who served on William Knud-

sen's Advisory Council of National Defense, informed Ratner that he had been "working two extra stenographers" on telephones and the telegraph, "doing everything in [his] power to get a more fair distribution of defense plants and defense orders." J. C. Nichols was well aware that his region had received no industrial development in World War I and wanted to make certain this oversight was not repeated.⁶

In 1941 the Midwest Defense Conference sent a letter to the president and two hundred high-ranking officials in Washington, touting the Great Plains area for defense industries. The promotional piece claimed that the area was the safest from invasion and that 90 percent of the region was losing population rapidly and needed defense contracts to stop this hemorrhaging of workers. Nichols argued before national committees that established industrial areas were becoming overcongested and that his metropolitan area had significant advantages of greater safety from enemy air attacks; plentiful raw materials in the form of gas, oil, and coal; low cost of living; "pragmatic farm boys for labor"; adequate housing; and schools. He grossly exaggerated the housing claim.⁷

These efforts quickly began paying off. The Coleman Lamp and Stove Company of Wichita, which was close to bankruptcy before Pearl Harbor, reported to Governor Ratner in December 1941 that the company had received over \$1 million in war orders in the previous thirty days, adding, "in addition to this we have been promised several important additional war contracts. While we are not entirely out of the woods as yet, we have made substantial progress." The company produced shell casings, fuses, and the famous Coleman stove, which many servicemen remember very well. In April 1941, Ratner spent time in Washington, along with Senator Capper and Cong. Clifford Hope, in meetings with defense officials. Out of their effort came the promises that Wichita's airplane facilities would soon expand to require an additional five to six thousand employees and that an ammonia plant near Pittsburg, a shell-loading facility near Parsons, and a powder plant near the Kansas or Missouri rivers, would be established. At the end of 1941, for example, Topeka officials learned that their area had been chosen as the site of a new army air base that would cost between \$10 and \$12 million to construct and would provide significant employment for four or five months.⁸

When the project was first announced, the Kansas Employment Service was swamped with applicants for work and had to tell the men to "stay home until needed." Topeka was never able to attract a significant defense plant. The city did welcome the Strickland Aircraft company in late 1942, when it took over the International Harvester warehouse to produce glider parts for

a Kansas City contractor, using a War Production Board loan to prepare for production. Even this small facility was appreciated as the Capital City was labeled a surplus-labor area. The company only employed one hundred people, 50 percent of whom were women, which was representative of industry at that time. The company indicated that the percentage would soon become 75 percent because of the scarcity of men in the labor pool in early 1944 and because it was to receive a contract to produce metal airplane parts and expected to expand its work force to five hundred employees. In addition, in March 1943 the air base acquired a supply depot for the Air Service Command. The officer in charge noted, "we'll probably use all qualifying applicants." Ninety percent of the work force was civilian, and most of these were Topekans.⁹

The Reconstruction Finance Corporation (RFC) loaned Beech Aircraft some \$13.5 million at this point to expand its production facilities. By the end of 1944 Kansas had received war contracts totaling almost \$3.5 billion, which ranked the state as sixteenth in the nation, or tenth on a per capita basis. Wichita, in which three major aircraft plants were located, was described in early 1941 as a "boom town." In Kansas as a whole, 137,811 people were employed in industrial jobs in 1940, and the number peaked at 284,264 in late 1943. Virtually all this increase took place in Kansas City and Wichita.¹⁰

Kansas made a significant contribution to the defeat of the Axis powers in addition to its production of war materials. Fort Riley was expanded with the construction of an adjoining Camp Funston. The army located its 2,200-bed Winter General Hospital in the capital city, and the navy built air stations at Olathe and Hutchinson. The army constructed air fields near Salina, Pratt, Walker, Herington, Great Bend, Liberal, Independence, Coffeyville, Dodge City, Garden City, and Winfield, partly because of the state's favorable weather but mainly because of the location of nearby aircraft plants. Gen. K. B. Wolfe, head of the B-29 program, also hated the weather in Seattle and observed that testing "could move faster under Kansas skies." As a result, he favored Herington and Topeka bases that played a key role as staging areas for the huge B-17s, B-24s, and later the giant B-29s in their preparation for flight overseas to the European or Pacific theaters of war. All this construction required thousands of skilled workers, and WPA director Clarence Nevins reported in August 1942, "the supply of skilled construction workers has been exhausted in Kansas." "The airplane industries in and around Wichita face a critical shortage of acetylene welders," he added. The aircraft industry made the greatest contribution to Kansas production of war materials.¹¹

The aircraft industry in Wichita not only added great numbers of women and blacks to the state's work force, but it revolutionized the city. A sleepy

cow town before the war, Wichita emerged as the state's second-largest city at its end despite the fact that it is completely landlocked and has no access to cheap water transportation to promote industrialization. As the *Wichita Eagle* explained, "War Clouds Rain Dollars into Wichita."¹²

It is significant that Walter Beech, Clyde Cessna, and Lloyd Stearman, leaders in aircraft production of Wichita, all at one time were former employees of Jack H. Mollendick, the manager of North American Aviation during World War II. The Boeing company, headed by J. Earl Schaefer, acquired the Stearman company in 1934 and, after incorporating the plant into its facilities, produced the PT-13, better known as the Kaydet trainer. Beech Aircraft built the twin-engined, twin-tailed B-18 trainer bomber (the navy called it the SNB), and Cessna and Culver turned out the small Airmaster. In addition, many companies, such as the California-based Interstate Aircraft and Engineering Company moved to Wichita to produce airplane parts for Boeing, Lockheed, Douglas, and other giant aircraft assemblers.

Wichita appeared ideal for shifting the aircraft industry inland for security reasons as it was in the center of the country in all directions and it had an alien population of fewer than 1,000 in a total of 114,966 people, which military planners considered important. In 1939, its plants were operating at one-fourth capacity. The army appropriation bill for 1941, passed in June 1940, provided for the production of an unprecedented 2,566 planes, of which 2,200 were trainer types built in Wichita. By that fall Stearman employed 1,200 workers in three daily shifts, and Beech had 1,260 at work, with estimates ranging as high as 5,000 total for the following spring. The Boeing Plant #2 cafeteria was the largest restaurant in the state in 1941, serving fifteen thousand hot meals daily at twenty-eight cents each. A March 1943 census placed the city's population at 189,910 with over 225,000 in the metropolitan area. By December 1944 Wichita had produced 22,334 airplanes and, with their subcontractors, employed 52,000 area workers.¹³

The *Wichita Beacon* became so carried away with enthusiasm and boosterism that it heralded its city as the "Mecca for an Ideal Honeymoon." The city, the story hyped, had "unsurpassed shopping centers, gay restaurants, metropolitan theaters [and] . . . night clubs" that were "famous throughout the Midwest." Facilities for outdoor sports on warm sunny days during the traditional matrimonial months of May and June included tennis, boating, and golf, along with bowling lanes and numerous roller rinks, which were popular with the athletic set at that time. Fulton Lewis Jr. also waxed enthusiastic in a radio broadcast, calling Wichita "America's newest and most virile industrial city, one of the greatest cultural centers of the Middle West."¹⁴

Wichitans discovered what it meant to be a center of aircraft production in June 1942 when the regional defense headquarters in Omaha warned, "token raids in the Midwest must be anticipated soon," and these would have caught Wichita officials by surprise. The city had about four thousand people currently training for civil defense, but they displayed a noted apathy about the danger. In one district where there were seven hundred air-raid wardens only two hundred showed up for a weekly meeting, indicating "a slowly diminishing interest." The regional director described Wichita as "an ideal spot for a demoralizing raid" because it had no functioning air-raid-warning systems or shelters, no antiaircraft protection, and no fighting aircraft available within 150 miles. This paucity of defense coordination, fortunately, caught the attention of the city fathers, and one month later the *Beacon* reported a successful testing of whistles for an air-raid warning, as the beginning of a quickening awareness.¹⁵

Wichita's ability to train boys fresh from the Kansas farms to perform aircraft assembly-line production became one of the key factors in its remarkable production. Soon after the Munich crisis in 1938, James C. Woodin, commissioner of industrial education; East High School principal L. W. Brooks; and superintendent of schools L. W. Mayberry met and decided Wichita youth needed training for potential aircraft assembly work. They installed a sheet-metal department in East High to supplement its prevocational courses in mechanical drawing, woodworking, electricity, printing, and auto mechanics. At first, the courses were available only to high-school students, but demand forced them in April 1939 to extend them into the evenings for adults. During that summer these shops were open all week, eight hours daily and on Saturdays, with classes available to young and old alike. Of the 489 men trained that summer, 450 immediately found employment in the nearby aircraft companies. When war broke out, the program was easily expanded, and admission was then limited to applicants who had the approval of an aircraft company personnel manager. A successful applicant worked on probation for two weeks, and if he passed muster, he could continue. A year later, the training program was operating day and night with 290 attending classes six days a week, and a welding course was begun. At the end of 1940, these shops were turning out 50 pupils weekly. By April 1943 the nation had trained large numbers of defense workers at federal government expense. Kansas produced only 1.8 percent of these skilled people, but Wichita had about 75 percent of this total, its surrounding towns about 10 percent, and Kansas City around 15 percent. All new defense industries faced the problem of training unskilled

labor, but thanks to the foresight of the Wichita public-school officials, the area had a head start on solving its problem.¹⁶

Wichita continually faced a labor shortage. J. Earl Schaefer called to the attention of Gen. Lewis B. Hershey, head of Selective Service, the problem of volunteer enlistments, which were causing headaches for his industry. Boeing had hired 1,070 men and women one month but lost 1,030 employees in the same period. Eighty percent of these losses came from voluntary enlistments. Meanwhile, he noted, draft boards were being forced to call married men in order to meet their quotas. He had reported this problem eight months earlier, but nothing was done to address it. This time Schaefer got results. Less than a month later, the army and navy announced a policy of refusing the enlistment of "essential employees" in the aircraft industry.¹⁷

Neighboring towns benefited from the dearth of labor, housing, and transportation for workers. In April 1942, Cessna Aircraft received a \$20 million contract to build plywood gliders. Lacking sufficient facilities for the necessary expansion in Wichita, the company acquired 110 acres on which to build a branch plant in Hutchinson, some fifty miles to the northwest, which had sufficient labor and housing. The company leased a building downtown for a personnel and training center, making this Hutchinson's first defense industry. The new plant, located near the city airport, was to be completed and ready for production in thirty days. In addition, a Wichita tent and awning company won a contract to produce pup tents and barracks bags that required it expanding, and it opened a branch factory in Hutchinson as well.¹⁸

All aircraft producers were dependent upon their subcontractors to a great degree. The ingenuity displayed by Wichita subcontractors in converting old buildings to production centers and salvaging and renovating used machinery for precision tooling impressed a writer for *Colliers*. At the end of the Great Depression, Kansas was still a haven for migratory skilled machinists who liked this halfway point as they moved between the two coasts. Small subcontractors were able to utilize them to advantage when war-production orders became available. The *Collier's* author toured the area and described Kansas farm boys' aptitude for machinist's work, having spent their lives working with equipment. Both Boeing and Beech contracted much of their subassembly work. For example, Enterprise, a small town of seven hundred people, had a machine shop that had been operated by the same family for three generations. To the untrained, its milling equipment was hopelessly outdated, but given time the operators could turn out machine parts and instruments of the highest quality for aircraft production.¹⁹

These machinists, highly independent and confident in their skills, could

be found everywhere in the Wichita vicinity. The *Colliers* reporter found a craftsman in an old converted chicken hatchery made of cement blocks turning out studs on an old lathe purchased for \$175. It was called “the stud producingest machine in Kansas.” A stud is a short rod of alloyed steel with threads cut at both ends, in this case with a tolerance of one one-thousandth of an inch, a job that normally called for machinery costing at least \$50,000—except in Kansas. When nuts were threaded onto the studs—used to fasten wing hinges, for example—they fitted together so snugly that the stud and nut could bear the same strain as a solid piece of metal. The owner, a Sunday-school teacher, had brought together some three hundred vagabond machinists who disliked working in assembly factories with their restrictive procedures, some to the point of giving workers only two smoke periods a shift. Soon he had more contracts than his men could handle, doing precision work with secondhand tools in their seemingly haphazard ways.²⁰

Two men named Davis and Westholt at one time were welders for Beech Aircraft. They founded the Davis-Westholt company and turned out exhaust pipes for their former employer. Their first order was for one hundred dollars, and it was completed in a backyard garage. Soon they employed several hundred men, making exhaust pipes, motor mounts, and tail-wheel yokes welded of stainless steel. Mac McCollough employed hundreds of men and women in his aluminum forming and cutting plant and trained hundreds of men and women while turning out parts for the large assembly plants. His factory consisted of new buildings which were constructed in part from old oil-well equipment. The *Colliers* author wrote, “the stillness of the Kansas prairie was broken by the unsynchronized thunder of drop hammers. Men were strolling about with unhurried purposefulness, carrying sections of engine cowling and sheets of aluminum that would presently be the doors of giant airplanes. We watched aluminum being trimmed like cheese in a series of homemade machines. We looked at the pads and gaskets that kept the temperamental metal from undue strains and tensions as it was being formed.” He recalled one big company official saying, “We’re all a lot of farm boys here.”²¹

The population exploding 50 percent in three years had a huge social and economic impact on the city. In 1941, officials estimated there would be fourteen thousand people hired in the city’s aircraft industry that year, so the national government built six thousand housing units. The following year they forecast the city would need twelve thousand new units. Municipal transportation faced a crisis with its heavy daily flow to employment in the southeastern area where the aircraft plants were located. In 1943 Boeing began a system of two ten-hour shifts, and city buses were scheduled accordingly. Gro-

cery stores and restaurants stayed open all night, and day-care centers received some of their charges from working mothers in the dark at 4:30 a.m. A news reporter described the city in May 1942: "a few months ago, Wichita, a rambling, overgrown country town . . . was placid and unspoiled. . . . Overnight it has become metamorphosed into one of the leading war-production centers of the country. . . . [T]here are too many people in stores, on buses, at the bank, gas, water, and electricity pay windows. . . . There are too many traffic lights and accidents, too few lodgings for airplane workers, too few seats in school rooms. There is an increase in crime and streets are now trash-laden."²²

In mid-April 1942 the *Beacon* reported "additional thousands of defense workers" moving to Wichita, prompting the planning of a new program for constructing 2,300 units of housing in a residential section of the city. But a last-minute cancellation of municipal transportation plans forced the construction to a different area, one close to the plants so the workers could walk to their jobs. The new housing center was built to the north of the Boeing plant, and the "war city," eventually housing forty-five thousand people, grew through the old county poor farm to the rear of the Cessna plant and from there to the edge of Beech Aircraft. Built by the federal government, the unit was self-contained, having its own schools, community buildings, and recreational centers.²³

To help with the housing crisis, the residents in the exclusive Eastborough and College Hill areas were asked in early March 1942 to rent their spare guest bedrooms to aircraft workers as there were at that time no apartments and only one hundred rooms available in the city. The housing shortage also was alleviated by the completion of two vital roads permitting commuters to live in outlying districts and still have access to the plants where they worked. When J. Earl Schaefer asked why construction workers on the four-lane rerouting of K-15 and on MacArthur Road were idle one Sunday, he was assured they would be on duty on the Sabbath thereafter. The road construction company, in fact, strung up lights so that grading on the highways could continue through the night in order to rush the jobs to completion. Finally, in late October 1942 President Roosevelt asked the city to experiment with his new plan to help alleviate the defense housing problem. As an alternative to the undesirable practice of "billeting," residents were requested to join his "lease-conversion" plan to utilize vacant spaces in their homes to house war-industry workers if necessary transportation was available and the zoning laws allowed it. Potential renters were assured that hosting these "war guests" would be a profitable arrangement and also patriotic. By 1943 the aircraft industry's expansion in Wichita leveled off though, and the housing crisis passed.²⁴

The New Deal work-relief programs should have been able to supply a large number of the thousands of new workers needed. Aircraft employers, however, preferred younger men for unskilled or semiskilled work and also sought personnel with at least an eighth-grade education, requisites the relief workers could not meet, and the companies could demand high-quality workers because of their pay level. As a result when aircraft plants recruited machinists and welders, they chose few WPA workers. The companies resorted to hiring unskilled workers at the gate, and the Wichita National Defense Training School provided 80 percent of the aviation industry's semiskilled needs. Between April 1, 1940, and November 1, 1943, net migration from various parts of Kansas to Sedgwick County reached 57,880, the most in Kansas, with Johnson County next with 8,157 persons. More than half of these people were single and 70 percent came from farms. To house these newcomers, a federal program built an additional four-hundred-unit village in 1941, Hilltop Manor, in southeast Wichita.²⁵

African Americans from Oklahoma and Arkansas were particularly attracted by the high wages of the aircraft industry. In 1940, blacks accounted for only 4.9 percent of the area population. The city was strictly segregated, and new arrivals had to settle in the northeast district. As more migrated, additional space was not made for them, and they were crowded more densely into the district that had railroad tracks running through it in all directions and oil refineries operating nearby. They used outdoor toilets, and livestock roamed the neighborhood. Julia Scott Nelson of Oklahoma, a typical migrant, moved to the city in 1943 to find a job. She went through a seven-week training period and began work at Boeing as a riveter on the second shift. She enjoyed working with her sister and recalled a pregnant white girl who was not very congenial occasionally worked with them. She particularly remembered the heat in August as the plant had no air conditioning. Boeing began layoffs immediately after the war forcing Julia to find work as a house cleaner. In 1953, she married Bennie Nelson, who also in 1943 had migrated from Arkansas to find work in the aircraft industry. Nelson was fortunate in the work she did at Boeing as most blacks were given menial jobs. Black children attended segregated schools, and when they went downtown for lunch at Woolworths, they had to eat standing up in a special section set aside for them. These conditions did not change until some time after the famous Supreme Court case *Brown v. Topeka* in 1954.²⁶

Large numbers of available blacks and females were not utilized properly early in the war because of company rigidity on specifications for employment. Blacks usually were employed as janitors or in unskilled maintenance

work, despite many of them having completed defense-training school. Aircraft employers were interested only in young unskilled white fellows under twenty-five, with 3-A draft exempt status, whom they could train in defense work. Two events helped open the path to blacks. A. Philip Randolph of the Sleeping Car Porters union threatened a massive march on Washington in 1941 to demonstrate for an end to racial discrimination in employment. Faced with this threat, President Franklin Roosevelt created the Fair Employment Practices Committee by executive order. Second, by 1943, under pressure by labor shortages caused by the draft and increased production demands, blacks began filling positions previously closed to them, especially skilled positions once completely blocked to them. Nevertheless, black Boeing workers felt compelled to stage a sit-down strike to protest the slow pace at which their positions were being upgraded. The *Plaindealer*, the most prominent African American newspaper in the area, reported the termination of sixteen blacks working in the Cessna Aircraft cafeteria, and it noted, as late as February 1942 in the Cessna plant, “not one Negro has been employed in a skilled position although a number are qualified by defense schooling.” The Fair Employment Practices Commission, established on June 25, 1941, was largely ineffective in strictly segregated states such as Kansas until Roosevelt issued a follow-up executive order on May 27, 1943, calling for mandatory clauses in war contracts and subcontracts for nondiscriminatory hiring. Change though, came slowly. In April 1941, there were no blacks among the 1,600 trainees in the National Defense Training School in Wichita. As late as December 1944, the War Manpower Commission, commenting on the status of minorities in the region that included Kansas, reported, “few major employers utilize black labor in a professional or technical capacity.”²⁷

Labor scarcity provided opportunity much earlier for women as employers found it easier to hire them than blacks. Men, both workers and supervisors, traditionally believed that women were limited by nature to the role of housewife and mother and thus opposed women entering the work force. Soon after Pearl Harbor, because most eligible young men were entering the armed forces, war-industry employers had no choice but to hire women as factory workers. The few women employed early in the aircraft industry were used primarily in sewing, fabric cutting, and small parts assembly—light work or traditionally female occupations. Male personnel supervisors believed that women would refuse to work night shifts, that they would find long-distance commuting more restrictive than men, and that the incentives for women to work would subside as more of their husbands became fully employed. The

necessities of war, however, changed this thinking, and by the end of the war, almost 50 percent of the labor force in the aircraft industry was female.²⁸

Fighting the accepted wisdom that woman's place was in the bedroom and kitchen, many of these females sought employment on the principle of equality while their husbands were away serving in the armed forces. Some two hundred thousand women entered auto plants during the war, building Jeeps, tanks, and aircraft, creating an upheaval in the usual divisions of labor as the male-dominated industry sought to adjust. Almost half of the 11 million women employed in the nation in 1940 were in low-paid, low-status jobs. The 20 percent in manufacturing worked mostly in textiles. By 1944, the 3 million in manufacturing represented a 140 percent increase. At first most worked in traditional jobs but increasingly found training and then jobs in riveting, soldering, operating welding machines, and attending tool-cribs, moving to higher wages and better working conditions continually throughout the war years. The names of icons Rosie the Riveter and Winnie the Welder suggest their moving into once male preserves.

Equal pay for equal work became one of their main objectives, a principle endorsed by the National War Labor Board (NWLB) in September 1942, a milestone in women's rights. The concept of temporary seniority for women employed in traditional "men's" jobs also came under attack. When hostilities ceased, the ladies were expected to resume their former peacetime jobs, an obstacle more difficult for women to overcome than getting equal pay.

The introduction of black women into auto plants further undermined female solidarity. They usually had janitorial or maintenance duties, and many employers simply refused to place them in jobs for which they had received defense training or fired them for spurious reasons during their probationary period. Some plants refused to hire black women as inspectors, saying, "white people are not ready yet to take orders from a little colored girl." On the other hand, employers would hire black women before black men on the basis that they would certainly be temporary employees for the duration. Finally, as the number of women increased in defense jobs, the old practice of firing pregnant women or punishing absenteeism relating to pregnancy came under fire, and government-financed day-care centers became the norm before the end of the war. As defense contracts began to be cut back in 1944, women came under increasing pressure to resume their former roles. At that point, they constituted 42.2 percent of the work force in the aircraft industry, but they represented 60.2 percent of those being laid off. Many Rosies and Winnies enjoyed their newfound economic freedom and refused to return to their traditional roles, seeking to keep their jobs or find a similar one in the reconversion period.²⁹

Often when employers were forced to integrate and hire minorities, whites resisted. In 1943, white workers at the Brand and Moritz Garment factory in Kansas City walked off the job to protest black women being promoted to power-machine operators. Whites also voiced objections to the hiring of black women at the Loose-Wiles Biscuit Company in Kansas City, but the company forged ahead with its plans to integrate. The Aircraft Accessories Company of Kansas City also began hiring black females as did the Hercules Powder Company at Sunflower Ordnance in 1943, although they did not integrate them into work force.³⁰

Faced with critical labor shortages, in late 1942 Secretary of Labor Frances Perkins called for the recruitment of 3 million additional women into war industries during the coming year. Nonessential industries also needed women workers, she noted, so that men holding positions in them could enter defense production. When quizzed by reporters on how to get them out of defense plants after the war, she gave the typical response that at least 90 percent of them would want to be housewives and mothers again once the emergency was over. Perkins further suggested at this time that the nation might have to resort to compulsory registration of women for war work if volunteers were insufficient.³¹

The War Manpower Commission was in the forefront of the effort to promote the employment of women in war industries. In early 1942, it announced a mass program in Wichita to train workers in aircraft production. The commission specified that women applicants had to be between ages twenty-one and thirty-five, high-school graduates, and single with dependents or married with husbands in the armed forces. For a period of time, it also specified, curiously, that they had to be under five feet two inches in height and weigh no more than 135 pounds. The message went out over the radio and in newspapers, and in a short time, over seven hundred women responded to the call, motivated by patriotism and a sense of duty to “do their part” in defeating the Axis powers. Courses were offered in sheet-metal work, blueprint reading, and woodworking. They attended classes eight hours daily until completion of the program. In early 1942, the New Deal National Youth Administration (NYA) also provided paid training for women ages seventeen and a half to twenty-five for defense work before it was disbanded in 1945. They trained for two to three months, received a salary of twenty-four dollars monthly, and, while in training, “produced various needs for the armed forces.”³²

Rosie and Winnie were prominent in Wichita’s aircraft production. In December 1942 Beech announced it would hire women on an “experimental basis,” and Boeing and Cessna soon followed suit. The next month Boe-

ing reported making “extensive preparations to hire hundreds of women” by installing dressing facilities for them and converting restrooms for their use. The high-paying jobs attracted thousands of Rosies to the city—almost thirty-one thousand in 1943 alone. Heeding the advice of plant managers, they bobbed their hair or covered it with a scarf and wore the traditional pin-striped overalls that buttoned up the front or slacks, a new fad for women. Supervisors implored Veronica Lake to stop parting her hair in a style that left a large wave hanging over one eye because so many of their female workers who copied her hair style were getting it tangled in machinery, sometimes getting scalped. Veronica complied, one of her major contributions to the war effort. A Cessna memo asked their female workers to “sacrifice nails polished like ivory . . . and go about with scrabbled nails like a man.” Their male counterparts were skeptical at first. They were accustomed to opening doors for women, and when a woman started to pick up a heavy tool, several men rushed to help her. They soon learned to respect Rosie, though, as she performed her work as well as the men and often complimented the women on “their nimble fingers.”³³

H. Oliver West, executive vice president and “guiding genius” of production of Flying Fortresses in the Boeing plant at Seattle, announced gratuitously in August 1942 that “altho some women [were] doing fine work” at his plant, a great many were there “for other than serious purposes.” They “pursue[d] social life in the factory work rooms,” he reported, “refused to wear proper clothing,” and did “not confine their permanent waves in nets, or even snoods” even though “long flowing curls [were] apt to get caught, painfully, in machinery.” West concluded they were, “in fact, youngsters in search of a good time.” Twenty-eight percent of the Boeing employees were female, and the company, of necessity, had to continue to employ them, the manager said, but his plant planned to “gradually segregate” and place them in subassembly work. J. E. Schaefer of the Boeing plant in Wichita responded that he was “not having any trouble”; they were “doing beautifully.” He did add, though, that the Wichita plant had experienced difficulty with some of them wearing rings and other jewelry. When asked to comment on West’s remarks, a spokesman for the Glenn L. Martin facility in Baltimore replied that the Martin women were “doing fine” and suggested that West’s problem might have been that “West Coast women [were] different.”³⁴

Women in Wichita carpooled or rode buses to work. Cora Phelps’s shift ended at 3:00 a.m., and she recalled she never felt threatened even when she had cashed her paycheck and was carrying two weeks’ wages early in the morning on her way home from work. Entertainment was available twenty-

four hours a day. Some of the workers had sons in the service. One in Cessna ran a machine and cried all night while operating it. "She was the best worker, crying and working as hard as she could," a fellow worker reported. The women were very active and vocal in the union. At first the women's restroom at Cessna was a quarter-mile away from the work area. With the help of their union, they soon changed that. Leona Punke's husband was in the navy, so she moved her three children to Augusta and took a job at Beech. She rented a tiny apartment behind the Allison Barber Shop. When her husband was killed in November 1943, her job took on new meaning. The family settled into a routine. She put her smallest boy down for a nap and carpooled to her 3:30 p.m.-to-midnight shift. The barbers looked after her boy until the oldest daughter came home from school. Punke often worked Sundays for the extra time and a half pay, but if she was off work, there was always the washing and ironing to do. The legacy of Rosie was that women proved they could do it. Cornelia Flora recalled later, "don't tell me women can't weld."³⁵

Roseva Babcock Lawrence moved with her father from Hutchinson to Wichita as soon as war was declared. He was admitted to training school immediately, but she was placed on a waiting list. She found employment cleaning houses until an opening came and meanwhile studied the courses with her father in the evenings. He got a job at Beech at the same time she began at the training school. Because she had learned a good deal about sheet-metal work with her father, she completed the six-weeks course in four. But she was just twenty and had to wait before being employed by Beech. She and Eletha Jeffries Johns trained in the same courses, and Eletha was called to work before she finished the training course, operating a stationary riveting machine.³⁶

In January 1943 the War Manpower Commission again reported an acute labor shortage in Wichita. Officials organized an appeal to persuade unemployed women to find a defense job or to accept other jobs in order to release able male workers for work in war industries. At the same time the state labor department relaxed rules, announcing that women and minors could work up to fifty-four hours weekly if necessary for the defense effort. While Boeing advertised on the radio and in newspapers for women workers, company managers unofficially were reluctant to recruit them aggressively because of long-held beliefs that the fair sex were too reluctant to cover their hair or wear coveralls. They were convinced that not only were slacks more practical but that women in dresses or skirts were much more distracting to the men with whom they worked. Also believing that women lacked the necessary stamina, Boeing began a physical-fitness program for them in early 1943. The routine

did not last too long, however, as the ladies rightly regarded it as unnecessary because they were performing adequately on the job. Women did, though, have a higher absentee rate than men because of the multitude of chores in running a home and managing a family.³⁷

Katherine Abraham, a forty-year-old mother of four, took a job at Boeing in January 1943. She worked the 5:00 p.m. to 5:00 a.m. shift, and her husband and oldest daughter took care of the children, although she prepared dinner before she left for work. Leona Morgan at Boeing took care of her two daughters and carpooled sixty-eight miles daily to work in Wichita. She also raised one hundred chickens and canned much of the family's food. All of the defense workers felt obliged to buy bonds to support the war effort. Edna Mae Malcolm, a Boeing sheet-metal worker, bought two one-hundred-dollar bonds each month "to help keep her sons coming home from the war." The company named Vada Park a champion bond buyer when she purchased three hundred dollars above her quota one month.³⁸

These women also found some recreation time if only to get together and socialize over a meal at the end of their shift. Many took advantage of their company's programs offering bowling or softball, which were promoted by their unions. It was not unusual for bowling leagues to compete at 5:00 a.m. after the night shift. Some went on dates to the Blue Moon or other popular night clubs (in the morning) to dance. And they appreciated the unheard of wages they were receiving because of equal pay for equal work. Many did not anticipate with pleasure the loss of those paychecks when companies began cutbacks after the war, although 35 percent surveyed wanted to return to being a housewife once the hostilities had ended. Twenty-six percent planned to continue working after the war. The return of veterans presented a problem because they were guaranteed their old positions by law. Yet this usually became a moot question because the tremendous relocation and sea changes in industry wrought by the war, of course, had eliminated or altered most of the prewar employment, and their old jobs no longer existed.³⁹

Veda Park and her twin sister Vera Sims, for example, were happy to be terminated because they could rejoin their husbands. Roseva Lawrence and Donnalea Keown Haynes reported their husbands did not want them to work, a traditional prewar attitude. Some, such as Wyrell Jantz, were not economically independent and had to take lower-paying jobs following cutbacks. Helen Volmer, a lathe operator at Beech, left her job at the end of hostilities because "all the talk, both inside the plant and in the newspapers encouraged women to give up their jobs for the returning veterans." Some, like Ardis Rutherford Sowards, stayed in the aircraft industry after the war, working in

Cessna's accounting office until her husband finished college in 1947. All of these women recalled positively their war work experiences. None of them discussed the males' skepticism that greeted them on the job before they had proven their capability nor the habitual sexual harassment of some males. All of them took pride in their accomplishments and considered it a period in their lives when they tested themselves and proved their worthiness both to society and to their own personal satisfaction. They had made major inroads "against inequities in the workplace." In the movie *Swing Shift*, Goldie Hawn's character and her friends reminisced about how the men jeered and laughed at them while they stood in line waiting to be interviewed for a job at the aircraft plant. "Yeah, but we showed them," retorts Goldie with glee.⁴⁰

Sedgwick and Wyandotte counties dominated Kansas war contracts, together accounting for 96 percent. Prewar Wyandotte had the largest industrial base in the state, but defense contracts allowed Wichita to forge ahead during the war years. Douglas County came in a poor third with the nearby Sunflower Ordnance plant. Covering ten thousand acres, it was completed in 1943, and officials announced that it would begin "producing smokeless powder soon." "Frantic to fill military orders," the plant, a reporter noted, had to "become a major employer of females" because of the lack of men who, if physically fit, were serving in the armed forces. Trained labor was scarce in the area, and at one point 12 percent of the production workers and 70 percent of the powder line employees commuted from Kansas City. The Hercules Company successfully experimented in using women in jobs for which they had never been hired previously. The company soon became the largest producer of rocket and cannon powder in the United States.

Housing was constructed near the plant for new workers but they had to go to Eudora, the nearest town, for recreation. Officials established a USO there, headquartered in the old opera house. The building had no plumbing, but meals were served by carrying food and water from nearby restaurants. The USO sponsored lectures, classes, parties, and ping-pong tournaments. Graveyard workers could enjoy dinner at 7:30 a.m., and the swing shift worker, who finished at 11:30 p.m., could dance until 2:30 a.m. Nearby towns also experienced a boom, often resulting in serious confrontations between landlord and renter. In nearby DeSoto, an OPA official addressed a public gathering, noting that rents there were 50 to 100 percent higher than "fair price." Space even to pitch a tent or park a trailer ran \$3.00 to \$3.50 weekly. One farmer, noting that defense workers were making \$300.00 to \$400.00 monthly, rejoined, "you have the crust to say we should give them a home for \$1 a day." Opinions

ranged from workers were being treated like kings to being treated like dogs to being exploited.⁴¹

In order to accelerate the effort of American industry to convert to war production, the Reconstruction Finance Corporation (RFC) and other federal agencies lent billions of dollars for construction. Such a massive endeavor inevitably resulted in waste and corruption. Construction of war plants such as Sunflower, were contracted on a cost-plus basis with the contractor retrieving his costs along with the usual profit of 10 percent. This lucrative arrangement, combined with the need for haste in getting plants operational, was a strong motive for spending as much as possible because the more the construction companies spent, the more profit they accumulated.

Senator Harry S Truman, Democrat from Missouri, recommended early in the defense program that the Senate establish a committee to investigate the nation's efforts and try to prevent waste and corruption before it occurred or at least before it was too late to be rectified. The Senate acquiesced and created the Special Committee to Investigate the National Defense Program with Truman as its chair. The Truman Committee, through which he achieved national prominence and thus a path to the vice presidency, found significant fraud and corruption in the construction of the Sunflower Ordnance plant. Investigations and public hearings by Truman and his Republican colleague Ralph O. Brewster of Maine revealed that shortages of competent workers had resulted in additional costs of millions of dollars at the plant. The Hercules company provided an initial cost estimate of \$111,391,447 plus three supplements for additional facilities to the Army Ordnance Department. The estimate was based on \$0.62 an hour average for unskilled workers and \$1.50 for skilled labor with a forty-hour base plus time and a half for eight hours on Saturdays, standards demanded by the unions. The Truman Committee discovered in May 1943 that the costs had grown to \$130,000,000, and the plant was not yet completed. The senator estimated that an abysmal 65 percent efficiency in construction had occurred. Inspectors reported that far too many laborers, competent and otherwise, were being kept on the payroll. Perrin D. McElroy, secretary of the Kansas City Building Trades Council lamely explained that area unions had done "their best to eliminate incompetent workers," but the demand vastly exceeded the supply, and the pressure to bring the facility into early operation led to much of the fraud and corruption.⁴²

The extensive need for aircraft in World War II also made a boom town of Kansas City, Kansas. Prior to the war, Fairfax Field was a municipal airport located about three miles north of the center of the city. North American Aviation of Inglewood, California, was rapidly acquiring new contracts for its B-

25, a twin-engined attack bomber that was popularly known as the “Mitchell” after the controversial “Billy” Mitchell of interwar fame. Gen. Jimmie Doolittle used them early in the war for his daring raid on Tokyo, and it became the most popular medium bomber in the war. The Truman Committee observed that it “has proved to be a valuable plane and the rate of production is very substantial.” North American faced a severe labor shortage, needed to expand its facilities, and chose Kansas City as one of its new sites (the other being located in Tulsa), resulting in the first planned industrial park in the country, the Fairfax District.⁴³

As part of the defense program, on May 28, 1940, President Roosevelt established the National Defense Advisory Committee by executive order. He appointed William Knudsen of General Motors, Edward R. Stettinius of U.S. Steel, and Sidney Hillman of the CIO to coordinate efforts. Knudsen told J. H. Kindelberger, head of North American, to expand his facilities either in Kansas City or Tulsa. Richard W. Robbins of the Kansas Industrial Development Commission was a former associate of Kindelberger, and he flew to California to convince his good friend to choose Kansas City. The Department of War paid for and the Corps of Engineers built the new plant, with the main building comprising a fantastic 1,060,000 square feet, an area that eventually doubled with various expansions during the war. The plant received some \$87 million in federal funds and employment ultimately reached 26,500. The factory initially opened for production in December 1941, with the Fisher Body Company as its major subcontractor, but the plant was not completed until April 30, 1942. The first B-25 was assembled from parts from the Inglewood plant and Fisher Body on December 23, 1941. The nearby Union Pacific railroad built a spur line to haul supplies to the assembly point, and the finished products were tested at Fairfax Airport.⁴⁴

The Fairfax plant was designed as an assembly center for some one thousand subcontractors supplying parts. For instance, the gas tanks came from a Detroit producer, Fisher Body of Detroit built cowlings and bomb racks, and Fisher Body of Memphis produced the wings, stabilizers, and bomb bay doors. Because of the lack of available skilled workers, the plant followed a job simplification procedure whereby each worker performed one simple task that could be taught relatively easily to unskilled farm boys and girls. The 165,000 parts were held together by 150,000 rivets. All the parts were identical, and the final assemblies were identical Mitchell bombers. In 1944, the fantastic production of the North American Aviation plant won the coveted Army-Navy E Award.⁴⁵

When officials asked Kansas City voters to approve \$750,000 in bonds to

purchase the land for the proposed airplane assembly plant in Fairfax, blacks held a number of informational meetings in local churches. Opponents raised the pertinent question, why should they vote for these bonds that will be of no benefit to working black men and women? They called attention to their earlier support of bonds for the city water system and the grain elevator, neither of which produced jobs for them, and to the fact that they could not serve on draft boards or work as carpenters to build housing for the military. Dr. A. Porter Davis reported some employers would not hire blacks because of the added expense of building segregated toilets and dressing rooms. Would this be the experience with the new aircraft plant? Two months after the bond issue passed, they had their answer.⁴⁶

"Kindelberger Brings Hitlerism" blared the headline in the *Plaindealer*. The North American Aviation president announced that the new bomber plant would hire blacks as janitors only. "Hitler believes the Negro belongs to an inferior race," editor James H. Hamlett Jr. stormed. "[H]ow can we fight Fascism abroad and here at home at the same time." Kindelberger wanted, according to Hamlett, to "spread Nazism, Hitlerism, Fascism and race hatred . . . which is un-American, un-democratic and which is in keeping with Hitler's six-point program for the darker races of the world." Judge J. H. Brady, a prominent white lawyer, called attention to the fact that blacks had voted to support the bond issue and now were being informed that the good jobs were for "whites only." Colored people, he added, should not "permit this to stand uncontested." Editor Hamlett reiterated that he wanted "someone to tell us where Mr. Kindelberger's policy in dealing with the Negro differs from that of Hitler."⁴⁷

The other front-page headline that day declared "Governor Ratner Stunned by Action." Forty people from Kansas City joined "a large group of Topeka Negroes" to protest the North American policy. "Why this is un-American, undemocratic, and an outrage," spluttered Ratner. Republican representative W. H. Towers of Wyandotte County, the only black representative in the state legislature, introduced a resolution that day, directed to President Franklin D. Roosevelt, protesting this discriminatory employment policy in a government-sponsored industry. He had previously introduced a fair-employment policy bill, but it came out of committee with a negative recommendation and died. Towers noted that the city had provided the land for the \$1 million plant, and officials assured blacks there would be no employment discrimination when it opened. His resolution met no opposition and was amended to include the condemnation of discrimination in any city in Kansas.⁴⁸

Two weeks following Kindelberger's inflammatory announcement, between five and six thousand protesters packed the Memorial Hall in a meeting called by the National Association for the Advancement of Colored People. Dr. Davis "held his listeners spellbound for forty-five minutes," during which he flayed Kindelberger for trying to tear down the reputation John Brown had made for Kansas. He lauded Senator Arthur Capper, Cong. U. S. Guyer, and Governor Ratner for their support of black's efforts, but blistered the city commissioners, the Board of Education, the Board of Public Utilities, and the city Chamber of Commerce, whose policies he claimed were similar to those of Mr. Kindelberger. The group adopted a resolution to send a delegate or two to attend the Senate hearings in Washington on discrimination and to request that North American's contract be cancelled unless the company rescinded its discriminatory policy.⁴⁹

Meanwhile, editor Hamlett wrote a letter of protest to General Motors, "the owner and operator" of North American Aviation, as he called the company. Its president responded that they had "a minority stock interest" in the aviation company but did not control "in any sense" its employment policies. Company officials, however, sent Donald Hogate of the public relations department to Kansas City to confer sympathetically with editor Hamlett and Myles C. Stevens, his attorney. But blacks ultimately had to look to government for a meaningful response. Thanks to Kindelberger's discriminatory statement, the *Plaindealer* noted, the Kansas legislature had enacted representative Towers's bill that prohibited collective bargaining agencies from discriminating on the basis of race or color. Editor Hamlett concluded that this law solved the race "situations in Kansas defense work and any other kind of work." He further observed that the Kansas legislature, "that body of true-blooded Kansans," had adopted a resolution condemning the Kindelberger policy, and he informed readers that Sidney Hillman of the Office of Production Management (OPM) had sent letters to defense industries asking them to employ blacks. He forgot what laborers knew well, that Kansas legislation usually required enforcement.⁵⁰

By mid-September that year, however, editor Hamlett could report little progress in breaking down discrimination in employment. North American was sticking to its policy of janitorial work only for blacks. "Negro leaders and communities have been asked to wait and give time," he reported, and he pessimistically predicted that they "will still be waiting and waiting." He concluded that much of the black employment problem came from "reactionary unions affiliated with the AFL which control[ed] much of the work vital in many defense plants." Harry O'Reilly, regional director of the AFL

in Chicago, went so far at this time to assert, "I consider the Negro an evil rather than an asset to organized labor." In fact, he was reported to have used the term "Nigger" in his pronouncement. Blacks, then, had to break down employment discrimination at North American step by step.⁵¹

That October, North American called in five black trainees "for trial work." They had graduated from the sheet-metal course offered at Manual High School. The following April, J. H. Kindelberger was in Kansas City on an inspection tour. He praised the high caliber of black workers "in various departments" of the North American Aviation plant. But as late as November 1942, the *Plaindealer* editor reported that "of all industries devoted to the war effort aircraft production probably has been the most difficult for Negro workers to get into."⁵²

The Kansas City industrialists faced the same shortage of skilled labor as did those in Wichita and therefore also had to establish training programs, especially for aircraft assembly. In September 1940, Manual High School opened evening trade extension classes under the provisions of the federal vocational education act for working men to acquire skills in electrical wiring, machine-shop work, printing, drafting, and plumbing. By 1941, this modest beginning had rapidly expanded to provide training for 21,500 men on both sides of the river. The old Sumner Negro High School at Ninth and Washington and the Lathrop Trade School at Thirteenth and Central housed the schools run by a joint board of the two cities in Kansas and Missouri. The training centers operated on a twenty-four hour basis with four class periods of six hours each, offering experience in working with sheet-metal, punch presses, drop hammers, and so forth. The North American Aviation Company dispatched Maj. Howe Thayer from California to coordinate the training program. Thayer immediately submitted a list of the machinery required for the classes to the federal vocational training program to prepare for the first enrollees.⁵³

Training began in May 1941 for the first 1,000 men with a faculty of forty instructors sent from the company's Inglewood plant. Primary training lasted eight weeks, followed by supplementary training courses as the men acquired the necessary skills. Sunday was the only day the schools were quiet. Lathrop School was expected to produce 5,000 skilled workers in 1943. About 100 black trainees were listed at the segregated R. T. Coles school, and in March 1942 the first 40 women reported to these classes during this period. Officials announced that a black women's class would begin on April 1. In addition, 190 women enrolled in a course to qualify for Red Cross Motor Corps Services.⁵⁴

The increasing shortage of workers for the defense plants resulted in a

report in the summer of 1942 that the number of students in the classes in the training school would be boosted from 700 to 1,200. The courses were also “being opened more . . . than ever before to women . . . of average stature since sheet metal workers [were] oftimes [*sic*] required to work in cramped quarters of planes.” The school would not admit men over fifty or women over thirty-five. The story explained that the discrepancy in ages resulted from young men not being recruited because they would soon be drafted. The age limit on women would be raised significantly by different companies as the labor shortage increasingly made itself felt. By September 1944, tuition-free courses were being offered at Horace Mann and Manual high schools in Kansas City, Missouri, and, of course, the nearby University of Kansas made available advanced engineering training. A class of deaf mutes was specifically trained in electrical assembly for work at the North American Aviation plant. By November 1942 it was reported that Kansas training schools had produced over eight thousand skilled men and women for area defense industries.⁵⁵

Redd Evans and John Jacob Loeb wrote the wartime song “Rosie the Riveter.” The *Kansas City Kansan* soon found a real Rosie in the North American Aviation plant. Rosie Dean’s husband, Pvt. Earl Dean, was in the Army Signal Corps. She was a riveter of outboard noses for the B-25. She bought a war bond weekly, as in the song, and the newspaper, gushed Evans and Loeb, “would have a hard time finding a more ideal personification of their Rosie the Riveter,” except that this one was “too busy for martinis or caviar.”⁵⁶

The *Kansas City Star* reported on a number of women working in war industries. Eleanor Larson, a farm girl from Humboldt, came to Kansas City for sheet-metal training. Her “deft fingers strengthened by farm work,” landed her a \$38.50 a week job in a defense plant. Mrs. Irene J. Otes, mother of an army corporal and a younger son and daughter, attended the first class opened to women at the Lathrop Trade School and soon acquired a job welding, riveting, and “laying out” and marking parts for the paint department. Fay Wilson, also from Humboldt, took sheet-metal training and found employment in a war plant. She shared an apartment with two other Kansas girls. Their schedules permitted one to be home to prepare a hot meal for them every day except Monday. She reported being tired every day “but not as tired after standing all day behind a counter for about one fifth the wages.” Dorothy Presson of El Dorado left her secretarial job for defense work and became a “lead lady” or supervisor. She preferred the “swing shift” as did many workers because of the presence of fewer supervisors, made \$32.00 weekly, and paid only \$10.00 for room, board, and laundry. Mary Wincklepleck, a teacher from Atchison, worked in a war plant for as much weekly as she had been earning

for a month as a pedagogue. She did not plan on returning to teaching until after the war, saying “this is more exciting. I feel that it counts more toward the war effort than teaching.”⁵⁷

Reports circulated that pregnant women were often fired or forced to take a leave of absence as soon as their condition was discovered. Not so at North American Aviation where they were allowed to remain at work as long as their physicians approved. Usually they took a leave at the end of their fifth month, but not always. North American gave a pregnant woman, after a year of service, six weeks of full wages when the child was born. All these benefits resulted from aggressive bargaining on the part of their union.⁵⁸

For female war workers with children, the city fathers tried a new idea of nursery school to take care of their preschoolers. The program operated in Kansas City, Missouri, but many of the mothers there worked in Fairfax. It grew out of the school system’s old framework for providing nursery schools for low-income parents and was monitored by the Child Care Information Center. The center utilized the WPA nursery schools still functioning and converted them to accommodate young children of working mothers and assessed fees based on the mother’s income.⁵⁹

In the summer of 1943, the Board of Education utilized federal Lanham Act grants for child care. Twenty-eight schools, five of them for blacks, accepted 150 children each, utilizing kindergarten teachers to monitor the classes. Federal funding supplied about half of the required support. The Office of Civil Defense became involved in the program, and the local Community Chest assisted those who could not afford to pay. Enrollment cost fifty cents daily, which included meals provided by expert dieticians. Late in the war Sunflower Ordnance experimented with a child-care center that was open twenty-four hours. The program, sponsored by the University of Kansas, was the only one in the region attached to an industrial plant, and the Federal Works Agency operated it. It had an outdoor playground, and children each had a cot and locker and were provided with “tasty, well-balanced meals.” An isolation room with a trained nurse was provided for sick children. It, too, was financed by Lanham Act funds. The increase in women working in war industries and the huge influx of laborers and their families that flooded the city school districts all led to children having less supervision, and the large number of so called latchkey children resulted in a marked increase in juvenile delinquency.⁶⁰

A group of people who worked building the B-25 at North American gathered in March 2001 to discuss their work experiences with the author. John Irvin described his graduation from high school in 1943 just before his sev-

enteenth birthday. His father worked for North American Aviation, and he joined him as a machine lathe operator, with the permission of the Kansas City Board of Education as required by the state child-labor law, becoming probably the youngest employee in the plant. When he turned eighteen in 1944, he registered for the draft and joined the Navy to escape conscription. Hazel Thomas was born in Rhode Island, moved to Missouri in 1942, attended a welding school in St. Joseph, and married her welding foreman at Erwin Aviation. The company forbade employment of couples if one was in a supervisory capacity over the other, so they found welding employment together in St. Louis at the Anheuser-Busch wagon shop, building glider aircraft. When her husband lost his draft exemption, she returned to Kansas City and worked at North American Aviation for the duration of the war. Alice Desko worked as a hand painter for a company that had to close when it could no longer import supplies because of the war. She worked seven hours daily at her job and went to defense-training school eight hours daily, six days a week. When she finished school, she easily found a job with North American as an assembly-line inspector and was able to work in the same plant as her husband. Harry Desko received defense training from the National Youth Administration and worked as a punch-press operator. Delores Sandels received her sewing training from the NYA in Topeka and sewed straps to hold flight instruments in their panels and paneling to help soundproof the plane's fuselage.

While they had no exact figures, the group agreed that probably half of the North American workers came from the surrounding countryside in northeastern Kansas and northwestern Missouri. Some of the workers commuted long distances rather than move to Kansas City. John Irvin lived in southeastern Kansas City, Missouri, and he spent about two hours on the bus each way, making for a long work day. All wanted to work in defense industries because of wanting to do their part in winning the war, financial need, and the particularly good wages compared to other types of work available. The company followed the policy of equal pay for equal work. Hazel Thomas, the welder, received the same rate as male welders, \$1.35 per hour. John Irvin made \$1.00 hourly plus a bonus of five cents for night-shift work, and Harry Desko received a similar amount. Most plants had three eight-hour shifts; some departments had two ten-hour shifts. Many workers preferred the day shift, so the company paid a premium for night work, giving the workers considerable overtime when they worked six-day weeks. Many of them carpooled, not only to save money but because of gasoline rationing. All received periodic raises, usually semiannually.

None of the workers were aware of sexual harassment. Everyone accepted

the women, some perhaps because they considered them temporary workers. Hazel Thomas worked with more men than women, and once a general manager remarked to her, when the war ended, “you will not have a job as the boys will be coming back.” Delores Sandels experienced one bad episode when a friend and fellow worker confided to her about a love affair she was having with their boss. Delores subsequently discovered the boss was planning to terminate her because “she knew more than was good for her,” and she reported all this to the personnel manager. Eventually the supervisor was fired. But similar episodes occur in the workplace in all eras and in all types of employment, so this could not be construed as unusual.

They recalled there were no child-care facilities, and grandparents or relatives took care of the children of working women. North American employed Larry Winn, a University of Kansas graduate, to establish recreation programs for the employees. When workers came off the second of two shifts at 4:30 a.m., they might have participated in organized bowling. John Irvin recalled that he played baseball at 2:30 p.m. before going to work on the second shift—there were both men’s and women’s teams. Winn, later congressman for the Third District from 1967 to 1985, also set up dances and special skating parties at the Playmor in Kansas City, Missouri. A fourteen-piece orchestra, calling themselves the Brown Bombers, was available for dances after the second shift. The night shift, however, had fewer opportunities for entertainment, especially for special events because dignitaries such as movie stars or military brass did not visit at night, and they had less time off than the day workers.

All women wore hairnets or a snood, which was heavier than a hairnet, to enclose their tresses on the back of their head. Many wore slacks—some coveralls—and none wore skirts or dresses. Harry Desko remembered an occasion when he was temporary lead man, and a woman was assisting him in operating a punch press. The aluminum skin was oily, and the job was rather messy. The woman was dressed as if she was going to a party after work and complained to him that he was deliberately picking on her by getting her white blouse greasy. He explained that she was not properly dressed for assembly-line work and pointed out that while he was dressed in street clothes, he always wore coveralls to protect them. Rules forbade both men and women to wear any jewelry, including a wristwatch.

The plant employed few blacks, and they usually worked in janitorial, maintenance, or food-service occupations. When the group showed pictures of their workplace, there would occasionally be one black among some four dozen sheet-metal workers, and only one of the women was black. Another snapshot of about three dozen men on the shop floor showed one black man,

so they were quite rare in the better-paying jobs. A number of people with various handicaps worked on the shop floor. Larry Winn, for example, lost a leg as a youth before he went to work for North American Aviation. Hazel Thomas recalled a blind woman who faithfully came to work every day, riding in her car pool, but she could not recall the type of work she did. They remembered one inspection supervisor who had only one hand. Most duties required standing up all day though, and many handicapped could not qualify for these jobs.⁶¹

Most in the group did not realize there was a labor union in the plant, so their shop stewards apparently were so unobtrusive as to be ineffective. William Green assigned a Kansas recruiter to organize the International Association of Machinists at North American Aviation. When the time came in August 1942 to vote under NLRB supervision, the CIO-UAW had been more aggressive and claimed 75 percent of the workers as members. When 84 percent of the eligible workers finally voted in November 1942, 75.26 percent preferred UAW Local #31, 11.33 percent approved the machinists, and 13.41 percent rejected both unions. Although Hazel Thomas was a shop steward for Local 31, the other four workers said they were unaware of the presence of the union until after the war. The CIO had a union shop contract with North American, and the company followed the checkoff system for dues and assessments. At its high point the plant had ten thousand members, and this number carried over into the postwar period when General Motors took over operation of the plant.⁶²

The workers bought their share of war bonds and tried in various ways to help the servicemen overseas. The F. S. Edwards Tobacco Company, Harry Desko recalled, had a program whereby the workers could buy a carton of cigarettes each week for a nickel per pack and designate the serviceman they wanted as the recipient. He and Alice faithfully sent two cartons a week to their friend fighting in Italy. When they asked him after the war how he enjoyed them, he responded, "What cigarettes?" Harry also repeated the story that made the rounds of the plant of a man on Iwo Jima who bought candy at the PX and there was only one piece left so they gave him the box. He later found inside the box a note from his mother who had sent him the candy that obviously had been waylaid.

Harriet Bowers had a different experience working in the North American plant. She took a job in the cafeteria when she was a sixteen-year-old high-school student, working from 3:00 p.m. after school to 6:00 or 7:00, all day Saturdays, and from 6:00 a.m. to 3:30 p.m. in the summers. She pushed a cart in the work area and sold sandwiches of roast beef, ham, cheese, and egg salad

for lunches, plus coffee from two thirty-gallon urns. The meat sandwiches sold for seventeen cents, fifteen cents for cheese, and twelve cents for egg salad, and she earned forty-five cents hourly, plus a bonus depending on the number she sold. She recalled that sometimes the men would tell her they had given her a five-dollar bill, instead of a one, and she would reply that when she counted her money at the end of work she would tell her supervisor. They invariably responded, "I was just kidding you."⁶³

Many of the some fifteen thousand employees of North American Aviation trained in the National Defense Training School in Argentine at Ninth and Washington. On January 19, 1942, the school extended its program to twenty-four hours a day, seven days a week basis and thus shortened its twelve week course by one week. After Kansas City Kansans had voted taxes to purchase Fairfax Airport to attract aircraft employers in early January 1942, they were reported as being disgusted over the area defense employment council being moved across the river to Missouri. The move came primarily because of the temporary unemployment on the east side of the river as a result of the shutdown of auto production. Senator Capper immediately wired Kansas City, Kansas, mayor Don C. McCombs that he was taking steps to keep the employment office on the Kansas side. Missouri managed to maintain the office at 1312 Grand Avenue, though, for several months despite his efforts.⁶⁴

As defense production expanded, the local War Manpower Commission (wmc), represented by both management (Harry Darby) and labor (Perrin D. McElroy of the Building and Construction Trades Council), became increasingly involved in the control of the labor supply. It soon encountered the perennial problem of dealing with two cities in one metropolitan area. Late in 1942, the requirements of the armed forces compelled the wmc to adjust the apprenticeship and worker training programs. First, they lowered the minimum age for apprenticeships from nineteen and a half to sixteen and seventeen. Training made them more valuable to the armed services when drafted it was reasoned, and their apprenticeship time would be protected so they could return to work at the end of hostilities. The second category included instructing men between twenty and thirty years of age who were married and the father of one or more children, who probably would not be drafted. Third, wmc experts would work closely with industries to establish educational programs for laborers classified as 4-F, those who had some physical disability but still could be trained in skills needed in war industries, and men disabled in the war who still could perform vital work. Finally there were women who could learn highly skilled crafts. wmc experts would work

closely with industries to establish training programs for laborers in these categories.⁶⁵

By early 1943, WMC personnel were becoming alarmed over the great influx of unskilled workers into the Kansas City area. At that point, Kansas City was “a voluntary labor market,” which meant that people could still choose available jobs, but this freedom also resulted in much job-hopping to find the best-paying employment. The WMC wanted to control this labor instability. The United States Employment Service had initiated a drive to attract labor to the metropolitan vicinity, but the WMC insisted that there was a sufficient pool already available from men being released from nonessential businesses, women, and “negroes and other groups which ha[d] not been absorbed in war industries.” More unskilled laborers migrating to Kansas City, the WMC warned, would aggravate the already tight housing situation, and if this forced a federal housing project to be established, it would move the cities into the “critical labor shortage” category, prompting further federal control that no one wanted.⁶⁶

To avert reclassification and to gain control over the undesirable job-hopping, in March 1943 the WMC ordered all solicitation, recruitment, and hiring of workers to be channeled through the United States Employment Service. The controls extended to six Missouri counties in the Kansas City vicinity and Wyandotte, Johnson, Jefferson, Douglas, Miami, Franklin, and Anderson counties in far-eastern Kansas. Employment was not totally frozen: justifiable job transfers included five categories such as workers moving to a job with higher skill requirements, for example, or part-time workers who had been employed for “a substantial period” without opportunities for advancement seeking another job. As a *Kansas City Star* editorial expressed it, “war workers can settle down and forget the greener pastures elsewhere.” It would also forestall “hoarding of labor” by employers.⁶⁷

The WMC issued a puzzling order in early August, though, that lifted these restrictions on the Kansas counties but left them in place in Missouri, which allowed Kansas employers to bid for Missouri laborers. A member of the area WMC said “no explanation was given” to his group for this odd arrangement, but it came as “an order of the day,” and Will S. Denham, area WMC director, commanded “strict adherence” to the ruling. The “mystified” commission member envisioned “nothing but confusion” until the entire metropolitan area was “placed under the same regulations.” Denham explained to reporters that “experience” had shown that advertising by Missouri employers “should not be continued” because it led to “job shopping” that accounted for the new regulations.⁶⁸

The order remained in effect only a few days. On August 16, Paul V. McNutt, national director of the WMC, issued a new set of guidelines relaxing the rules. In addition to the national list of "critical occupations," he established "locally critical" ones. The monopoly of United States Employment Service over hiring and firing was terminated, except for "critical" jobs, and the new rules applied to both cities but adding only Wyandotte and Johnson counties in the metropolitan area to the list controlled. Employers could now advertise for and hire at their gates workers for any "critical" job after sixty days or those coming from a nonessential job, and referrals were necessary only for "critical occupations." It was reported that "the migration of workers into the city practically ceased" after the inauguration of this new stabilization plan.⁶⁹

Problems of interstate control of commerce surfaced when Missouri liquor merchants exploited Kansas workers. Soon after the North American Aviation plant opened, entrepreneurs on the Missouri side took advantage of the Kansas law prohibiting alcohol other than 3.2 percent beer. "Kansas City Thrives on Kansas Payrolls," a syndicated news story headlined. Dozens of new liquor joints sprang up along the roads near the Kansas border with "gaudily lighted signs" reading "Payroll Checks Cashed Here." Kansas City, Missouri, reformers had cleaned up their city after Boss Tom Pendergast was jailed in 1939 and the downtown prostitutes moved west to the state-line area. The saloon keepers kept large amounts of cash on hand every two weeks for cashing checks and were "doing a land office business." The story noted that the police on the Missouri side were making "no effort to protect" the defense workers who cashed their checks, enjoyed a spree with wine and women, and bought a bottle or two to bring home. Dealers on the Kansas side then began selling liquor illegally, but "soon the sanctimonious gang that controls Kansas City, Missouri, as well as Kansas politics started a large cry and a vigorous attack" to uphold the Kansas prohibition law. As a result, "the Missouri joint keepers were waxing fat, the prostitutes were eating steak, and the sanctimonious gang, collecting its tribute, points with pride that it cleaned up Kansas City, Kansas." A pious Kansas solon requested the Missouri legislature to ban these saloons for two blocks east of the Kansas line but the "Show Me" state legislators decided the problem was not their concern.⁷⁰

Meanwhile a local newspaper lamented the fact that of the sixty new women enrolled in the Kansas City, Kansas, defense-school program, fifty-nine had Missouri addresses because the Missouri office had made the assignments. This story forced director Ray Belt to announce that the defense training assignments in Kansas would be made by the United States Employment Service office at 914 Minnesota Avenue to prevent discrimination against Kan-

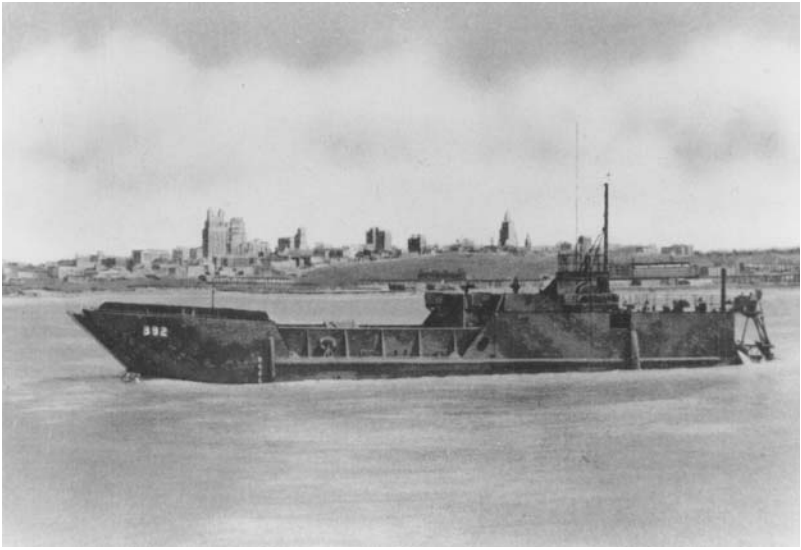
sas workers. Kansans were gratified when the area employment office was returned to its Kansas location at 914 Minnesota during the last days of May 1943.⁷¹

As in Wichita, great numbers of war workers placed a severe strain on housing. Some single employees found boarding houses in the Kansas Cities, but married workers wanted apartments or houses. Soon after Pearl Harbor authorities reported "a marked pickup in demand for rental facilities," an increase of 50 percent over the previous month. Furnished three-bedroom units were especially in demand. By March 1942, it was said that one hundred new families arrived monthly. The federal government began construction of a housing project at 7th Trafficway and Quindaro Boulevard consisting of one- and two-story buildings that would house 308 families and rent for \$58.00 to \$62.00 monthly, depending on the size of the unit. Soon the Fairfax Hills Garden apartments rose with an additional 350 units, as did Fairfax Palisades.⁷²

The huge influx of families also created classroom shortages. Before school opened in the fall of 1942, the Quindaro district announced it had no provisions for the recent arrival of 40 new high school and 160 elementary students. The board of education requested federal assistance of \$528,689, but there were so many similar requests nationwide that the president could only approve \$71,000. This crisis in classroom shortages would not be satisfactorily addressed until the postwar era. In the case of the Quindaro district, the short-term solution was to transfer the excess elementary population to Hawthorn School and to press for voter approval of bonds to build an additional facility.⁷³

Some twenty-five thousand people were employed in war industries in the Fairfax area. In addition to the B-25 bomber plant, they worked in the branch plant of Interstate Aircraft and Engineering Corporation of El Segundo, California. Early in 1942, Freuhauf Trailer Company received an order to build 1,350 searchlight trailers and expected an additional contract worth \$5 million for more army trailers. Also the Darby Corporation was a major defense producer.⁷⁴

Harry Darby Jr., a typical Kansas industrialist who made a significant contribution to the war effort, was born in the Strawberry Hill section of Kansas City. He worked all his life within sight of the Kaw River and died less than a mile from where he was born. His father established the Missouri Boiler Works Company the year Harry was born and later moved it to Third and Minnesota Avenue. Harry began work there at age eleven and became shop superintendent in 1917 when he received a degree from the University of Illinois. He became a captain of artillery in France and returned to the company



12. Landing craft with Kansas City skyline. Courtesy of Wyandotte County Museum.

after World War I, renaming it the Darby Corporation when he merged it with the Kaw Steel Construction Company. During the Great Depression when business was slack, he served as director of the Kansas Highway Department from 1933 to 1937. He later served a year as U.S. senator when Clyde Reed died in office, and he was an early supporter of Dwight D. Eisenhower for the presidency. During World War II, the Darby Corporation built locomotive boilers, mine casings, and one- and four-thousand-pound bomb casings, and LCTs (landing craft tanks) and LCMS (landing craft mechanized).⁷⁵

Andrew Jackson Higgins of New Orleans designed the PT boat and landing craft, and his shipyards built 8,865 of the latter. These boats, Gen. Dwight D. Eisenhower said, were the factor that won the war. Higgins's plants could not supply a sufficient number so contracts were let to the Darby Company. At one point the Kansas City company was completing one daily. The plant could hold eight 130-foot-long LCTs and sixteen LCMS during various stages of production. By 1944 women accounted for about 40 percent of Darby labor, and they were turning out an LCT every three days. They, too, won the prized Army-Navy E-Award. They ultimately launched two thousand landing craft at Kaw Point at the juncture of the Kaw and Missouri rivers, floating them on barges one thousand miles to New Orleans. They were then shipped overseas where they played a vital role in the invasion of Italy, France, and the Pacific islands.⁷⁶

A severe drought struck the area in 1943, and in December the launchings had to be postponed. Soon there were sixty barges backed up and navy officials were sending frantic messages asking for them. Water was released from Fort Peck Dam on the Missouri River far north in Montana. The river rose an inch. Then came “the grotesque order” from Washington to put the barges on wheels and send them to New Orleans by land. But the LCTs were wider than the highway bridges. Cut off the bridge structures, banisters, and overpasses or tear them out came the orders. They were told to do anything necessary to get the barges to the ocean. Darby, the former Kansas highway commissioner, could think only of the destruction of Missouri’s bridges, but the navy laid its plans for demolition. The next day a front moved in from the west, snow melted, and the rains came, and the river rose four feet overnight. Wheels were torn off and the barges were launched, along with those produced in Leavenworth and Omaha. Six months later, the news came of the D-Day invasion of France, revealing the reason why the navy was frantic to get the barges. They were hitting the beaches of Normandy in the greatest amphibious operation in history to that time.⁷⁷

Following the defeat of the Axis powers the next year, the Reconversion period brought a host of labor problems to Kansas and the nation. While everyone celebrated the conclusion of hostilities and the end of bloodshed, defense contracts were abruptly cut off, and defense industries immediately began converting to peacetime production and downsizing their operations. Boeing and Beech in Wichita converted to meet the challenge of the postwar burgeoning civilian-aircraft industry, and Wichita was labeled “the Detroit of the Small Plane Age.” North American announced no immediate change in B-25 production, but the company received notice in May 1945 of cancellation of the P-80 Shooting Star program in California. This affected 20 percent of its employees, and layoffs followed. The company announced it would follow the union contract’s seniority provisions, and one thousand employees on the hourly payroll hired after January 1, 1944, would be terminated, along with another five hundred on the biweekly payroll in a few days. Rosie the Riveter and Winnie the Welder were returning to full-time housework to make way for returning veterans, but they would never be as content again with the traditional female role. General Motors announced the good news that it had completed negotiations with the Reconstruction Finance Corporation to lease the North American Aviation plant for \$500,000 annually, and B-25 production would move to California to replace the P-80 work the company had expected. The Kansas City workers could apply for jobs to build automobiles in the reconverted factory. Negotiations were completed on November

25, 1945, and the assembly plant became the BOP (Buick, Oldsmobile, Pontiac) unit of General Motors.⁷⁸

Similar severe dislocations occurred throughout the country as companies converted to peacetime production, and community leaders fought to preserve employment, all of which was accompanied by widespread labor unrest and strikes. A particularly bitter struggle took place in the meat-packing industry, whose management had never really accepted the United Packinghouse Workers Association (UPWA). The Wilson company, for instance, signed a contract with the UPWA in 1943 but only under the duress of direct orders from the NLRB. Following the end of wartime controls, packing-house executives decided to crush the union. The workers, on the other hand, were equally determined “to retain, and even expand, their inroads on traditional company prerogatives.” Passage of the restrictive Taft-Hartley Act in 1947 laid the groundwork for the clash that followed.⁷⁹

The Reconversion period witnessed waves of strikes as workers sought to maintain wartime gains and achieve new ones to offset both the inflation that followed the lifting of price controls and the loss of overtime. When auto makers insisted they could not afford the demanded wage increases, Walter Reuther of the United Auto Workers issued an unprecedented request that they make their accounting books available to the public to prove their assertion, which of course they refused to do. Newspapers headlined national strikes in coal mining, railroading, and other leading industries in 1946. The general public, wanting to spend their war savings on goods long denied them during the war, were easily convinced that the NLRB had helped union leaders to grow too powerful and that their strikes were preventing the public from getting the goods they wanted. The system of industrial relations created by the New Deal that had appeared to stabilize labor relations and establish permanent prosperity now came asunder with the strikes of 1945 and 1946. Management persuaded Congress and the public that a new balance must be struck to control the seemingly unlimited power of labor leaders to disrupt the nation’s economy.

As a result, in June 1947 Congress enacted the Taft-Hartley Act over a presidential veto. The premise of this amendment to the Wagner Act held that government encouragement of unions had resulted in an imbalance of power that had to be corrected by making the NLRB an impartial referee in labor-management relations. The new law listed unfair labor practices that unions could no longer pursue including certain types of picketing and jurisdictional strikes, a ban on the closed shop and strict controls over the union shop, and permission for states to enact antiunion legislation called “right-to-work”

laws that severely hampered union organizing and activities. It also provided for a “cooling off” period of eighty days by temporarily lifting the right to strike in situations that would create a national emergency during which time efforts were made to resolve differences causing the conflict. Union officials were required to sign an affidavit stating they were not a communist, and to protect themselves from retaliation at the polls for passage of the antilabor legislation, Congress forbade unions from using their organizations’ funds for political purposes. PAC and COPE (Committee on Political Education) evaded this restriction by not using union dues but rather solicited special funds for political purposes.⁸⁰

The “slave labor law,” as unions dubbed Taft-Hartley, had widespread ramifications for the trade-union movement. Some nineteen states, mostly agrarian, enacted right-to-work laws in the next decade, which especially impeded unionizing efforts in the South. Unions, in turn, became more active politically than ever before. They began raising special contributions from members, and the CIO’s PAC and the AFL’s COPE became significant players in subsequent elections. As was the case with much labor legislation, the Taft-Hartley Act failed to meet the expectations of its supporters. Growth in union membership continued, and the National Emergency Strike provision, which was one of the most popular of the law’s provisions, proved disappointing to employers because it did not address directly the problems creating labor strife. President Harry S. Truman, for instance, invoked this Taft-Hartley injunction provision in a coal strike and was ignored and refused to invoke it in a serious steel strike during the Korean War.⁸¹

In accord with their contract provisions, the UPWA in Kansas City reopened negotiations in December 1947, requesting a twenty-nine-cent wage increase. When the demand was ignored, the union ordered a national strike. The union filed the mandated Taft-Hartley sixty-day strike notice that month, but on the eve of the March walkout President Truman appointed a board of inquiry and called for a suspension of the strike. The union refused, and the packing firms began importing strikebreakers and obtaining injunctions against the union for violating the law. In Kansas City “a violent police assault on April 23 wrecked the Cudahy union hall, injuring more than fifty pickets and bystanders.” Production in the city fell by 50 percent, while a trickle of scabs continued to return to work. In late April, the Big Four announced that they would institute a nine-cent raise and that if workers stayed out after May 10, they would lose their pensions, vacations, and seniority. The trickle now turned into a flood as hundreds of workers began flocking back to work, and the strike was crushed. Membership in the UPWA declined nationally from one

hundred thousand to sixty thousand. As one local union leader expressed it, “there was a long time before they got over” the 1948 strike because so many crossed the picket lines. In Kansas City, the future of the meat industry was indicated when Iowa Beef Packers (IBP) and other giants began taking advantage of the state’s right-to-work law and generous tax breaks to build plants in more rural communities in central and western Kansas, and Kansas City lost its role as a leading meat-packing center.⁸²

One study indicates that by the 1970s major meat packers “discovered in Western Kansas an ideal combination of sparsely populated rural areas, vast acreage available for pastures and feedlots, and a ‘right to work’ mentality that stifled the influence of labor unions.” During the following decade, they created six thousand new jobs in Garden City, Liberal, and Dodge City when employers recruited Asian refugees and Latinos to work their plants. The movement brought new jobs to the area but at great social costs because of “strains on social services, housing, education, and police protection.” The benefits seemed to be offset by “ethnic gang violence, workplace discrimination, and police profiling.”⁸³

The war effort had a great impact on wages and the well-being of Kansans and the country. Average weekly wages rose 65 percent after Pearl Harbor, from \$32.18 to \$47.12, and the average work week increased from 40.4 to 45.2 hours in 1944. Most importantly, real wages rose 27 percent in manufacturing, but much of the increase came from overtime. Besides a large increase in the number of women and blacks in the labor force, some 15 million American workers upgraded their jobs. At the same time new plant sites in Kansas City and Wichita created problems in housing and transportation. The OPA did not completely control inflation, and 1943 brought an unprecedented 5 percent victory tax on workers’ paychecks. During this period industrial labor-relations negotiations developed “the industry-wide collective bargaining that would prove routine throughout most of the postwar era.”⁸⁴

Farmer against Laborer

During World War II antiunion organizations and politicians began an offensive that culminated in the passage of not only the Taft-Hartley Act of 1947 but a number of state right-to-work laws. The right-to-work movement began in Texas in the early years of the war when William Ruggles, publisher of the *Dallas Morning News*, persuaded public-relations specialist Vance Muse that it could combat union power that had been growing spectacularly under the Wagner Act of 1935. Together they founded the Christian American Association and initiated a propaganda campaign in the South, a movement that soon spread to other agrarian sections of the country. Florida and Arkansas passed this type of legislation in 1944. The previous year Kansas had enacted an antiunion measure, and one observer noted that labor would see this attack “inevitably . . . as war legislation in a very sinister sense—a legislative declaration of war against labor unions.”¹

By early 1942 U.S. Senator Clyde Reed, a virulent antiunion politician, had begun pushing for a forty-eight hour week for defense industries before time and a half began. He piously insisted, “I am not an antilabor senator,” adding that his bill restricting overtime was “misconstrued as antilabor.” Union activities in Kansas in the early years of the war had aroused his ire. The *Topeka Daily Capital* announced in mid-1942 the “surprise candidacy” of Reed for the Republican nomination for governor. The newspaper could not understand why Reed would abandon his ten-thousand-dollar annual salary as a senator to return to the governor’s chair for half that, and his campaign would throw the Republican primary into “the unpredictable.” Reed was angry over some one hundred reports from constituents that they had to pay “a fat fee” to get a job on a government war project. He was determined to end what he viewed as racketeering, graft, and corruption in the labor movement, insisting that if unions were to gain as much power in the next ten years as they had in the previous nine under the Wagner Act, they would end up controlling the national government. The gubernatorial primary resulted in a four-way race for the GOP nod with Reed running against Lt. Gov. Carl Friend of Lawrence, state senator Thale P. Skovgard of Greenleaf, and Andrew Schoep-

pel, a lawyer from Ness City. While Reed ran well in his own Third District, he failed to “click” as the *Topeka Daily Capital* expressed it, over most of the state. Schoeppel won the primary, Reed returned to his Senate seat, and Schoeppel dispatched his Democratic opponent, William H. Burke, handily by over seventy-five thousand votes in the general election.²

Reed’s charges during the primary gained the attention of the state legislative council, which created a special committee to investigate the union phenomenon in Kansas. Lawmakers apparently were not too serious as they gave the body merely three hundred dollars, and with this minuscule amount, members were able only to take testimony from Senator Reed and request union representatives to appear voluntarily and explain their procedures and activities. On October 17, 1942, thirty-seven union spokesmen met with the group to discuss fees, work permits, and their constitutions and bylaws. The committee report, issued a short time later, “exonerated the bona fide labor organizations of all alleged charges of the so-called union racketeering,” but the committee described current practices of the AFL construction affiliates in Kansas where problems had arisen.³

When the construction emergency arose early in the defense buildup, contractors soon exhausted the supply of skilled labor, forcing building companies to recruit unskilled workers. The AFL, with its closed-shop principle, had a monopoly on skilled workers and all new incoming tradesmen. The union, therefore, became the recruiter for defense construction. When Kansas farmers appeared on the sites to seek a high-paying job, the AFL naturally charged them the going initiation fee and monthly dues, plus occasional assessments, which included raising money for a fund for keeping current the dues of union members serving in the armed forces, a patriotic gesture to help their brothers return to their trade following hostilities. Not really understanding its purpose and believing the soldiers had no need to keep their dues current, farmers referred to this as a “lug.” Union leaders argued that the newcomers wanted the high pay scale that their members had fought for years to receive but did not want to pay the accompanying costs of such benefits. The men, many fresh off the farm, knew nothing of unions except what they had read about the dictatorial labor bosses in Kansas newspapers and resented deeply being “forced to join a union” and pay high fees for obtaining a job from the government that they supported with their high wartime taxes. Here were two distinctly different cultures clashing.⁴

The report noted that the Davis-Bacon Act of 1931 established the federal government’s minimum wage for construction work on its projects as “the prevailing wage scale” in each area of the country. Federal officials froze

these wages on July 1, 1942, for the duration of the war. Some applicants complained that even though they had paid their fees they had been told daily for two months to come back the following day to see if there was an opening. But the labor shortage forced the acceptance of workers with low skill levels, which created discord among the workers. The newcomers hated being forced to pay the high fees for something they did not understand or want, and the union veterans resented the untrained being paid at the same rate as those who fought and worked for so many years to achieve their level of benefits. As a result of these "unprecedented circumstances," the report concluded, "the building trades unions have probably performed a valuable service in the war emergency" in recruiting these workers, even though they were semiskilled. The investigating committee had expected "exaggerated complaints" but found in every instance, however, the workers' "fees charged in Kansas w[ere] correct as to the amount . . . and this agreed with the rules and practices of the union." Three unions charged over \$100.00 for initiation: the sheet-metal workers in Kansas City, Missouri, levied \$162.50, the same union in Wichita, \$125.00, and the hoisting engineers in Kansas City, \$120.00. In other words, organizations with low numbers charged higher fees to keep their union viable. In northeast Kansas, where the hoisting engineers fee was \$120.00, the prevailing wage was \$1.125 to \$1.625 per hour, but in other areas where wages ranged from \$0.90 to \$1.25 hourly, their fee was \$60.00, which was a reasonable arrangement. The higher the pay the more able the worker was to support the union. In fact, the Hodcarriers, Carpenters and Joiners, the Teamsters and Chauffeurs, and the Bridge, Structural and Ornamental Iron Workers had lowered their traditional initiation fee for the duration. But such logic fell on deaf agrarian ears.⁵

Rural antiunion legislators were secretly happy to discover that the negative things they were proclaiming about labor leaders were possibly true, but for voter consumption, they expressed outrage, and some promised to do something about the scandal. Numerous national groups stood ready to help them. In South Dakota Harry F. Klinefelter of the American Citizens Association was assisting legislators in that state to prepare one of the first right-to-work laws in the nation. J. Otto Lee, member of the lower house in Indiana wrote Gov. Andrew Schoeppel in March 1943 that the real leader of this drive, the United States Chamber of Commerce, was ready to help introduce similar proposals in all the forty-two legislative sessions being held that year. Also of influence, the magazine *Kansas Businessman* was reported as "stirring up animosity against labor among farmers and cattlemen." State senator Thule P. Skovgard, defeated candidate for governor in the Republican

primary the previous year, was determined to ban the closed shop in Kansas and introduced a bill that would do so. During the debate, legislators were told horror stories of one Boeing employee who reported “laziness, bribery, incompetence, lack of seriousness in production, and even sabotage in connection with labor methods.” Republican M. V. B. F. van de Mark, claimed to have “information that on one federal project a building was constructed and torn down five times.”⁶

A legislative block of farmers, cattlemen, and representatives of small businessmen approved a bill that would prohibit requiring persons seeking employment to belong to a union. Another measure would create a Kansas Employment Relations Board with far-reaching powers, reminiscent of the defunct Court of Industrial Relations. The Senate Select Committee on Labor combined all the antilabor proposals into one. Despite minority arguments that the measures would create “a discordant note in employer-employee relations” and that they were “against the working class” and “trying to make the tail wag the dog,” the senate accepted the omnibus bill 29-6 on March 5 after a ten-hour debate. A reporter for the *Topeka Daily Capital* heard cries of “screwy, inconsistent, and industrial suicide,” as the lawmakers voted. Two weeks later on March 17 the lower house stamped its approval by a vote of 84-30. The vote was primarily bipartisan as eighty Republicans and four Democrats supported it while twenty-three Republicans and seven Democrats opposed it.⁷

During the senate debate, F. H. Cron, a Democratic banker and lawyer from El Dorado, noted that the measure had been “rumored” to be the result of the Republican Party platform to put the governor “on the spot” on the labor issue because of the dichotomy between the desires of a majority of Republicans for restrictive labor legislation and Schoeppel’s bland but gingerly prolabor campaign in 1942. Whether or not Schoeppel felt on the spot, he signed the bill without hesitation when it reached his desk. Harvey Fremming of the state CIO wrote Schoeppel to prod the governor’s memory that he had campaigned for him in industrial districts in 1942, telling laborers that Schoeppel was “progressive, forthright, and fearless.” Now the governor was “carrying Clyde Reed’s fight for him” by approving the law. Fremming and a group of labor leaders had met with the governor to discuss ways to defeat the bills while the legislature was considering them. The CIO official reminded the governor that he had previously admitted that the measure was “unconstitutional in many ways and that [the unions] did not want any bill of this character.” Yet he signed it into law.⁸

The 1943 law was comprehensive. The key section specified the employee’s

rights “to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining, or other mutual aid or protection, and such employees shall also have the right to refrain from any or all such activities.” All union business agents must obtain a one-dollar Kansas license to operate; verify that they were a U.S. citizen; list their name, address, and length of residence in the state; and submit a statement from the president and secretary of the organization that they were agents of their union. If the union had twenty-five or more members, it had to file a copy of its constitution and bylaws with the secretary of state and file annual reports of its activities. The law prohibited employers from restraining employees’ right to organize, but the employer likewise would be protected in his freedom of speech. The statute forbade strikes or walkouts without a majority vote, and it required a majority vote, by secret ballot, to form a union. There could be no charge of fees not authorized by the union contract. Finally, it forbade the seizure or occupancy of property illegally, the refusal to handle nonunion materials, jurisdictional disputes, secondary boycotts, or use of force in picketing. Any interference, impediment, or diminishing of the right to strike or the right of individuals to work without being a union member carried the penalty of a five-hundred-dollar fine and/or six months in prison. As noted above, it forbade forcing workers to join a union.⁹

The Kansas State Federation of Labor met in convention that summer. The delegates passed a resolution condemning the legislature for seizing upon the “state of national confusion and war” to enact a law discouraging union organizing and the governor for “expressing a need for such legislation and stating he believed the law to be constitutional” after its passage. Because “the dominating political party in Kansas ha[d] seen fit to go along with labor-baiting, insincere Clyde Reed . . . in his attack on labor in an effort to disrupt the longtime smooth relations between labor and management in Kansas,” the delegates resolved to oppose the enforcement of the law. The organization determined to circulate a list of those who voted for the proposal in order to defeat them and to unseat Governor Schoeppel in the next election because he “consistently ignored every request that labor . . . made since his inaugural and . . . shunned labor’s consultation completely.”¹⁰

Harvey Fremming, in a message to Schoeppel after he signed the law, asked him again about its constitutionality. What would happen if a national union called a strike by majority vote and yet the minority in Kansas was opposed to the decision? If 51 percent of a unit were members of the union, could they call a strike? Who must register as union agents because many officers, shop

stewards, grievance committees, and organizers were out-of-state agents of the union and could not qualify as residents? If a union was in the process of organizing, how could it file copies of its constitution and bylaws that did not yet exist? Why did the legislature insist on a secret ballot rather than the usual stand-up vote? Schoeppel declined to respond, apparently seeking labor's support only during the election.¹¹

The national office of the AFL decided to test the law's constitutionality. Arkansas, Colorado, Idaho, South Dakota, and Texas passed similar laws in 1943. Joseph Padmore, AFL chief counsel, believed these state laws "very probably" would be declared unconstitutional, and William Green sent letters to the federation leaders in these states urging them "to refrain from complying with these laws until a court of last resort" had passed on their validity. Unfortunately, the AFL decided on this course of action after the Florida supreme court had struck down its antilabor statute. Florida labor leaders had told Green that the strategy of attacking the laws after enactment rather than fighting them in the state legislatures, was like locking the barn door after the horses were stolen and it was dangerous, but to no avail.¹²

The Kansas law required unions to file financial statements annually, and the Kansas State Federation of Labor decided to test the constitutionality of this part of the law as being discriminatory because management in the collective-bargaining process would thus have the advantage of knowing the union's financial status. The month after the passage of the statute, the union filed for an injunction. State Attorney General A. B. Mitchell countered this by claiming it was an illegal procedure as the law had not yet been interpreted by the "court of last resort." The three-man federal Circuit Court of Appeal, composed of Eugene Rice of Muskogee, Oklahoma, Richard J. Hopkins of Kansas, and presiding judge Alfred P. Murrah of Oklahoma City, however, ruled in favor of the injunction by supporting the union's claim that "irreparable damage" would occur before the "court of last resort" had spoken. Ultimately, AFL lawyers, including Lee Pressman and Herbert Thatcher, defeated Attorney General Mitchell in four suits against the law's constitutionality. The statute created an "arbitrary, unreasonable, and legally unjustified" classification for unions that was not required of employers and thus it violated the equal protection clause of the Fourteenth Amendment. The unexpected death of Judge Richard Hopkins in chambers delayed handing down the final decision. Similarly, South Dakota's antipicketing provision of 1943 was struck down as being so broadly worded that it would prohibit packers, canners, truckers, retailers, and other middlemen from organizing. Like the South Dakota law, though, most of the Kansas statute withstood the test of constitutionality.¹³

Following World War II, antiunion forces staged a second assault with the passage of the Taft-Hartley Act of 1947. The law prohibited the closed shop, which required union membership before acquiring a job, but permitted union shops if a majority of the workers approved. The union shop required union membership by a certain date, usually one month, after employment. To establish a union shop, 30 percent of the workers had to petition to do so, and in an NLRB-supervised election a majority had to cast a favorable vote. This provision proved disappointing to antiunion forces who wished to abolish the trade-union movement: in subsequent elections over 85 percent of workers voted for union shops. Congress decided these expensive elections could be dispensed with and deleted this requirement in 1951.¹⁴

Section 14(b) of Taft-Hartley, however, proved very damaging to unions as it permitted states to go even further and ban all requirements for union membership within their jurisdiction, leading to statewide movements to persuade state legislatures to enact right-to-work statutes, which unions argued were “right-to-wreck” laws. In the post-1947 era nineteen states ultimately approved these laws, although Indiana repealed its statute in 1965. (By the millennium the number was up to twenty-one.) The movement was successful in large part because the term was catchy yet misleading, sounding as if its proponents “were espousing the right to a job . . . rather [than] the right not to join a union.” Kansas voters were opposed to compulsory unionism, but it seemed reasonable that any person should have the right to work if employment was available, and thus the proponents of the open shop were successful in their efforts.¹⁵

Wint Smith, congressman from the Sixth District, began a campaign as early as 1953 to restore many of the features of the discredited Industrial Court of the 1920s. That year he appeared before the Kansas Legislative Council, urging a program of a right-to-work law and antiunion shops, a ban on picketing, the checkoff system, and a prohibition of all strikes in public utilities endowed with “a public interest.” He advocated licensing all business agents and revoking their permits for abuses and wanted a residency requirement of three to five years. He noted that he was not opposed to labor unions but was “against the bosses”: a careful distinction that unions were all right but labor dictators were not.¹⁶

The problem of corruption in unions had always existed, but with Dave Beck and Jimmy Hoffa of the Teamsters Union, the practice reached a new high—or low—during the 1950s. Smith chaired the House Education and Labor Subcommittee investigating dishonesty in the jukebox and vending machine business in the Detroit area, which had ties to the Teamsters. When

he began taking testimony about terrorist activities such as bombings and beatings, Jimmy Hoffa quickly brought in Payne Ratner as his legal counsel. Ratner was governor when Wint Smith headed the Kansas Highway Patrol, and Ratner visited with his old colleague. Smith then halted the hearings with the vague explanation that he had received orders from "high up" to do so but refused to elaborate to reporters.¹⁷

Meanwhile, the special Senate McClellan Committee was investigating union corruption in general and the Teamsters in particular, with Bobby Kennedy as its chief counsel. The young Kennedy uncovered evidence that Beck and Hoffa consistently used union funds illegally for their own benefit. When Dave Beck was convicted of larceny, Hoffa assumed the presidency of the Teamsters. Under his leadership the union soon developed widespread ties to the underworld, through negotiation and infiltration, and "labor goons" promoted the union's interests with violence, extortion, espionage, fraud, shakedowns, and secondary boycotts and picketing. The Teamsters calling a cabbie strike in Wichita brought union abuses close to home for Kansas voters.

During the Smith Committee hearings on the Teamsters Union, an ugly fifty-day strike erupted in the Wichita taxi business that right-to-work proponents were able to utilize in their campaign. James P. Graham, president of two taxi firms, and Rex B. Bulleigh, president of the other two Wichita companies, refused to negotiate with the Teamsters, claiming that the cabbies were independent drivers; and as a result, the members recruited by the Teamsters struck. The opposition soon chartered the Wichita Taxicab Drivers Union as a counter organization, with Walt Clemson as president and Ted Gatewood as executive director. The newly formed union recruited members from among the disaffected, and they refused to join the strike. Violence in the form of bombings soon broke out.¹⁸

The *Wichita Eagle* blazoned the headline "Police Report Second Blast in Taxi Strike," two weeks after the strike began. The Teamsters asked Gov. Edward Arn to intervene. A few hours after he refused, a nonunion cab was blasted by "a mysterious explosion." The Wichita Home Builders Association quickly became interested in this violence as their business was dependent to a large degree on truckers, and they feared the strike would probably spread. Rep. Wint Smith fanned the flames of the unrest by sending a telegram to the Home Builders meeting warning "the big black cloud of racketeering union bosses" had arrived in Wichita. "Closed shops and union shops make the workers slaves of the union bosses," he thundered. Smith was currently holding hearings on labor violence in Detroit and Kansas City, Missouri, and he

sent a telegram saying, "it was shocking to find same pattern of violence in my native state." Sgt. John Stackley of the Wichita police assured the same gathering that the police would "take no sides in the strike." The Teamsters were determined to organize Wichita, Stackley told the audience and blamed three men from St. Joseph and Kansas City, Missouri, who had come to Wichita. After they arrived, the same type of violence erupted that had taken place in those cities. He reported that the men were on their way to Tulsa to organize, and the same could be expected to take place there in the near future.¹⁹

After other bombings occurred, the *Wichita Eagle* editorialized on its front page, "Give Scofflaw Goons the Full Treatment." Some of the "goons" had failed to heed warnings, and the editor continued, "let them be given the full treatment of the law." Authorities arrested Walter Deans of St. Louis, one of the outsiders and an AFL official, on a "vagrancy and investigation" charge but released him on bond. When a second blast shattered two homes on the West Side—the bomb had been placed under the gas tank of nonstriking taxi driver's cab—Paul Kitch was appointed a deputy county attorney to head a team of investigators. Hearings in the "inquisition," as it was called, were held before district judge Howard C. Kline. The inquisition was described as identical to a grand jury investigation except that it was limited to the single issue, violence in the current strike. Police chief R. B. Price threatened to "wear out the city's jail," and Kline jailed three Teamsters for contempt of court.

Kline offered the three—Cecil L. Courtney, Philip T. Ferris, and Ray Parks—complete immunity if they told him what they knew about the strike. He denied the three an opportunity to confer with an attorney, and they refused to testify. Kline sentenced Courtney to ninety days in jail and Ferris and Parks to one year in prison for contempt of court. Former governor Payne Ratner represented the three in their appeal to the state supreme court. Ratner argued that they were illegally convicted in "a five second trial" by a "secret inquisition" without benefit of counsel. Dale M. Stuckey, representing the state of Kansas, insisted that the defendants had raised no constitutional questions on the state or federal level, but the supreme court agreed with Ratner and reversed Kline's sentence.²⁰

At this point the Teamsters national headquarters announced the union would be placed in "trusteeship," a tactic Jimmy Hoffa often used to castigate or reform recalcitrant or unruly locals who refused to obey orders. Frequently he misused it in order to punish rebel leaders who declined to follow his dictates and often in order to take control of locals. The trustee, in this case Harold Gibbons, who was a nationally renowned figure in the Teamsters ranks, said that Walter Deans had kept him apprised of the situation. Gibbons

announced that this action would enable the Teamsters in the twelve-state area, "to make the full resources of the Central State group available for the Wichita strike." He also announced that he was conferring with union lawyers on "testing the constitutionality" of the "inquisition."²¹

"Violence in the strike," Rex B. Bulleigh explained to reporters, had been "carefully planned to bring economic ruin to the Wichita cab companies." It was costing the four companies two hundred dollars daily. He claimed the unions were bombing taxis in order to frighten riders away. Sugar poured in the gas tanks was bad, but stench bombs were the companies' biggest headache: "There is nothing we can do to get the smell out of a cab after it gets hit with one of those things. We've tried everything," he said. He pointed out that the bombers obviously were not trying to hurt anyone or they would have used more powder to blow up the cabs. He observed, "Same thing goes with the bombing of our radio equipment. . . . If they had really wanted to do some damage, all they had to do was throw a bomb through the window. Instead, they did just enough to make a big story and scare people again." Finally, on January 19, the cab companies signed a contract with the new union, the Wichita Taxicab Drivers Union, that included making it a union shop and the checkoff—"a much better deal for the union than the one offered the company" by the Teamsters. The taxi drivers agreed not to strike for one year. The Teamsters declared the contract illegal, and the strike continued with sporadic violence being reported. Kansans for Right to Work capitalized on the violence and the resulting headlines in their campaign to bring "freedom" to Kansas labor.²²

By the time right-to-work forces in Kansas were strong enough to win passage of their proposal in the legislature, they faced formidable opposition from Gov. Fred Hall and a vigorous young, active leadership in the state CIO. H. James Yount was elected an officer in the Kansas State Industrial Union Council (KSIUC) in 1944, beginning "a new era in union activity" as Yount earnestly stressed the importance of public support and union involvement in Kansas politics. The flood of out-of-staters and farmers into the labor force presented the state AFL and CIO with the job of organizing them into a voice for Kansas labor, and the CIO's Yount undertook the task with gusto. In August 1945, he led 350 peaceful demonstrators in a parade in Kansas City to protest the end of the Office of Price Administration. In 1947, KSIUC's Political Action Committee (PAC) set up booths at the Hutchinson State Fair and the Topeka Free State Fair, handing out handbills, balloons, and a ham daily. The balloons had CIO printed on them, and while agrarian parents might not want one, children were eager to accept them. Yount's educational efforts were



13. H. James (Jim) Yount, executive secretary-treasurer of Kansas State Industrial Union Council AFL-CIO, 1944.

tremendously important in helping Kansas voters acquire some knowledge of labor unions and their objectives and activities. In the midst of the disastrous flood of 1951, the CIO raised \$250,000 for relief in the four states affected and \$10,000 for the Red Cross, winning further popularity. Jim Yount courted the support of minorities by pioneering in the integration of public facilities.

When the CIO convention met in Salina, William Raspberry, a black delegate from the politically important Wyandotte district, encountered Jim Crowism at the hotel. Yount and the CIO officers forced the management to give Raspberry a room and service at the restaurant, a significant precedent that prompted him to say, "I finally was a citizen of these United States." Simon Martinez, a Chicano, had a similar experience when the CIO convention met later at the Baker Hotel in Hutchinson. Yount altered the traditional practice of lobbying state legislators with liquor-laced dinners by instituting family-style meals in which the lawmakers were welcomed with their spouses. He also initiated daily coffee hours with doughnuts or Coke where wives were made to feel at home, and women CIO members circulated and discussed labor issues in a relaxed social atmosphere.²³

The *Topeka Daily Capital's* "Sunday Magazine" called this effort the "voice with a smile." When the American Communications Association union became affiliated with the CIO in Kansas in 1949, it brought in some six thousand women who were telephone operators, bookkeepers, and accountants. In the process of giving talks before local unions and stirring interest in politics among members, Yount found the women were interested and ready to participate. As he began training some of them as lobbyists, he was confronted with the problem of the format in which to use them. When the first "CIO Coffee Times," proved successful, these parties became the standard feature of Kansas Day and Washington Day activities with gatherings serving coffee or Cokes with entertainment by winners of the CIO statewide talent contest. The women were interested, could talk pleasantly and knowledgeably because of their experience in answering the telephone and dealing with the public, and quickly demonstrated they could win votes and influence legislators.

They were both Republicans and Democrats, and they offered their coffee and advice to solons of both parties. The politicians, in turn, discovered that these workers were just like folks back home. The old notion of the union boss with a pick handle in hand, a smoking cigar in mouth, trading off votes was promptly dispatched. Yount also promoted the idea, beginning in 1941, of local unions providing one hundred dollars for scholarships to help alleviate the shortage of public-school teachers, with Kansas State Teachers College at Emporia adding an additional one hundred dollars for each student. The scholarships proved so popular that, after the number of applicants reached almost thirty, the college called a recess for the year. A wiser course might have been to ask the unions to provide the full scholarship, which they could have done. All these ideas proved to be highly effective in modernizing lobbying for the CIO's fifty thousand members in Kansas.²⁴

Gov. Fred Hall, the other protagonist in the right-to-work drama, was raised in a pronoun environment. His father was a railroad engineer, and sympathy for labor was an unquestioned assumption in the family. A Dodge City lawyer, Hall was ambitious, aggressive, and pugnacious. Elected lieutenant governor in 1950, he almost immediately fell into squabbles with his party's leadership and was constantly at odds with Gov. Edward Arn. Hall especially earned the ire of party leaders because they blamed him for the resignation of Kansan C. Wesley Roberts, National Republican Chairman. Hall exposed the sale of the Ancient Order of United Workmen (AOUW) building at Norton to the state with Roberts as the facilitator, for which the politician received an eleven-thousand-dollar commission, causing the Republican Party considerable embarrassment. Even Republican party leader Alf Landon described Roberts's actions as "peddling his political influence in a raid on the public treasury of Kansas," adding that Roberts's explanation of his role did "not satisfy the people of Kansas by a long shot." The issue led to a legislative investigation and, ultimately, to Roberts's abdication as Republican National Chairman, a resignation that President Eisenhower described as a "wise decision" but that Roberts denounced as being the result of a "plot" to get him. Despite this, Hall still managed to be reelected in 1952. Although at odds with Republican philosophy, Hall won the Republican primary in 1954 and went on to defeat Democrat George Docking, a Lawrence banker, in the general election, running on the slogan "Let's Clean Up Topeka as President Eisenhower Cleaned Up Washington."²⁵

In the 1952 race, Hall's opponents charged that the CIO was a large contributor to his campaign. Hall denied it as did Jim Yount. In the primary race two years later, Hall accused his opponent, U.S. District Attorney George Templar, of laxity in enforcing laws against labor racketeers. Templar supporters countered that Hall "owe[d] his entire existence to the CIO." The Arn administration, opposing Hall's candidacy, also entered the fray with a similar blast. Hall responded that administration forces tried to defeat him in the 1952 campaign "because I did not always agree with them." Because of the CIO endorsement in 1952, he said, "now in desperation to get votes for their candidate, the same old charges are being made." Hall added that he was "proud to have the respect and confidence of the working people of Kansas," but he had received no financial support from the state CIO.²⁶

Kansas labor leaders certainly supported his various candidacies with votes though, and when the legislature met in January 1955, he presented that body with the most pro-labor program they had ever received from a Kansas governor. He acknowledged that the state had "made substantial progress" with

workmen's compensation, but he believed, "some increase is in order." The unemployment compensation law was stronger, but it needed revision as well. Finally, he said, "the legislative council has made a study of all Kansas labor laws and is recommending some changes in those laws. It is here that you will find suggested legislation on right-to-work, jurisdictional strikes, secondary boycotts and a proposed state labor relations board."²⁷

In 1953, the house labor committee reported favorably on a right-to-work law, but it died in that chamber. By the time Hall ran for governor, the labor issue was heating up in Kansas, especially because of the unsavory Teamsters' activities that were drawing national headlines, and it was certain to be debated in the coming legislative session. The CIO at its annual convention in 1954 chose to highlight the question with a precedent-setting debate between Yount and Louis P. Weiss, president of Spencer-Stafford Loadcraft, an Augusta trailer manufacturer and leading spokesman for the Kansas right-to-work forces that were directed by the state chamber of commerce. While most voters had already made up their minds about the question, a local newspaper believed the CIO should have been "congratulated on providing this forum and hearing the other side."²⁸

Weiss opened the debate with the opinion that the worker's right to join or not to join a union is one of the basic American liberties. He asked the labor convention, "Do you want your members to belong to your union because they want to or because they have to?" The proposal his organization planned to present to the legislature in January 1955 would have merely outlawed compulsory unionism and would have protected the rights of those who "honestly" did not want to join a union. Yount's response was that the opponents were not using "an honest approach." The term "right-to-work" was being used currently in a petition in Idaho, and that state's supreme court had held that they could not use the term in that campaign as it was a "misnomer." He and the CIO had "always tried to be fair and reasonable in legislation," and all they were asking was to "keep the government out of the problems of labor and management" and to let the two sides resolve their own affairs. There was no "right-to-work" but only the "right to an opportunity" to work.²⁹

The upper house of the state legislature in 1955 was composed of thirty-four Republicans and five Democrats. The thirty-nine were composed of eleven lawyers, ten farmers, three bankers, and fifteen business and professional men. None of them, Jim Yount noted, could "have [had] labor or workingmen's connections or true sympathies." It did not bode well for defeating right-to-work legislation. The lower house, which had thirty-six Democrats and eighty-nine Republicans, was composed of fifty-four farmers, thirty-four

business and professional people, twenty-nine lawyers, three bankers, three railroad men, and two housewives. A majority of them came from counties with small union memberships. The farmers controlled the legislature, Yount warned, and each was a member “of at least one of the three farm organizations.”³⁰

The *Salina Journal* noted, “the saddest part of the ‘right-to-work’ controversy is that it has divided the farmer and the wage worker and pitted them against each other.” The newspaper’s reasoning sheds light on the issue of state labor legislation by noting,

the farmer has been stirred to hate union labor. He has been told that unions are boss-ridden, are given to criminal violence and are sources of racketeering. . . . Some of the same groups who are opposing labor in Kansas are opposing the farmer in the east. Right here in Kansas, some of the men who are fighting unions are also fighting farm programs.

The editor believed this to be unfortunate:

the farmer and the wage earner do have a lot in common. Both seek a fair return for their efforts. The whole economy of Kansas is dependent upon the prosperity of both the farmer and the wage earner. We should be together, not divided. . . . But we should look with suspicion on those who want farmer and union worker to fight each other. Those who would split us are the friends of none of us.³¹

The Wichita Chamber of Commerce, spearheading the right-to-work issue, had HR 30 introduced on January 19 to the agrarian dominated legislature. More importantly, the American Farm Bureau Federation, the National Grange, and the Kansas Livestock Association, all powerful organizations in Kansas, were lobbying hard for the legislation. A newspaper editor, seeing the obvious anomaly, pointed out, “if we were a farmer we would be outraged if a union man or labor-management specialist started writing laws to govern weed control, irrigation districts, Bang’s disease, brand inspection and seed certification.” The editor went on to cite a chart published by the Farmers Union, a prolabor group, showing an interlocking directorate of trusteeships, directorships, and memberships of the two most powerful farm organizations in common with J. P. Morgan, Republic Steel, General Motors, and public utilities. This partnership of agrarian and business groups was vital in states such as Kansas where the legislatures were dominated by farm and livestock interests. If the right-to-work campaign was successful, the Republican editor noted, “it would wipe out close to all the advantages won by labor in the last

twenty years.” The controversy, the *Topeka Daily Capital* said, “caused more stir and rumpus in Kansas than any other issue since repeal of prohibition.”³²

Both union political units and farm groups led by Kansans for Right to Work, Inc. geared up for the campaign. The latter appealed to its members for contributions by declaring that the Teamsters were ready to spend two hundred thousand dollars and that the AFL had purchased time for a series of broadcasts on six state radio stations. Jim Yount of the (KSIUC) had twenty to twenty-five lobbyists in Topeka during the last session of the legislature and expected to have more. Kansans for Right to Work’s appeal was accompanied by copies of newspaper articles detailing “union violence and gangsterism in several large cities.” It also submitted a refutation of labor’s newspaper advertisements by quoting three of the nation’s religious leaders who opposed right-to-work laws but approvingly cited the *Overbrook Citizen* when it suggested readers take time to study “the views of the religious leaders . . . who prattle a line of socialist tripe the like of which won’t be seen this side of the *Communist Manifesto*.”³³

Republicans Merle L. Lemert of Sedan, A. E. Anderson of Wichita, and Mrs. Hobart Hoyt of Lyons, whom Jim Yount described as “the darling of the right-to-work supporters,” sponsored HR 30. Neither of the appropriate house nor senate committees recommended its passage. The chairman of the house committee pleaded instead for consideration of the Legislative Council’s recommendations. The chairman of the senate committee, John Murray, who also served as chairman of the Legislative Council’s committee, insisted that this right-to-work bill did not “cure any of the ills of labor or of management.” The committee investigated the claims of Kansas Right to Work, Inc. and brought to the attention of the legislature that “gross misrepresentations” had been made, that management’s refusal to negotiate had prompted the violence in the Wichita cabbie strike, and that the allegations of a man being beaten to death by labor hoodlums in the strike had actually died from cancer from which he had suffered for two years. “Under normal circumstances,” Governor Hall insisted, “no bill could have survived this kind of history.” But the house approved HR-30 on March 9 by a vote of 66–45. On March 23, the upper house passed it 32–7, over 80 percent majority, suggesting the chamber would easily override a veto.³⁴

Governor Hall studied the bill and his options carefully and then requested the assistance of John McCormley of the *Hutchinson News* to help write a veto message. On March 28, the governor returned the proposal with his veto saying, “during the consideration of HR No. 30 the legislative halls resounded with talk about the basic freedoms of America.” He briefly traced

the development of labor law in the United States and in Kansas and likened labor relations to a pendulum on a clock. Under the Wagner Act, labor unions were “guilty of excessive practices.” The Taft-Hartley Act had stabilized the pendulum, and now the state legislature should not swing it “back to the last century.” He said further, “the labor laws of Kansas need to be strengthened but the right of labor to organize and to bargain collectively must be preserved and protected. The right of employees in Kansas to refrain from joining a union and the right-to-work are adequately protected under existing laws. These laws were among those passed in 1943. No new legislation is necessary to protect these rights.”

He then listed the laws in the code: Section 44-803 gave employees “the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing . . . *and such employees shall also have the right to refrain from any or all such activities*” (emphasis added). Section 44-813 provided that nothing in the laws “should be construed in a way that *would diminish in any way the right to strike or the right of individuals to work*” (emphasis added). Finally, Section 44-814 provided punishment of five hundred dollars and/or six months in prison for any one violating these sections. Hall acknowledged that “perhaps these laws have not been properly enforced in the past,” but he assured the lawmakers that he certainly would perform the executive’s duty in the future.

Hall quoted former governor Landon who had delivered a speech the previous July in which he had opposed the right-to-work idea because it “would also deprive the employees of the right to join a union and negotiate for a union shop. . . . The question involved in this legislation is governmental interference with the independence of labor and management to negotiate whatever kind of contract they agree upon.” The governor also quoted Eisenhower’s secretary of labor James Mitchell who had recently insisted, “state right-to-work laws do more harm than good.” Hall concluded that enactment of the bill could be “remembered as a dark day in Kansas legislative history” and he was “deeply disturbed” by the effort “to turn the farmers of Kansas against labor in Kansas.”³⁵

Hall’s quote of James Mitchell caused some consternation in the Eisenhower administration. On April 25, 1956, Secretary Mitchell told the state chamber of commerce meeting in Kansas City that he had never discussed the right-to-work issue with Eisenhower “or with anyone else high in the administration.” Hall’s stance prompted Louis Weiss to ask the president if the governor was correctly representing the administration’s position on the issue. Solicitor of Labor Stuart Rothman, speaking for the administration,

replied to Weiss that Mitchell, "on a number of occasions has pointed out the serious objections to laws of this type." Rothman added, however, that Mitchell also recognized "the right of the state to adopt them." A note at the bottom of this interdepartmental memo said, "I discussed this with Mr. Cooper [of Senator Barry Goldwater's office]. He thinks Mr. Weiss may write again . . . but to let it drop until he does."³⁶

The vote in the senate left no doubt the veto would be overridden there, so a vote was taken in the lower house. The chamber went into a forty-five minute "call" to rally supporters. The tally then showed a significant gain for right-to-work with seventy-eight for and forty-four against, but not sufficient for the necessary two-thirds required by the constitution. Twenty-eight Democrats and sixteen Republicans voted with Governor Hall while six Democrats agreed to override. Only two Democrats and one Republican could not be rounded up. Even Clyde Littler, Republican of Cottonwood Falls who had not cast a vote since his heart attack a few weeks earlier, was present to add his vote for American "freedom." Spectators packed the gallery that day and the *Topeka Daily Capital* predicted that the "emotional outbursts" following the roll call would "carry over into the next election campaign."³⁷

That morning the lower house had accepted the senate-approved bill for state aid to high schools by a vote of 71-49. The bill was a priority for Hall as the state had begun this important assistance for elementary schools some six years earlier, and the governor realized how badly the school districts needed this help with their secondary schools. At a press conference that morning covering his veto message, Hall expressed his pleasure at the legislature's action on this priority measure. Ten hours after receiving his veto message, Mrs. Hobart Hoyt moved at 10:00 p.m. to reconsider this action, which won approval sixty-seven to thirty-seven and it was sent to a conference committee to iron out house differences with the upper body. Mrs. Hoyt and "several legislators, who declined use of their name," told reporters that there was "no connection" between that vote and Hall's veto. They took this step, they declared, because some legislators were confused about what they had voted for that morning. Many doubted the explanation, but fortunately, the school-aid bill passed later after Hall had sweated a little and legislators' tempers had cooled.³⁸

A "little Taft-Hartley law" was another priority for the governor. He wanted to tighten supervision of union elections and strike-vote procedures, making certain the majority ruled in these issues. He also wanted to outlaw secondary boycotts and jurisdictional strikes. The proposal was given "an apparently fatal twist" when senators added a right-to-work provision to it because they

knew the governor would veto it if this were included. By inserting this provision the Republicans were cutting off their nose to spite their face. Senators approved the addition 20–17 and passed the bill 28–7. In the lower house, Rep. Merle Lemert tried and failed overwhelmingly—by vote of 88–32—to get the chamber to agree to the amendment. The attachment was “shouted down,” and the Democrats threatened to walk out and halt house proceedings. A majority of Republicans believed the threat was genuine. The “little Taft-Hartley” went to conference where right-to-work was eliminated through house pressure. “Seldom have the chief executive’s top recommendations strayed so close to disaster in the final days of a session,” the *Topeka Daily Capital* editorialized, “then come through to approval.”³⁹

Following the sustaining of Hall’s veto, AFL official Floyd Black stated that labor would back Hall in his bid for reelection the next year. Republican Black was a close friend of the governor, and he launched a statewide effort to persuade Democratic laborers to switch registration and go to the Republican party, a venture that Jim Yount and his supporters refused to condone. The *Topeka Daily Capital* editor noted that Hall first needed to capture his party’s nomination and that labor would be of little use to him in the primary because most union members were registered Democrats. He warned that governors who “get at outs with the legislature” had a difficult time seeking renomination and cited Clyde Reed’s experience in 1930 as an example. The editor proved to be correct as the Republican leadership was determined to deny Hall the office, and all legislators who had voted against right-to-work were also on their hit list.⁴⁰

The struggle between Hall and the old-guard Republican leaders dropped to a low level. Using a “Dick Tracy-type wrist wire recorder,” conservatives reputedly taped an interview between District Highway Commissioner Elmer E. Anderson and L. M. Weltmer, a Mankato attorney, and Republican wheel horse Dick Long. Anderson allegedly offered Jewell County delegates to the Republican state convention \$1,700,000 in construction funds for Highway 36 in exchange for their eight votes to support Fred Hall. Weltmer said he and Long were left with the impression they had to “support the governor” if roads were to be built in their area. Anderson, of course, denied making such a threat. He told a reporter he doubted if Weltmer could have concealed a recorder, and said, “I do remember Mr. Weltmer telling me he was hard of hearing and wanted me to speak more distinctly.” He had told the two men of administration plans for road construction, letting them know how the Hall forces were helping them and that he “was asking them for their friendship.”

The Jewell County delegates were not sufficiently cowed, however, and remained in the anti-Hall corner.⁴¹

The GOP stalwarts supported Warren Shaw against Hall in their party's primary campaign with right-to-work dominating the elections of 1956 in Kansas. Hall and his supporters had stymied Shaw in his bid for speaker of the house the previous year, so Shaw had a double reason for wanting to defeat the governor. Just prior to the primary, Hall and Shaw had a "precedent-setting debate" on the right-to-work issue before "the largest tv and radio network ever assembled in the state." There were an estimated sixty-four thousand in the Channel 13 viewing area alone. Shaw spoke from notes, which detracted from his effectiveness because the moderator's buzzer cut him off in mid-sentence twice. Hall was the more effective debater because he could speak extemporaneously. He offered the optimistic, certainly naive, opinion that Kansans would not express a negative opinion of him because of his position on right-to-work. Kansas voters, though, had already made up their minds on the issue, and the debate changed few votes. Shaw was the only one of six primary candidates who promised to sign a right-to-work bill.⁴²

Shaw vigorously attacked Hall as "the captive of union bosses and labor racketeers" and assaulted him viciously as a "despot," a "Huey Long," and "a political scavenger." Hall would lose votes in Wyandotte County, Yount predicted because his opposition insisted, falsely, that the governor was responsible for the proposed removal of four hundred black families for Urban Renewal. These attacks, Yount noted, were "carried on the front page" of all newspapers in Kansas. Hall had to concede the nomination to Shaw following what the *Topeka Daily Capital* called "a bitter primary battle." Shaw immediately began mending his political fences by lunching with William A. Smith, a longtime Hall adviser.⁴³

The AFL and the CIO had merged nationally in 1955 but much remained to unite the two groups truly in the state as there were fundamental personality and philosophical differences—just as there were on the national level—that dated back to the bitterly decisive split in the mid-1930s. Yount's and the CIO's efforts were ultimately divisive. They had modified their public relations approach for lobbying and held meetings with farm groups across the state in what they called Farmer-Labor Tours and Bread and Butter Tours in an effort to explain labor's position on issues and unite farmer and laborer, a century-old dream. In the "sleepily [*sic*] little town of Randolph," for example, over five hundred farmers and laborers gathered in the high-school auditorium to drink coffee and exchange political views. Yount believed this effort to be vital if labor was to be successful in delivering its message in a strongly agricultural

state. The state AFL declined to join in or cosponsor these activities, arguing that labor should appear at agrarian meetings only when invited. In addition, the news media spread the word that labor was really trying to organize the farmers, and, as a result, Yount's efforts to build bridges with agrarians largely came to naught. More importantly, the two groups were poles apart on their concept of lobbying, Yount and Floyd Black of the AFL especially were at loggerheads. AFL officials, led by Black, were traditionalists who rejected the new approach of using women and coffee meetings and offering college scholarships in favor the usual labor strategy of plying legislators with liquor at expensive dinners, the blunt system of the old labor bosses. The AFL was especially adamant about keeping Yount and his "soft" concept of lobbying out of any leadership role in the new organization. Politics probably played a part as Black and the AFL officers were Republicans and Yount and his supporters were mostly Democrats. As a result, the two units had to postpone their merger talks in the midst of the primary battles because of political pressures and AFL insistence on dominating the new organization. They soon resumed their negotiations, and the merger was consummated temporarily in 1958. At the convention that year, however, the AFL had the votes to reject a number of CIO delegates and to place their man in office instead of Yount. When the AFL continued to refuse to accept Jim Yount's inclusion as an officer in the merged state AFL-CIO, Yount's defenders insisted on supporting him and broke away in 1961. National secretary Jim Carey informed Yount that they had a responsible position waiting for him in Washington, but the labor leader said he wanted a new charter, which he and his group received from the national office. The two unions remained separate until 1964 when they finally settled their differences, and Yount was elected executive vice president and head of COPE, (Committee on Political Education) becoming a leading member of the combined team.⁴⁴

In 1956 when George Docking announced that he would run for governor in the Democratic primary, Harry Woodring came out of retirement to oppose him. Oddly, because they were Republicans, Floyd Black and his cohorts in the AFL "raised a bunch of money" to support Woodring's bid, producing the "bitterest primary campaign in many years" as the *Topeka Daily Capital* observed. Docking very narrowly defeated Woodring for the nomination, the first time Woodring in his four attempts was defeated in a Democratic primary. And it proved to be the second time that the AFL bet on the wrong horse in the 1956 elections. In the general campaign that followed, Docking expressed strong opposition to antiunion shop proposals and promised to veto any right-to-work legislation the solons passed.

The CIO had five thousand meat packer votes the union could always count on in Wyandotte County. As a CIO lobbyist noted, he could “hand them a slate and they would go and vote for it.” But, after taking a swing through the other labor strongholds in eastern Kansas and talking politics to union leaders, Yount concluded that Docking could lose the area and thus the election. It appeared too close to call. Then Jim Yount hit on an extraordinary idea. He met in Topeka with the candidate, Mrs. Docking, and Don Hewitt, a Wyandotte County Democratic boss and strong supporter of Docking and discussed his proposal. Docking and Hewitt rejected it and, as Yount walked out of the meeting, Mrs. Docking stopped him and said for him to proceed and she would “help [him] get the money.” State law at that time said that if a worker asked permission of his employer before the election, he could receive time off to vote. Yount had cards printed to explain the law to the workers and included a CIO card with it, saying “Docking for Governor.” So many of the seven thousand workers subsequently asked for time off, for example, that the Continental Can Company in Coffeyville shut down that day. The labor effort in these key precincts paid off and Docking won them because of Yount’s strategy. The legislature in its next session repealed the time-off law. But the deep cleavage in the Republican ranks spelled victory for the first Democratic candidate for governor since Walter Huxman in 1936. How much of a factor right-to-work was in Docking winning was “problematical,” the *Capital* reported, “because GOP factionalism was so great.”⁴⁵

Politics in Kansas moved at a fast pace between the general election and the inauguration of Docking. Hall’s close confidant, William Smith retired from the state supreme court, Hall resigned as governor, and Lt. Gov. John McCuish was sworn in as governor and immediately appointed Hall to the supreme court vacancy. All this was achieved in a matter of minutes on January 3, 1957, less than two weeks before Docking assumed office. This deed further alienated Hall from Republican leaders, and when he resigned from the court to run for governor in the 1958 Republican primary, he lost to Clyde Reed and moved to California, taking no further part in Kansas politics except for the right-to-work issue in 1958.⁴⁶

Because Docking had stated during the campaign that he would not sign a right-to-work bill, Republican leaders decided to try to pass a constitutional amendment, which would not require a gubernatorial signature. Jim Yount sent a memo to KSIUC officials alerting them to the Kansas Right to Work plans. Citing an “accurate report,” he noted that the right-to-work organization had already spent “over \$265,000 in their drive for enactment of this law.” Now their strategy was to pass a joint resolution through the legislature, and COPE

forces were “in a very tight contest” in the lower house because of the unpredictability of “the many new members” whose position they did not know at that point. A few days later when Yount learned that the Republican caucus had endorsed right-to-work and of the eighty-three members, only thirteen were opposed to it, he said, “this session can be dynamite and we can take nothing for granted.”⁴⁷

On February 27, 1957, right-to-work forces introduced HCR 20, and it began to wend its way through the legislative process. Believing they could not get the proposal out of the labor committee, right-to-workers had it assigned to the judiciary committee. A month later, both houses tried to amend the proposal to include banning the denial of employment on the basis of race, color, or religious beliefs, which lost 11–28 in the upper chamber and 38–58 in the lower house, which also attempted to amend the proposal by allowing a union-shop if three-fourths of the employees voted for it by secret ballot. This lost 35–55, with thirty-five absent or not voting.⁴⁸

At this point the labor lobby made two fatal mistakes. First, senators Bill McVay of Independence and Frank Dodge of Hutchinson opposed the bill. Yount made arrangements for a “spacious room” where the two senators could lounge and “hide out” while the vote to “emergency up” the legislation was taken. This would defeat the right-to-workers, but when Floyd Black discovered the plan, he took the position that Senator John Murray should be told. During their conversation senate labor committee chairman Murray told Black that no one can be forced to a roll call on an “emergency up” vote. For some reason, no one told McVay and Dodge of the plan, and they remained in their seats. A standing vote was taken to “emergency,” and right-to-work senator Tony Immel of Iola saw Dodge sitting, pointed his finger at him and said, “Frank stand up.” He did and labor lost the vote. The amendment passed on March 26 by a vote of 84–36, with almost all house members casting a vote, and 30–9 in the senate on April 3. All these votes “followed party lines fairly closely.”⁴⁹

The amendment submitted to the voters read:

No person shall be denied the opportunity to obtain or retain employment because of membership or nonmembership in any labor organization, nor shall the state, or any subdivision thereof, or any individual, or corporation or any kind of association enter into any agreement, written or oral, which excludes any person from employment or continuation of employment because membership or nonmembership in any labor organization.

It would join two other amendments (three was the limit in any one election) for consideration in the general election in November 1958. One was to permit the state to participate in water-conservation and flood-control programs, and the third was to change the method of selecting state supreme court justices.⁵⁰

Former supreme court justice William Smith was campaigning for ratification of the amendment to change the way in which justices were selected. He became quite annoyed with COPE tactics to defeat right-to-work by urging labor voters to follow the traditional advice of voting no if you are uncertain about a political issue. COPE urged voters to vote no on all three constitutional proposals, and Smith found it reprehensible to kill two perfectly legitimate and necessary constitutional changes to achieve the goal of strangling one proposal inimical to your interest. His strongly voiced objections proved important.⁵¹

Meanwhile, Jim Yount reminded CIO officers that the tax issues of that legislative session also would be of consequence to workers. There would either be a new severance tax or an increase in the state sales tax because the state needed the revenues. The oil lobby could afford to spend a half-million dollars fighting the severance tax, he observed, because it would cost producers \$9 million annually, but a one-cent increase in the sales tax would cost the average working men or women of Kansas \$25 to \$30 million annually. The sales tax eventually won out, but the labor lobbyists managed to get it cut to a one-half-cent increase. Both sides were gearing up for the statewide struggle over the constitutional amendments, and Yount reminded AFL-CIO officials that the Kansans for Right To Work were "turning on the heat" with telegrams coming in from all over the state to the judiciary committee that handled the union amendment. At that point, he had nine or possibly ten votes of the twenty-four members, all of whom were lawyers, but needed twelve to kill it in committee. He further noted that Governor Docking was keeping "a score board in his office" of the letters and cards he received on the tax issue, and he urged the officials to set up "letter writing committees." "We're up against a bunch of fast operators and smart people up here," he warned, "and they're all in the driver's seat."⁵²

On March 4 Jim Yount asked "the working people of Kansas" to write one thousand letters to Elmer Russell, chairman of the Republican caucus, and to Paul Wolf, chairman of the Democratic caucus, opposing HCR 20. Four days later he reported CIO strategy as trying to replace the amendment with one to increase wages and expenses for legislators as the third resolution for the ballot in November 1958. He noted that their problem in the senate was created by the state Chamber of Commerce, Associated Industries, and

“right to wreckers” because of Senator Hultz of Lawrence, a former lobbyist for right-to-work. The CIO had failed to defeat him for re-election by eleven votes, and now they were paying for that crucial loss. Despite these efforts, the Kansas Right to Work group was more effective and carried the day.⁵³

At this point, the AFL leaders made their second major mistake. AFL-CIO state president William Holly of Wichita; Floyd Black, executive secretary; and Jim Yount, executive vice president, plotted their next move. They planned to send letters to state political leaders calling attention to the misleading title of the bill. In addition, the politicians were unaware that the bill had not been printed in the senate journal as required by law. State printing had to be done by the official state printer, a union man, and for some reason—and there was a strong suspicion this was deliberate—the amendment was not printed in the journal. The fact that the oversight had not been detected at this point by the press, labor, or the right-to-work forces was incredible, but if it continued to remain undiscovered it could not appear on the ballot in November. Yount, Black, and Holly “met with a prominent political person well versed in the legislative process,” to discuss sending a letter of protest to Republican leaders on their failure to print the bill. The man advised against sending it. Although Yount had never heard the man use profanity before, his comment was, “you are going to be one sorry son-of-a-bitch” if the letter was sent. The labor trio then met “at the state house brass rail” to discuss strategy. The argument became so heated between Holly and Yount that they decided to adjourn to their nearby office, Holly and Black going together and Yount separately. Holly and Black decided to send the letter anyway and announced this to Yount when he arrived, making it a two-to-one decision. After the letters were sent, senate leaders discovered the printing omission and had it corrected, guaranteeing the amendment’s presence on the ballot.⁵⁴

The AFL-CIO sent the registered letters to Governor Docking, Secretary of State Paul Shanahan, and various legislative leaders calling attention to the proposal’s title being “constitutionally defective.” After investigating, Attorney General John Anderson agreed that the resolution was invalid because neither the HRC nor the amendment itself was printed in the senate journal as required (senate leaders quickly corrected this oversight in the special session) and the title proposed for the ballot was at variance with the proposal. Anderson ruled that if the title was printed rather than the full amendment, it must be complete enough to advise the voter of its scope and import. The legislators had used the title “relating to the right of individuals” but it was changed to “guaranteed freedom” when printed for the ballot, which Anderson held was misleading. He agreed with union officials that the title contained no

reference to the “right or freedom to *join a union*” (emphasis added). After appeals, the state supreme court ruled that officials would have to print the entire amendment on the ballot. This interpretation failed to satisfy Secretary of State Shanahan, because voters had a limit of three minutes in the polling booth, and they could not read and comprehend the ballot in that length of time, but his objection was overruled.⁵⁵

Neither gubernatorial candidates Republican Clyde Reed nor Democrat George Docking endorsed the right-to-work proposal, but both parties campaigned vigorously on the amendment. “Kansans for Right to Work” made several films available. The true cause of death (of cancer) of the man during the Wichita cabbie strike was revealed after a careful investigation by the senate labor committee. The right-to-work forces, however, made a film entitled *You Decide*, which portrayed the man being beaten to death by “labor goons.” Their film *Why Women Weep* showed the grief of women whose families were touched by labor violence, and many women reportedly left the showings “with tears in their eyes.” The right-to-work forces circulated a terror story labeled “Shooting on South Flower,” and reprinted a *Saturday Evening Post* editorial entitled, “There’s No Excuse for Goon-Led Picket Lines.” They never discussed fundamental issues but left that to the AFL-CIO. As so often happens with a hotly contested issue, emotions overwhelmed the facts, and too many citizens voted their feelings.⁵⁶

In August Kansans for Right to Work distributed a pamphlet written by a Methodist lay leader for clergymen to use in their Labor Day sermons. The missive described Ernest M. Sims as having “sterling character, Christian idealism, community social leadership and perspective.” His message did not oppose unions per se but made “a sound case against the abuse of the principle . . . of the case for social and economic liberty from one who believes in freedom at its best in all areas of life.”⁵⁷

Right-to-work people also worked the county-fair route. The Farm Bureau provided exhibits to display in thirty-five counties. Labor organizations protested that officials of some of these fairs informed them they would not have room to display their exhibits and the union men demanded they remove the Farm Bureau displays in return. Floyd Black estimated the AFL-CIO would have \$60,000 to spend in the campaign. Reed Larson of the right-to-work forces, on the other hand, “brushed off charges that his group would have \$300,000 to spend that fall.”⁵⁸

While the gubernatorial candidates remained above the right-to-work fray, other politicians jumped in eagerly. Wint Smith of Mankato, running for his seventh consecutive term as congressman, made it a key issue in his dis-

trict. Clifford Hope Jr., campaigning in the Fifth District, charged that “our congressman”—his opponent—had received a “substantial contribution” from Jimmy Hoffa. Teamster leaders supported Republican candidates, and Hoffa’s attorney, Payne Ratner, informed the McClellan Committee that \$3,500 went to George Docking in an unreported contribution.⁵⁹

Two former Republican governors campaigned vigorously against right-to-work in 1958. The same issue was on the ballot in California, Idaho, Colorado, Ohio, and Washington that November, and Fred Hall announced an extended speaking tour. Sponsored by the National Council for Industrial Peace, which was co-chaired by Eleanor Roosevelt and former Democratic senator Herbert H. Lehman, Hall said in a press conference that the issue was hurting Republicans, especially in California and Ohio, and he kicked off his tour in Hamilton in the latter state.⁶⁰

Alf Landon disagreed with California senator William F. Knowland, who was running for governor and wanted to make right-to-work a political issue in his campaign. Landon agreed with Hall that it hurt Republicans—the only thing that he agreed with Hall about, saying that if Hall campaigned in Kansas, he would stay at home. “Two years ago we drove thousands of voters into the Democratic party,” Landon wrote, “by blanket abuse of all labor leaders as ‘goons’ and ‘racketeers.’” Landon also wrote a statement for use by the AFL-CIO in states where right-to-work was on the ballot, which said, “there is no greater domestic problem today than working out sound relations involving the public, employees, management, in our complex industrial economy. But these so-called right-to-work laws are not the answer.” America “need[ed] strong unions,” he said, not weak ones: “Strong unions mean leadership with a sense of public responsibility. Weak unions mean rabble-rousing leadership.”

In addition, Landon undertook an extensive tour across Kansas at his own expense speaking against the amendment. On a hot September day, for instance, the seventy-year-old statesman traveled three hundred miles, speaking to over five hundred people in fifteen hours. He declared that the amendment placed Kansas “government in a strait-jacket”: “It puts Kansas in a position of attempting to settle for all time what the world has not been able to settle up to now.” All this, Jim Yount noted, came from the man who union leaders vilified in 1936 as an antilabor politician!⁶¹

The *Kansas City Star* promised its readers that it would present both sides of the issue. The newspaper reprinted William L. White’s essay that had appeared in the *Readers Digest* in which he made a strong case for the necessity of the law. White supported right-to-work because, under the Railway Labor Act that protected workers from compulsory unionism, union membership

among railroad workers tripled from 1934 to 1951. He opposed unions expelling members because they criticized their leadership or policies. White reminded his readers that the McClellan Committee had discovered that the Union of Operating Engineers had paid for a trip to Europe for its president to attend a labor conference after the costs had already been paid out of federal tax dollars. In addition, the union maintained a yacht for him and other union officials to shuttle between Long Island and Miami. The journalist supported right-to-work because with legalized compulsory unionism, the United States was in a position of “splendid isolation.” Austria, Belgium, Denmark, France, Holland, Norway, Sweden, Switzerland, and West Germany, he noted “all [had] strong voluntary unions.” Finally, White emphasized, right-to-work states had union memberships as high or higher than they had before they voted for the freedom.

To present the negative side, the *Star* reprinted the AFL-CIO article in *Labor's Economic Review* that corrected confusing and misleading claims of supporters of right-to-work. According to the article, compulsory open-shop legislation does not lead to prosperity but to low wages; antiunion laws hamper improvements in wages and hours and will attract “cheap sweat shop chiselers.” And it claimed that in right-to-work states there had been no beneficial effects but rather some of them had the lowest standards of living in the nation, and “freedom” was not improving conditions for them. Further, in choosing new sites for relocation, industrialists asked, What is the “nearness” of markets, resources, and raw materials? Are there sufficient numbers of workers and do they have the required skills? In addition, companies considered the quality of school systems. Many proponents of right-to-work believed that labor costs constituted the greatest part of production, but really it was only one-fourth. Three-fourths of industrial costs lay in materials, plant machinery, and overhead. Finally, the AFL-CIO argued, right-to-work attracted only low-paying industries such as textiles and shoe manufacturing.⁶²

Floyd Black of the State Federation of Labor presented a quiz he asked voters to think about before casting their ballots in November:

- (1) have right-to-work laws helped industrialization? No, because in terms of 1955 nonfarm income compared to the percentage in 1946, Kansas had 211 percent, North Dakota 198, South Dakota 189, Nebraska 185, and Iowa 182 percent.
- (2) can you compel joining a union under present laws? No, this means a closed shop that was made illegal by the Taft-Hartley Act in 1947.

- (3) if a majority want to, can they abolish their union? Yes, and even nonmembers can vote in these elections.
- (4) must the union represent all workers? Yes the NLRB carefully monitors this right.
- (5) if a majority can prevent a union, is it not fair for the majority to require membership of all? Yes, do not confuse union security with the closed shop.
- (6) does labor really want union security? Yes, since 1947 of 89,000 elections, 87,000 or 97 percent voted for union security. Of 10.5 million votes, 9.7 million, or 92.5 percent voted for it.
- (7) is all union management opposed to union security? No, a *Business Week* survey showed almost half did not want it but "a large number" believed that elimination would be detrimental to them.
- (8) have voters in industrialized states approved right-to-work? No, these are mostly Southern states
- (9) has per capita income dropped in neighboring right-to-work states? Yes⁶³

On September 2, 1958, Jim Yount reported on right-to-work strategy. The opposition had reprinted and distributed the William L. White article, "Straight Talk" from the *Farm and Range* issue of March 1958 by Tom Anderson, one entitled "Tyranny in Compulsory Union Membership" by a member of the Masonic Order, and a pamphlet by an Indiana minister. They also produced their own brochure "It's Your Freedom, Don't Lose It, Vote Yes." These were widely distributed "in front of grocery stores and other places where people congregate[d]." Yount reported the Farm Bureau was "making practically every County Fair." Their public-relations firm, Centron, was contracting for a large amount of radio and tv time. He lamented, "Their budget for Wichita alone at this time amounts to \$150,000 in additional money and we must anticipate they will be able to raise at least a million dollars in the State of Kansas."⁶⁴

Yount wanted to send out a weekly publication to union members "pounding hard on issues gauged to stimulate interest and activity in the rank and file." He also wanted to send letters or brochures to prominent Democrats and Republicans weekly. The union should continually make requests for full-time and part-time assistants in political activity against Proposition 3. At this point 50 percent of the potential three hundred thousand members of labor and their families were registered, and over sixty thousand of these were in the three counties of Sedgwick, Shawnee, and Wyandotte.⁶⁵

Two weeks later Yount concluded that to defeat Proposition 3 union political activity would have to increase in those three counties. At that point, he surmised that they were fifty-thousand votes short of victory, and there were still that many unregistered union members and their families in the three cities of Kansas City, Topeka, and Wichita. He assigned Bill Holly to increase COPE activity in Wichita, Floyd Black was to do likewise in Topeka, and he would "attempt the same" in Wyandotte and Johnson counties. He warned, "The election can well depend on the results of our efforts during this registration period," and reminded them that they had only twenty-four days left.⁶⁶

Despite these efforts, right-to-work passed that November by a substantial margin, over ninety thousand votes. The *Kansas City Times* reported that there appeared to be two elections that day, one on right-to-work and the other for the governorship. "The dramatic upset of the election," the newspaper said, "was the tremendous vote by organized labor in Wyandotte County against the Right-to-Work amendment," which in turn gave Docking a huge majority and resulted in the probable loss of the Errett P. Schrivner's congressional seat. The Republican victory on right-to-work was a costly one, as Landon promised it would be. In addition to Docking becoming the first Democrat in Kansas history to succeed himself, Newell George won Schrivner's First District seat, Floyd Breeding withstood Clifford Hope Jr.'s challenge in the Fifth District, and Denver Hodges of Coffeyville won the Third District, splitting the Kansas delegation to Congress evenly with three Democrats and three Republicans, a political phenomenon not seen since the Democratic halcyon days of 1934 when the division was three Democrats and four Republicans. In addition, the popular Republican Ed Reese barely maintained his seat for the Fourth District because of the strength of his opponent, Democrat Warner Moore, in the strongly prounion Sedgwick County and Wichita. Republican Wint Smith managed to "count out" Democrat Elmo Mahoney by thirty-three votes in the sixth district. To quote the comment of King Pyrrhus in his Greek defeat of Roman forces in 280 BC, "another such victory and [the Republicans] are undone."⁶⁷

The final count for right-to-work was 395,839–307,136; however, it was not passed in the other five states. Events in the Ohio election demonstrated the efficacy of making right-to-work a public rather than a narrow labor issue. This approach stimulated political activity "in all sorts of normally inactive places" and was especially effective in working the beauty and barber shops, black newspapers, and churches to get out the black vote by making it "a broad community appeal." This coalition building succeeded in winning 63

percent of the Ohio vote, but it also elicited a response in rural small towns and counties where voters viewed it as a rich man versus poor man issue, a development that failed to occur in Kansas.⁶⁸

Similarly, in Missouri in 1978 labor strategists targeted areas with “persuadable” voters such as blacks and small-town family farmers in that state’s campaign against right-to-work. Their literature focused on how antiunion restrictions hurt everyone. One ad called attention to the fact that wages in right-to-work states always declined. “When the wages of working people go down,” it proclaimed, “their spending power is reduced,” which would result in less money for farmers and small businessmen because the standard of living dropped in the area. Opponents also stressed former President Harry Truman’s opposition to right-to-work, which was effective in rural counties. Another pamphlet emphasized how farmers were blamed for the high cost of food when middlemen were the culprit. Farmers should beware of the “big lie” that laborers and unions were the cause of high costs of farm machinery when manufacturers’ huge profits caused the problem. This divide and conquer strategy also worked because many small town residents had children who had moved to the city and worked for union shops. As a result, unions defeated right-to-work in Missouri and “even if labor had only broken even in its urban strongholds [of Kansas City and St. Louis], the rural counties would have carried the day.”⁶⁹

Kansans for Right to Work executive Reed Larson did such an effective job in Kansas that he was promoted to head the National Right-to-Work Committee. He claimed that success came in the Sunflower State because business leaders “were willing to participate personally and that they had decided to keep the issue nonpartisan.” Corporations active in the Wichita area included Boeing Airlines, Beech Aircraft, Cessna Aircraft, Vickers Petroleum, and the Coleman Company. Also, during the last two weeks before the election, Larson’s organization “blitzed the media with sponsored ads and special showing of [their] films on television.” In the opinion of one authority, “organized labor faced an uphill battle all the way; it did not have many members, had its closest ties to the minority party, faced general media opposition, and had an enemy that possessed energy, determination, and sophistication.” The labor movement did an amazing job against these odds.⁷⁰

With all the political hoopla and religious fervor right-to-work generated in Kansas, did the issue really matter in the long run? Studies through the 1950s and the 1970s indicate no consensus on its economic effect. One major study indicates that the financial effect of right-to-work laws was minimal, while others show a negative influence on union membership and power. Gary Sage

of Economic Development Corporation of Kansas City made a comparative study of the effects of right-to-work in Kansas and in Missouri and found that it was a non factor in company decisions to relocate in the Kansas City area. In Kansas the issue shows what can happen when religious groups arouse passions, and voters are led by emotion rather than reflecting objectively on what their vote means, and right-to-work forces maintained this very effective campaign for four years. It was so successful that labor never really tried to have right-to-work revoked. In 1973, they attempted to promote a modified open shop, but the Senate Labor Committee brought it in with a "do not pass" recommendation and it died.⁷¹

While labor in Kansas lost this crucial battle, it also gained several legislative victories during the decade. After a half-century of effort, labor lobbyists finally got a boiler-inspection law in 1953, requiring annual inspection of boilers, except those in locomotives, by an inspector appointed by the state labor commissioner. The same legislature enacted an occupational-disease statute that covered both industrial and agricultural diseases, such as lead and mercury poisoning or anthrax, in addition to a fair-employment law forbidding discrimination on the basis of race, color, religion, or national origin. Two years later Workmen's Compensation and Unemployment Insurance was raised to \$32.00 weekly.⁷²

In 1951, Republican legislator Myles C. Stevens of Wyandotte County, the sole black representative at that time, introduced an FEPC (Fair Employment Practices Committee) bill with teeth in it that prohibited discrimination on the basis of race, color, religion, or national origin. The lower house passed it with some votes to spare, but the legislative committee in the upper chamber killed it in the waning hours of the session. Stevens did manage, however, to persuade the legislature to establish a committee to study the problem of racial discrimination in employment in Kansas. Two years later he reintroduced his measure.⁷³

On February 25, 1953, Stevens's bill was referred to the house committee on state affairs, which recommended its passage. The house then approved it by a vote of 83-3 after the penalties were removed. Thirty-nine representatives who for various reasons were afraid to take a stand on the issue or opposed it but did not want their constituency back home to know that were recorded as "absent or not voting." Supporters organized the Kansas Citizens for FEPC, chaired by J. Cordell White, a well-known black leader in eastern Kansas, to garner support for the measure. The nine-county organization had raised \$1,500 of its \$3,000 goal by early February, and they brought in an expert from the East Coast for professional leadership. The state cio lent the organization

its headquarters in Topeka as an operating base, and the principal strategy consisted of developing prayer groups. Stevens returned home to meet with White's group, however, and reported "strong opposition" in the Capitol to his measure, especially from the state chamber of commerce.⁷⁴

Esther Brown, a Jewish housewife from the South Park area, who was instrumental in forcing the courts to integrate that school district as required by Kansas law and who proved to be a major force in the *Brown v. Topeka* case in 1954, was on hand to lend her prestige and voice for the FEPC bill. As one key figure in the struggle acknowledged, "I don't know if we could have done it without Esther Brown," because her testimony "led directly to the establishment of an anti-discriminatory committee for Kansas." Proponents concluded, and convinced Stevens, that the opposition was too fierce and a toothless FEPC was better than none at all. Stevens had to agree to drop the penalties from his measure. As the *Topeka Daily Capital* expressed it, he had to "tone down" his bill before it would be accepted.⁷⁵

The senate, however, demanded that the law be further weakened. Democratic floor leader Robert Karr of Girard insisted, "there is a discrimination [suggested by the bill] that I don't believe exists. We don't have any such problems now and let's not create any." He and his supporters insisted on removing the provisions that the committee could publicize its findings after holding hearings on employment discrimination and limiting it to employers of eight or more people. The senate then accepted it 38-0. The house gladly agreed with these changes by vote of 98-0. Gov. Ed Arn, who had endorsed the concept before its introduction into the legislature, signed it into law on April Fool's Day 1953. Patterned after the Wisconsin model law, the FEPC was a start in the right direction, and its supporters used it as a foundation for later legislation that did have teeth. But it had little immediate impact. On the national level these gains were offset by the passage of the Landrum-Griffin Act in 1959.⁷⁶

Based on the revelations his brother made for the McClellan Committee investigations during the 1950s, Senator John F. Kennedy sought to further his presidential ambitions by writing a labor bill that would curtail the nefarious activities of the Teamsters. His proposal was sidetracked and replaced with the Landrum-Griffin Act that Dwight Eisenhower, the "hidden-hand" president and his staff developed and shepherded through a Democratic-controlled Congress in 1959. For the first time in history the national government assumed a direct responsibility for regulating internal union activities. The law's so-called bill of rights provided supposed safeguards for democratic procedures in the conduct of union affairs and protected union funds

by requiring periodic financial reporting. The secondary boycott ban was extended and certain types of picketing were curtailed. The “no man’s land” area of union activities, over which the NLRB did not assume jurisdiction, was given specifically to the states to regulate. It also removed one of the last vestiges of anticommunist hysteria, the affidavit that union officials had to sign in order for their unions to receive the benefits of the national labor policy. As with the Taft-Hartley Act, though, Landrum-Griffin failed to meet the expectations of its promoters, but it did demonstrate the political ineffectiveness of organized labor in the postwar world, and it injected the national government into its internal affairs to an unprecedented degree.⁷⁷

Union membership continued to decline precipitously during the next four decades, and at the millennium it stood at 13.5 percent of the labor force. The role right-to-work played in this decline is impossible to determine. Except for a few key industries, labor unions were no longer a formidable opponent with which management had to negotiate seriously. In the last half-century, American manufacturers have moved their operations around the world to take advantage of cheap foreign labor. The consuming public enjoys the low prices they pay for products at Wal-Mart and appear indifferent to the appeals of American labor for help. Moreover, the United States has become a service society, and while its economic growth expanded exponentially in the last decade of the century, organized labor has enjoyed very few real gains in terms of its proper share of this prosperity. Continued free trade and the trend toward a service society bodes ill for American skilled workers and the products they formerly produced. The labor-management process of negotiating grievances has come full circle to that of a previous century, in Kansas and the nation.

Conclusions

It is difficult to draw adequate conclusions about experiences as varied and intense as that of Kansas labor. But a modest summary and evaluation of the century's achievements in bettering the conditions of the working people of the Sunflower State is in order.

The development of labor in Kansas followed basically the pattern of the nation as a whole. One authority describes the last three decades of the nineteenth century as "the most intense period of class warfare in American history." Kansas laborers not only fought for better wages and hours during that era but also protested the capitalist system's denying them social, political, and economic justice that they believed to be their right in the American system. In the early years, when there was a good balance between agriculture and industry and communities were small, laborers won widespread local support in their strikes and struggles with distant eastern capitalists. They lost most of these strikes, usually called over issues of pay or miserable working conditions, but achieved moderate success over the years in persuading the legislature to give them at least minimal protection from dangerous working conditions, child-labor evils, and the competition of convict labor. As legislators knew, however, and laborers were to discover, these laws were meaningless until the executive and judicial branches decided to enforce them.¹

Kansas labor played a major role in the rise, and subsequent decline, of the Knights of Labor. They first achieved success, largely through the efforts of one of the most prolabor governors anywhere in the nineteenth century, John A. Martin, but lost those gains soon thereafter because communities failed to support their efforts on behalf of union men in other states. Local citizens could not grasp the important concept of labor solidarity that was inherent in laboring men. Kansas miners also suffered the problems of ethnic diversity in their locales, and with the importation of black strikebreakers Kansans relegated the black workers there and in the large cities to an inferior position, a condition that was not reversed until the civil rights movement of the World War II and postwar eras, almost at the end of our century. As the Knights of Labor declined, it was natural for its leaders to move from the politics of

organized labor to roles of leadership in the Populist crusade, although the rank and file could not make this transition.

Kansas had its share of radicals in both the labor and agrarian movements, and it was on the cutting edge of Progressive legislation affecting women and child-labor, unemployment and workmen's compensation programs, mining safety, the regulation of convict labor, and small-claims courts. On the other hand, the state has always placed an oppressive tax burden on laborers with a regressive sales and property tax system. Opposition to the tyrannical capitalist system produced by the Industrial Revolution and the subsequent radical movement reached a climax with the *rw*'s in the World War I period; then conservatism dominated the state for the remainder of the twentieth century. Union leaders, as the Populists, failed because they could not form a meaningful coalition with farmers who suffered the same problems but held different social values and philosophies. The two cultures, with so many common problems, could not unite.

Over the century laborers failed to convince farmers that they had almost identical goals. Capitalists were uniformly successful in convincing agrarians, often against their best interests, to support regressive laws that hurt, or that failed to help, the working man. Farmers consistently opposed union strikes, boycotts, and picketing and agreed they should be curtailed. Many Kansas farmers supported the Non-Partisan League, which promoted certain objectives the Wobblies would have agreed with, perhaps the only instance the two cultures came close to common cause. The efforts of Jim Yount in the post-World War II era is a case in point in the failure to bring the two together. The inability of the two cultures to unite for mutual benefit was a major part of the Great Backlash, as Thomas Frank calls it, the new type of conservatism that has dominated Kansas since World War I in which Kansans vote for politicians who promote policies that are directly antithetical to their own interests. The same is true in South Dakota and perhaps in other Great Plains states as well.²

Newspapers played a crucial role in labor history. When towns were small, their editors and citizens supported fellow townspeople in their strikes and boycotts. As cities grew larger, they lost these close and crucial social contacts, and editors became more conservative, playing a major part in convincing Kansas agrarians to sustain middle-class values in which labor unions were to have no role in governing society. Radicalism, combined with an effective national antiunion movement, converted farmers and cattlemen to a staunch and permanent antiunionism. The radical actions of the *rw*'s proved to be a turning point, and Kansas proceeded to take the lead in experimenting with governmental controls over the labor-management negotiating process,

including forbidding strikes, boycotts, picketing, and other union weapons in the struggle against capitalist domination. The Sunflower State continued this process into the post-World War II era with right-to-work and other restrictive antiunion legislation, a movement that further alienated farmers from workers, which proved to be most unfortunate because both desired a decent income from their labors, and neither were getting it. Supporting each other could have helped each in achieving their goals. The successful Farmer-Labor Movement in Minnesota proved the political effectiveness of such an amalgamation. This was part of Jim Yount's vision in trying to woo agrarian support for union goals that were of mutual benefit.

Women have always played a major role in labor history. In Kansas where the traditional function of women dominated popular thinking long after it began to recede in metropolitan areas, they were highly supportive of their husbands. They struggled alongside their spouses under debilitating conditions to make a better life for their children; they fought and marched and demonstrated during the strikes and boycotts and picketing. They began to play a far greater role in World War II when they proved to the doubters that they could do the work of a man in defense production to defeat the Axis powers. Following the victory, many were reluctant to revert to their former conditions and spearheaded or participated in the equal-rights movement that eventually succeeded in achieving several of its goals.

Several significant leaders rose from labor's ranks. Alexander Howat and Jim Yount were deeply concerned over the plight of laborers and how to improve their lot. But if they became too aggressive, as in the case of Howat, the middle-class viewed them as dangerous radicals. In regard to CIO-leader Yount, his conservative counterparts in the AFL considered him misguided in his "new ideas" of attempting to co-opt farmers and his public relations approach to promoting the union cause. Capable labor leaders seldom received help from the executive branch in their efforts to improve the lot of the working man and his family. Republican governors John A. Martin, Alf Landon, and Fred Hall became prolabor statesmen, as did Populist Lorenzo D. Lewelling and Democrat Walter Huxman. Walter Stubbs had a mixed record. The remaining thirty chief executives of the first century exhibited indifference, callousness, or even hostility toward labor's needs and frequently were willing to play the part of lackey to eastern capitalists and call out the militia to crush strikes. While they often sent in the state militia against the constituents' and local officials' wishes, they were prudent in which units to dispatch where. Local troops were never used as the governors mobilized men from more distant areas, both to make certain that the soldiers had no local attachments

that would interfere with doing their duty and also not to exacerbate local political feelings.

The Great Depression challenged laborers to keep food on the table for their families. It is surprising that there were not more, and deeper, revolts against the capitalist system. The major result of the devastating conditions was the assumption of a new government function. The New Dealers were determined to assist citizens who could no longer help themselves in the new economic order. In addition to providing jobs to support their families, the New Deal stimulated the formation of strong labor unions whereby workers, speaking with one voice, might obtain sufficient power to force capitalists to negotiate wages, hours, and working conditions. Kansas agrarians, however, rejected this radical philosophy and clung to their traditional concepts of the twentieth century, at least in regard to middle-class rejection of working-class concepts of democracy and the need to bargain collectively as an equal partner. Despite such antagonism, the post-World War II era proved to hold unequalled employment opportunities for women and minorities, low unemployment, and unparalleled prosperity, due in no small part to the New Deal programs that established built-in controls that automatically stabilized the economy and kept it functioning smoothly during economic downturns.

Thanks in large part to organized labor, *real* wages rose by 50 percent from 1860 to 1890, an additional 37 percent by the end of World War I, and this increase continued through to the millennium. When the wages of organized labor increased, there was a trickle-down effect, and wages of laborers in general rose. While it is true that this prosperity was not shared equally, the lot of workers, women, and minorities definitely improved during Kansas's first century.³

Kansas labor gained a rich heritage, although it opened with great optimism and closed with something close to a whimper. Its primary failure was losing the support of agrarians and, on a local level, of the small communities whose empathy was significant in the labor conflicts of the nineteenth century. The railroad and the mining unions, and the meat packers in the modern era, have been the most aggressive in Kansas labor conflicts. Labor proved the possibilities of its political sophistication during the Knights of Labor-Populist era and with the CIO era of the twentieth century. Between these two periods, however, capitalists were able to take advantage of the latent antiunion sentiment of middle-class agrarians and turn it against union "bosses" and union "tyranny" which can most obviously be seen in the public's reaction against the RWs after World War I and against the Teamsters after World War II. Union power and influence have continued to decline since World War II, and labor history

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in the new millennium has yet to be written. Kansas labor history has not thus far deviated from national trends and tends to conform to the patterns of comparable agrarian states. It is interesting to speculate on how much more Kansas might have industrialized had it not been so antiunion in the twentieth century and had enticed new industries to come into the state with the promise of an effective labor pool and stable labor-management relations.

Notes

Preface

1. Lens, *Labor Wars*, 7.
2. Douglas, "History of Manufacturing," 99, 123, 129, 152, 155. See also Lanterman, "Development of Kansas City." For its more modern development, see Saul, "Mill Town Kansas."
3. Sellars, in *Oil, Wheat and Wobblies*, 17, points out that workers in Oklahoma, in contrast, never enjoyed the support of business and professional elements in small towns because they "had virtually sprung up over night" and missed this developmental stage.
4. *State v. Coppage*, 87 Kan 752 at p. 758.

The Labor Problem Emerges

1. These census figures are cited in Tripp, "Kansas Communities," 115–16.
2. Montgomery, "William H. Sylvus," 28.
3. Dulles and Dubofsky, *Labor in America*, chap 4, presents a good summary of this early movement.
4. Graves, *Building the Sunflower State*, 3, 5, 8; on the mobility of carpenters, see Rosenbloom, *Looking for Work*, 147–48.
5. Federal Writers Project, *The WPA Guide*, 121.
6. Stillman P. Vincent Notes, box 42–01–06–05, Kansas State Historical Society (hereafter cited as KSHS).
7. "Life of John A. Martin," Daniel Webster Wilder File, KSHS. The *Wichita Beacon*, in its history of the Republican Party in Kansas in 1936, has a brief biography of Martin that contains the quote about his popularity.
8. The differential consisted of charging as much or more for a short haul in areas of no competition as for a long haul in zones of intense rivalry.
9. Malin, *Power and Change in Society*, 234; *Kansas Senate Journal*, 1883, 443; *Kansas House Journal*, 1883, 991.
10. Kansas, *Laws*, 1883, chap. 124.
11. Rosenbloom, *Looking for Work*, 3.
12. Admire, "William Johnson Buchan," 569–72; Walker, "Labor Problems," 33.
13. Walker, "Labor Problems," 34; *Topeka Daily Capital*, February 18, 1885.

14. *Topeka Daily Capital*, February 18, 1885; Walker, “Labor Problems,” 30; Kansas, *Laws*, 1885, chap. 188.
15. Bureau of Labor and Industrial Statistics, *Report*, 1885, 88.
16. Bureau of Labor and Industrial Statistics, *Report*, 1885, 100; Walker, “Labor Problems,” 34–35.
17. Department of Labor and Industry, *Report*, 1894, 171–204.
18. Department of Labor and Industry, *Report*, 1886, 47; Rosenbloom, *Looking for Work*, 124.
19. Federal Writers Project, *The WPA Guide*, 84, 87–90; for lead mining in Kansas prior to the opening of the Tri-State region, see Schoewe, “First Kansas Lead Mines,” 391–401; Morse, *Early History of Leavenworth*; Allison, *History of Cherokee County*, 114–15. Bureau of Labor and Industrial Statistics, *Report*, 1886, 259; Inspector of Coal Mines, *Report*, 1914.
20. See especially Shortridge, *Peopling the Plains*.
21. Rosenbloom, *Looking for Work*, 24, 26; Barron, “Listening to the Silent Majority,” 9.
22. Powell, “European Settlement,” 150–53, 155–56, 164; Painter, *Exodusters*, 113. Montgomery, *Fall of the House of Labor*, 73, cites a study of immigration from the Kingdom of Hungary that noted “the first groups to migrate, then, were miners and artisans.” Fitzgerald, “‘We Are All in This Together,’” 19–21.
23. Cong., 2 sess., 1880, Senate Report #693, Serial 1900, 380–91. See also Williams, “Black Newspapers and the Exodusters,” 219–21; Painter, *Exodusters*, 116; “recruit more blacks” quote from Hickey, “Pap” Singleton’s Dunlap Colony,” 34n. See Entz, “Image and Reality,” 125–39, for the experience of blacks in that county. See also Cohen, *At Freedom’s Edge*, 172–74.
24. Tenth Census of the United States, Cherokee County, Kansas.
25. Bonner, *The Kansas Doctor*, 86.
26. Bureau of Coal Mines, *Report*, 1885, 9, 13, 15; Kansas, *Laws*, 1905, chap. 278. This child-labor law was changed in 1909 to include prohibiting employing children under sixteen before 7:00 a.m. or after 6:00 p.m. or for more than eight hours per day or forty-eight hours per week. Kansas, *Laws*, 1909, chap. 65.
27. Wood-Simons, “Mining Coal and Maiming Men.”
28. Wood-Simons, “Mining Coal and Maiming Men.”
29. Schofield, “An ‘Army of Amazons,’” 689–90, 692.
30. State Inspector of Mines, *Report*, 1884; “pauperize” quote in State Inspector of Mines, *Report*, 1895, 101; Bureau of Labor and Industrial Statistics, *Report*, 1886.
31. Bureau of Labor and Industry, *Report*, 1894, 2–9.
32. Bureau of Labor and Industry, *Report*, 1894, 34–35.
33. McKenna, “Prisoner as Worker.” Evans, “From Kanasin to Kansas,” is an excellent account of this industry.
34. State Inspector of Mines, *Report*, 1884; Walker, “Labor Problems,” 34–35.
35. Kansas, *Laws*, 1883, chap. 117; Gagliardo, “Child Labor Legislation,” 384.

36. Bureau of Labor and Industrial Statistics, *Report*, 1880, 200–205.
37. *Topeka Daily Capital*, February 22, 1885; Walker, “Labor Problems,” 35–36.
38. *Daily Commonwealth*, March 12, 1885.
39. *Wyandotte County and Kansas City, Kansas* (Chicago: Goodspeed Publishing, 1890): 340–41; Bureau of Labor and Industrial Statistics, *Report*, 1886, 18–20; Lieben-good, “Labor Problems,” 191–93.
40. Karson, “The National Labor Union,” 68–69.
41. *Daily Conservative*, July 20, 1870.
42. Lens, *Labor Wars*, 50–53.
43. Montgomery, *Beyond Equality*, 138–39.
44. Gutman, “Industrial Workers Struggle for Power,” 31–53; Tripp, “Kansas Com-munities,” 114–15.
45. Stromquist, *Generation of Boomers*, 188; Licht, *Working for the Railroad*, 164; Bryant Jr., *History of the Atchison, Topeka and Santa Fe Railway*, 57.
46. Davis, *Power at Odds*, 96.
47. Stowell, *Streets, Railroads*, 10–11, 18.
48. *Atchison Daily Champion*, July 20–25, 1877.
49. Tripp, “Kansas Communities,” 118.
50. George T. Anthony, Governor’s Office, correspondence received, box 17–03-08–06, folder 5, KSHS.
51. Kansas Governors Correspondence, Letter Press Book, box 27–03–01–01, folder 3, KSHS.
52. *Atchison Daily Champion*, July 26, 1877.
53. Tripp, “Kansas Communities,” 119.
54. Newspapers cited in Tripp, “Kansas Communities,” 119.
55. Tripp, “Reaction to the Birth,” 64–66.
56. Tripp, “Reaction to the Birth,” 67–68.
57. Tripp, “Reaction to the Birth,” 69–70. For railroad financing in Kansas, see Crawford, “Railroads of Kansas.”
58. Tripp, “Reaction to the Birth,” 71–77.
59. *Topeka Commonwealth*, April 6, 1878.
60. *Topeka Commonwealth*, April 5, 6, 9, 1878.
61. Ducker, “Workers, Townsmen,” 25. See also Ducker, *Men of the Steel Rails*, especially chaps. 5 and 8.
62. Ducker, “Workers, Townsmen, and the Governor,” 25–26.
63. Ducker, “Workers, Townsmen, and the Governor,” 28–29.
64. Tripp, ““Kansas Communities,” 122. For Tarsney’s arrest, see *Topeka Com-monwealth*, April 9, 1877.
65. Ducker, “Workers, Townsmen,” 30–31; Zornow, *Kansas*, 132.
66. Quoted in Tripp, “Reaction to the Birth,” 123.
67. *Emporia News*, April 12, 1878.
68. *Emporia News*, April 19, 1878.

69. Tripp, “Reaction to the Birth,” 124–25.
70. Kansas, *Laws*, 1879, chap. 134.
71. Kessler, “Organization of Negroes,” 255. Von Waltershausen, “Trade Unions,” 117, makes the nineteenth-century distinction between “scabs” and “blacklegs” as strikebreakers. Scabs remained on the job when their colleagues struck, and blacklegs were imported from elsewhere. Strikers disliked both types equally.
72. McCoy, “They Came to Work.” For the Exodusters, see Schwendemann, “Negro Exodus to Kansas.”
73. Tripp, “Reaction to the Birth,” 124–25.
74. Bureau of Labor and Industrial Statistics, *Report*, 1886, 125–27.
75. Kansas *Laws*, 1885, chap. 142; Kansas *Laws*, 1886, chap. 146.
76. *Atchison Trades-Union*, November 14, 1885.

An Uncommon Governor

1. Ware, *Labor Movement*, 12, 19.
2. Karson, “National Labor Union,” 70; von Waltershausen, “Trade Unions,” 98.
3. Kessler, “Organization of Negroes,” 248–50; Levine, “Labor’s True Woman,” 325, notes that women constituted 10 percent of the total membership of the Knights of Labor. “Enjoyment of wealth” quote from Fink, *Workingmen’s Democracy*, 7.
4. The story of C. C. Boycott is told in von Waltershausen, “Trade Unions,” 155.
5. Walker, “Organized Labor,” 60–65.
6. Walker, “Labor Problems,” 36–37.
7. Walker, “Labor Problems,” 37–38.
8. Walker and Liebengood, “Labor Organizations,” 284–85; Ware, *Labor Movement*, 140.
9. Walker, “Labor Problems,” 38–40. The course of the strike and the governor’s actions are detailed in Board and Labor of Industrial Statistics, *Report*, 1886, 21–72.
10. Malin, *Power and Change in Society*, 373.
11. Walker, “Labor Problems,” 41–43.
12. Cassity, *Defending a Way of Life*, 107–9.
13. “Life of John A. Martin,” Daniel Webster Wilder File, KSHS; Walker, “Labor Problems,” 43–44; *Topeka Daily Capital*, March 12, 1885.
14. *Topeka Daily Capital*, March 19, 1885.
15. *Atchison Trades-Union*, December 12, 1885, January 30, 1886.
16. Karsner, “In Proletarian Packingtown.” The worker here described conditions in Chicago, but as this newspaper was suggesting, they were similar throughout the meat-packing centers.
17. Governors Correspondence, John Martin, August 27, 1885, box 27–04–06–06, folder 5, KSHS.
18. Walker, “Labor Problems,” 44–45.
19. Walker and Liebengood, “Labor Organizations,” 287–90.

20. “Martin, a Life,” Wilder File, KSHS.
21. Walker, “Labor Problems,” 50–52.
22. Kansas, *Laws*, 1886, chap. 28.
23. Allen, *Southwest Strike*, 12–14, 34; Goodwyn, *Democratic Promise*, 53; *Atchison Trades-Union*, April 17, 1886.
24. Betton’s observance in Bureau of Labor and Industrial Statistics, *Report*, 1888, 17.
25. Allen, *Southwest Strike*, 44–55. The story of Irons’s being compelled is detailed on pages 56–62.
26. *Topeka Daily Capital*, March 2, 1886.
27. Liebengood, “Labor Problems,” 194–96.
28. Whitehead, “Kansas Response,” 73–74.
29. Whitehead, “Kansas Response,” 194–96; *Topeka Daily Capital*, March 23, 1886; the handbill is quoted in Fink, “City-Building and Social Reform,” 121.
30. *Enterprise Anti-Monopolist*, April 15, 1886.
31. *Topeka Daily Capital*, March 14, 1886.
32. *Topeka Daily Capital*, March 16, 1886.
33. *Topeka Daily Capital*, April 6, 1886.
34. Liebengood, ““Labor Problems,” 197–201; Ware, *Labor Movement*, 148. The Compers quote is in Lens, *Labor Wars*, 67.
35. Bureau of Labor and Industrial Statistics, *Report*, 1886, 67–71.
36. *Topeka Daily Capital*, March 28, 1886.
37. Allen, *Southwest Strike*, 85.
38. Fink, *Workingmen’s Democracy*, 125–27, 131; *Topeka Daily Capital*, January 5, 1887.
39. *Kansas House Journal*, 1887, 1029; *Kansas Senate Journal*, 1887, 850; Kansas *Laws*, 1887, chap. 166; *Topeka Daily Journal*, March 4, 1887.
40. Liebengood, “Labor Problems,” 201–3.
41. Dorothy Liebengood, “Governor Martin,” 57–61; *Atchison Trades-Union*, July 29, October 2, 1886; Ware, *Labor Movement*, 262–63; Fink, *Workingmen’s Democracy*, 28.
42. Gagliardo, “Some Wage Legislation,” 294–95; Kansas, *Laws*, chaps. 141, 170, 179.
43. Phelan, “Warp of Fancy,” 288–89, 296.
44. Whitehead, “Kansas Response,” 72–73; Brodhead and Clanton, “G. C. Clemens,” 485–86; “G. C. Clemens,” 26. John Brown quote in Whitehead, “Kansas Response,” 76; Denton, “American Non-Conformist,” quoting *Topeka Daily Capital*, May 6, 1886.
45. Denton, “American Non-Conformist,” 60.
46. These exposures were printed in the *Non-Conformist and Kansas Industrial Liberator*, May 16, 23, 30, 1889, June 6, 11, 27, 1889, and July 4, 1889.
47. Denton, “American Non-Conformist,” 90–95.

48. *Winfield Courier*, October 20, 27, 30, 1888, November 1888; *Proceedings of the Joint Committee*, 1891, 160–75; Malin, *Concern about Humanity*, section on “Videttes.”

49. Fink, *Workingmen’s Democracy*, 113–17. The *Topeka Daily Capital*, February 4, 1886, reported Kansas City, Missouri, officials sending lobbyists to Topeka to prevent consolidation. Packing-house and grain-elevator companies especially fought this creation of another Kansas City.

50. Fink, *Workingmen’s Democracy*, 118–22.

51. Fink, *Workingmen’s Democracy*, 123–25.

52. Fink, *Workingmen’s Democracy*, 126–30.

53. Fink, *Workingmen’s Democracy*, 126–30.

54. Fink, *Workingmen’s Democracy*, 133–34.

55. Bureau of Labor and Industrial Statistics, Report, 1889, 78; Fink, *Workingmen’s Democracy*, 133; Vincent Notes, KSHS.

56. Whitehead, “Kansas Response,” 79–80; Blumberg, “Mary Elizabeth Lease,” 5; James, “More Corn, Less Hell?” 408–9.

57. Clanton, *Kansas Populism*, 35–65.

58. Prehler, “Henry Vincent,” 18–22; Goodwyn, *Democratic Promise*, 183–86.

59. Brodhead and Clanton, “G. C. Clemens,” 487–88; Clanton, *Kansas Populism*, 131–36.

60. Inspector of Coal Mines, *Report*, 1890, 96–97; *Kansas Laws*, 1889, chap. 174; *Kansas Laws*, 1891, chap. 35.

61. *Kansas, Laws*, 1895, chap. 171.

62. *Miners’ Echo*, February 9, 17, 1893.

63. Gagliardo, “Some Wage Legislation,” 387–89.

64. *Kansas, Laws*, 1893, chap. 188.

65. Gagliardo, “Some Wage Legislation,” 391–92.

66. *Kansas, Laws*, 1897, chaps. 145, 159.

67. Swanson, “Development of Public Protection,” 238.

68. *Kansas House Journal*, 1891, 999; *Kansas Senate Journal*, 1891, 732; *Kansas Laws*, 1891, chap. 114.

69. Bureau of Labor and Industrial Statistics, *Report*, 1891, 5–6, 15; Bureau of Labor and Industrial Statistics, *Report*, 1898; *Wichita Daily Eagle*, September 7, 1906.

70. Bureau of Labor and Industrial Statistics, *Report*, 1886, 95; *Kansas House Journal*, 1897, 1187. *Kansas Senate Journal*, 1897, 1065; *Kansas Laws*, 1897, chap. 144. The law was repeated in 1903 to prohibit anyone to “coerce, require, demand or influence any person to enter into any agreement, written or verbal, not to join or become a member of any labor organization or association as a condition” of employment. *Kansas, Laws*, 1903, chap. 222.

71. Clanton, *Kansas Populism*, 180–81.

72. Fink, *Workingmen’s Democracy*, 135–36; “organizational genius quote” from Clanton, *Kansas Populism*, 121.

73. Fink, *Workingmen's Democracy*, 137–39. Diggs description from Clanton, *Kansas Populism*, 160, and triumvirate quote from Dewey, “Cocktails in Kansas,” 385–86.

74. Fink, *Workingmen's Democracy*, 137–41.

The Apogee of Liberal Labor Legislation

1. Ulman, “Development of Trades,” 386.
2. Dubofsky and Van Tyne, *Labor in America*, chap. 9.
3. Vincent, “Organized Labor,” 45, KSHS; Bureau of Labor and Industrial Statistics, *Report*, 1890, 75–76, 45–52, 37, 63.
4. Wood-Simons, “Mining Coal and Maiming Men”; Vining, “Men and Coal,” 192–97.
5. *The Miners' Echo*, June 27, 1893.
6. *The Miners' Echo*, June 15, 27, 1893; Vining, “Men and Coal,” 16–17.
7. *The Miners Echo*, June 2, 9, July 8, 9, 1893; *Topeka Daily Capital*, July 8, 1893. The Populist meeting in Wichita is reported in *Topeka Daily Capital*, July 14, 1893, and *The Miners' Echo*, July 22, 1893. The *Leavenworth Labor News*, July 21, 1893, also branded as false the report that the governor and the mine inspector were bringing pressure on the warden.
8. *Topeka Daily Capital*, July 19, 1893. On August 1, 1893, the *Topeka Daily Capital* concluded that it was “cowardly of the strikers to send their women to the fighting front.”
9. Lorenzo D. Lewelling, Governors Correspondence received, box 27–05–04–05, folder 8, KSHS.
10. *Topeka Daily Capital*, July 22, 1893; *The Miners' Echo*, July 25, 1893.
11. *The Miners' Echo*, July 20, 1893; *Topeka Daily Capital*, July 25, 1893.
12. *The Miners' Echo*, July 27, 29, 1893; *Alliance News*, July 28, 1893; *Topeka Daily Capital*, August 1, 1893.
13. *The Miners' Echo*, August 17, 24, 1893, September 1, 1893; Bureau of Labor, *Report*, 1913, 233.
14. Lorenzo D. Lewelling, Governors Correspondence received, box 27–05–04–05, folder 8, KSHS.
15. *Leavenworth Labor Chronical*, October 19, 26, 1895.
16. *Leavenworth Labor Chronical*, November 16, 23, 1895; *Topeka Daily Capital*, October 30, 1895.
17. Ramirez, *When Workers Fight*, 17–24, quotes on 23, 24; Vining, “Men and Coal,” 22.
18. Robb, “Migration of Negro Coal Miners,” 13–17, 20–22.
19. “Migration of Negro Coal Miners,” 31–33.
20. “Migration of Negro Coal Miners,” 65–74.
21. “Migration of Negro Coal Miners,” 89–90, 92–98, 105–7.

22. Bureau of Labor and Industrial Statistics, *Report*, 1898, 389, discusses these changes; Kansas *Laws*, 1898, chap. 34.
23. LaForte, *Leaders of Reform*, 111.
24. Wood-Simons, “Mining Coal and Maiming Men,” 3–4.
25. Wood-Simons, “Year’s Fight with Death.” LaForte, *Leaders of Reform*, 115, argues to the contrary that Stubbs worked with a University of Kansas professor to investigate mining operations and ordered his attorney general to force operators to comply with the law. The reporter’s evidence contradicts this evaluation. See O’Brien and Peak, *Kansas Bootleggers*, 35–40, for Stubb’s activities there.
26. Bureau of Labor, *Report*, 1895, 178–80.
27. Salvatore, “Eugene V. Debs,” chap. 4; Lindsey, *Pullman Strike*, 92–99. The Bureau of Labor and Industry, *Report*, 1885, 28–32, printed a report of an investigation of this “ideal community.”
28. Lindsey, *Pullman Strike*, 139–40.
29. Westmoreland (KS), *Alliance News*, July 27, 1894; Cooper, *Army and Civil Disorder*, 151.
30. *U.S. Strike Commission Report*, Senate Executive Document #7, 53 Cong., 3 Sess., Serial #3276, 360, 400. See also Cooper, *Army and Civil Disorder*, 145, for a description of these deputies.
31. *Kansas City Gazette*, July 12, 1894.
32. Lindsey, *Pullman Strike*, 262. Lewelling could take some pleasure in the journal capitalizing the word “Populist,” which his state Republican newspapers refused to do.
33. *Topeka Daily Capital*, June 28, 1894; *Kansas City Gazette*, July 1, 1894.
34. *Emporia Gazette*, June 29, 30, 1894; *Topeka Daily Capital*, July 1, 5, 1894.
35. *Topeka Daily Capital*, June 30, 1894.
36. *Topeka Daily Capital*, July 3, 4, 5, 1894.
37. *Alliance News*, July 6, 1894; *Topeka Daily Capital*, July 7, 1894.
38. *Topeka Daily Capital*, July 8, 1894.
39. *Topeka Daily Capital*, July 9, 10, 1894.
40. *Topeka Daily Capital*, July 14, 1894.
41. *Kansas City Gazette*, July 8, 10, 12, 1894.
42. *Labor Record*, July 20, 1894; *Strike Commission Report*, 143.
43. Salvatore, “Eugene V. Debs,” chap. 4.
44. Vincent, “Organized Labor,” 45.
45. Gagliardo, “Some Wage Legislation,” 385–86.
46. *Topeka Daily Capital*, December 19, 1893.
47. *Topeka Daily Capital*, December 20, 1893; *Florence Weekly Bulletin*, December 29, 1893, January 5, 1894.
48. *Topeka Daily Capital*, December 30, 1893; *Historical Society Biographical Circular*, #2, KSHS.

49. Kansas State Federation of Labor, 1893 convention *Report*, 6; Bureau of Labor and Industry, *Report*, 1894, 1–2.

50. Mancini, *One Dies, Get Another*; Bureau of Labor and Industry *Report*, 1894, 11–12.

51. Bureau of Labor and Industry, *Report*, 1894, 19, 28, 103–4; Fink, *Labor's Search*, 45.

52. Kansas, *Laws*, 1898, chap. 171; Kansas, *Laws*, 1913, chap. 219; Vincent, “Organized Labor,” 84; Brodhead and Clanton, “G. C. Clemens,” 490.

53. *Kansas House Journal*, 1901, 435; *Kansas Senate Journal*, 1901, 463; Bureau of Labor, *Report*, 1908, 100; Hess, “Woman and Child Labor,” 295, 319.

54. Kansas, *Laws*, 1913, chap. 217.

55. *Topeka Daily Capital*, November 19, 1916.

56. Bureau of Labor *Reports*, 1912, 49–104.

57. Gagliardo, “Development of Common,” has an extended discussion of common law liability.

58. *State v. Coppage*, 82 Kan 604. The Supreme Court declared the law to be unconstitutional in 1915, though, based on its decision in *Adair v. U.S.*, in which it struck down a similar federal statute passed as a result of the Pullman strike as an infringement on “Freedom of Contract.” See Gagliardo, “Trade Unions and the Law,” 596–98; Fink, *Labor's Search*, 53.

59. Kansas, *Laws*, 1903, chaps. 393, 355; Kansas, *Laws*, 1905, chaps. 341, 342.

60. Kansas State Federation of Labor, Annual Convention, *Proceedings*, 1911.

61. Kansas State Federation of Labor, Annual Convention, *Proceedings*, 1911, 10, 14, 26–27; Gagliardo, “Workmen's Compensation Law,” 385–86; *Kansas House Journal*, 1911, 766; *Kansas Senate Journal*, 1911, 642; *Topeka State Journal*, February 16, 1911.

62. Gagliardo. “Workmen's Compensation Law,” 388–89; *Topeka Daily Capital*, March 5, 1911.

63. Gagliardo, “Workmen's Compensation Law,” 392–94.

64. Gagliardo, “Workmen's Compensation Law,” 390–92.

65. Gagliardo, “Workmen's Compensation Law,” 395–97.

66. *Topeka Daily Capital*, March 4, 6, 1919.

67. Kansas State Federation of Labor, *Report*, 1893, 8.

68. Trattner, *Crusade for the Children*, 41; Bureau of Labor and Industrial Statistics, *Report*, 1890, 8–66.

69. Hess, “Woman and Child Labor,” 293–94.

70. Gagliardo, “Child Labor Legislation,” 386.

71. Hess, “Woman and Child Labor,” 294; Meade, *Buster Keaton*, 27.

72. Hess, “Woman and Child Labor,” 296–98; Gagliardo, “Child Labor Legislation,” 386–87.

73. Swanson, “Protection of Children,” 239; Gagliardo, “Child Labor Legislation,” 388–89.

74. Hess, “Woman and Child Labor,” 302.

75. Gagliardo, “Child Labor Legislation,” 389–90; Swanson, “Protection of Children,” 239–40.
76. *Topeka Daily Capital*, February 20, 27, 1919, March 14, 1919.
77. Gagliardo, “Child Labor Legislation,” 390–92.
78. Gagliardo, “Child Labor Legislation,” 394–99. This essay has an interesting chart on prosecutions of child labor violations, 397, and percentages of employment of children under sixteen. See also Hess, “Woman and Child Labor,” 315–21.
79. Davis, *Kansas*, 175.

The Wobblies Arrive

1. Vincent, “Organized Labor,” 83–84; Tyler, *Rebels*, 1.
2. Preston Jr, *Aliens and Dissenters*, 39–41. Gorn, *Mother Jones*, is an excellent biography of this extraordinary labor agitator.
3. Conlin, “‘Big Bill’ Haywood,” 118, 124–25; Goldberg, *Grassroots Resistance*, 41–42, 51; testimony of Joseph J. Ettor to Commission on Industrial Relations, *Report*, 64 Cong, 1 Sess, Senate Document #415, Serial Set #6929, 1556 (hereafter cited as CIR *Report*). See also Garretson, “Criminal Syndicalism,” 809–10.
4. Haywood testimony to the CIR, *Report*, 10575.
5. Dubofsky, *We Shall Be All*, 76, 78, 81; Tyler, *Rebels*, 1. The “economic self-interest” quote is from Preston, “Shall This Be All?” 438.
6. Peterson and Fite, *Opponents of War*, 49; Dubofsky, *We Shall Be All*, 161.
7. Quoted in Winters Jr., *Soul of the Wobblies*, 20.
8. Winters, *Soul of Wobblies*, conclusions. Newspaper quote from Townsend, *Running the Gauntlet*, 1, song parody on 191.
9. CIR, *Report*, 19.
10. Greene, “Negotiating the State,” 78–79.
11. Townsend, *Running the Gauntlet*, 145–52, police chief quote 194.
12. Vincent, “Organized Labor,” 95; Pankratz, “Disloyalty,” 289.
13. White, “Wichita Indictments,” 43, 46–57, 63; Little quote from Taft, “1911 in the Grain Belt,” 55.
14. Dubofsky, *We Shall Be All*, 313; death and injury figures are from Preston, “Shall This Be All?” 446. Sellars, *Oil, Wheat and Wobblies*, 39, describes the food as the “four Bs: bacon, beans, biscuits, and bull gravy.”
15. White, “Wheat Farm,” 541–45.
16. Isern, *Bull Threshers*, 139–46; Applen, “Migratory Harvest Labor,” 83.
17. CIR, *Report*, 101–2; arrest and fine story in Sellars, *Oil, Wheat and Wobblies*, 39.
18. Applen, “Migratory Harvest Labor,” 131–34.
19. Rosenbloom, *Looking for Work*, 75–79.
20. The *Kansas City Journal*, June 4, 1915, reported an employment agency in Wichita with a scheme to cheat the migrants in the described manner. Wheat Clippings, #127, KSHS.
21. Applen, “Migratory Harvest Labor,” 135–36; Kansas, *Laws*, 1901, chap. 185.

22. Applen, “Migratory Harvest Labor,” 103–4. For the issue of importing black strikebreakers, see Robb, “Migration of Negro Coal Miners.”

23. Applen, “Migratory Harvest Labor,” 137–39.

24. Applen, “Migratory Harvest Labor,” 140–42.

25. Draper, “Solving the Labor Problem,” 70–72.

26. Isern, *Bull Threshers*, 155–57.

27. Applen, “Migratory Harvest Labor,” 153–54, “advance guard” quote, page 153.

28. *Topeka Daily Capital*, May 29, 1914, June 11, 12 1914.

29. *Topeka Daily Capital*, June 24, 28, 1914; *Topeka State Journal*, June 15, 1914.

30. Dubofsky, *We Shall Be All*, 315–18; Preston, *Aliens and Dissenters*, 91; Taft, “rww in the Wheat Belt,” 54.

31. Sellars, *Oil, Wheat and Wobblies*, 35, describes this same recruiting experience in Oklahoma at this time.

32. Wheat Clippings, #157, KSHS.

33. *Emporia Gazette*, November 26, 1917.

34. Applen, “Migratory Harvest Labor,” 159–60. The rww patriotic quote is from Peterson and Fite, *Opponents of War*, 50.

35. Taft, “rww in the Wheat Belt,” 58–59, 61–62.

36. Preston, *Aliens and Dissenters*, 92; Isern, *Bull Threshers*, 168–69; *Topeka Daily Capital*, July 9, 1916; Governors Correspondence, Arthur Capper, July 8, 1916, box 27–08-02–04, KSHS. Wheat Clippings, #156, KSHS.

37. *Topeka Daily Capital*, March 22, 1919.

38. Kansas State Federation of Labor, Annual Convention, *Proceedings*, 1917; Applen, “Migratory Harvest Labor,” 164–66; Capper quote from *Topeka Daily Journal*, July 13, 1916. Landon’s remark sounds similar to that of the editor of the *Hutchinson News*, who wrote on July 15, 1897, “it would be a mighty good plan that every tramp caught in town now have a job at pounding rocks.”

39. Quote from Isern, *Bull Threshers*, 170; Applen, “Migratory Harvest Labor,” 166–67; Wheat Clippings, #160, 162, 166, KSHS; Taft, “Federal Trials,” 60; *Topeka Daily Capital*, June 2, 1919.

40. Applen, “Migratory Harvest Labor,” 167–69.

41. Pankratz, “Disloyalty,” 287; *Topeka Daily Capital*, November 18, 1917.

42. Dubofsky, *We Shall Be All*, 433–37. Sellars, *Oil, Wheat and Wobblies*, 185, notes that E. M. Latchem wrote the rww’s formal refusal to join the Soviet Union’s Profin-tern.

43. CIR, *Reports*, Serial Set #6939, 10570.

44. Fitzgerald, “‘We Are All in This Together,’ ” 27.

45. Koppes, “Industrial Workers of the World,” 65–68; *Topeka Daily Capital*, November 21, 1917; *Wichita Eagle*, November 21, 1917.

46. Koppes, “Kansas Trial,” 239–40.

47. Koppes, “Industrial Workers of the World,” 69–70. Richard Brazier, one of the four top rwws who received a long sentence similar to Haywood’s, described the

pleasant association they had with the sheriff and his wife who cooked for them in Freeport. Brazier, “Mass iww Trial.”

48. Koppes, “Industrial Workers of the World,” 71–72.
49. Koppes, “Industrial Workers of the World,” 72–74.
50. Koppes, “Industrial Workers of the World,” 76–79.
51. White, “Wichita Indictments,” 186–89.
52. White, “Wichita Indictments,” 82.
53. White, “Wichita Indictments,” 96–99.
54. White, “Wichita Indictments,” 111–18.
55. White, “Wichita Indictments,” 157, 171, 213–14; Koppes, “Kansas Trial,” 345–47.
56. White, “Wichita Indictments,” 214–17, 222–26.
57. Peterson and Fite, *Opponents of War*, 290.
58. *Topeka Daily Capital*, June 8, 1919, November 16, 21, 1919.
59. White, “Wichita Indictments,” 236–47. Sellars, *Oil, Wheat and Wobblies*, 102, labels these stickers as “silent agitators.”
60. Koppes, “Kansas Trial,” 345; Pollock quote from *The Kansas City Kansan*, December 19, 1919; Taft, “Federal Trials,” 82, 91.
61. *Topeka Daily Capital*, December, 19, 20, 1919.
62. *Wichita Daily Eagle*, December 20, 1919; Garretson, “Criminal Syndicalism,” 819; *Kansas House Journal*, 1920, 136; *Kansas Senate Journal*, 1920, 95; *Kansas Laws*, 1920, chap. 37.
63. *Kansas Reports*, v. 117; Rowland, “Labor Decisions,” 110–11.
64. Cortner, “Wobblies and *Fiske v. Kansas*,” 32.
65. Cortner, “Wobblies and *Fiske v. Kansas*,” 33; Garretson, “Criminal Syndicalism,” 818; Rowland, “Labor Decisions,” 115–16.
66. 274 U.S. 562.
67. Cortner, “Criminal Syndicalism,” 37–38.
68. Peterson and Fite, *Opponents of War*, vii.

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1. Dulles and Dubofsky, *Labor in America*, 223–27.
2. Kansas State Federation of Labor, annual convention, *Proceedings*, 1919, address by John P. Frey, editor of the *Iron Molders Journal*, 32.
3. Clugston, *Rascals*, 114–18.
4. Clugston, *Rascals*, 119–26; Riordan, “Industrial Conflict,” 11; *New Republic*, June 1, 1921, 4; conversion story from LaForte, *Leaders of Reform*, 164.
5. “Alexander Howat,” *Illustriana Kansas*, 558; Black, “Labor Problem,” 85.
6. Heavener, “Alexander Howat,” 305–6; Vining, “Men and Coal,” 27–28.
7. Mary Ross, fax to her friend Linda, January 6, 2000, Alexander Howat Clipping File, Special Collections, Leonard H. Axe Library, Pittsburg (Kansas) State Univer-

sity, hereafter cited as Axe Library; Monninger, “Fight of Alexander Howat,” ms thesis, citing interview with Dorchy and quoting *Pittsburg Headlight*, December 10, 1945.

8. Vining, “Men and Coal,” 36–40. The law is in Kansas, *Laws*, 1907, chap. 250.

9. Walsh, “Henry Allen’s Industrial Court,” 756; Vining, “Men and Coal,” 43–47.

10. Monninger, “Fight of Alexander Howat,” citing *Pittsburg Headlight*, October 7, 1918, for Capper quote.

11. Dulles and Dubofsky, *Labor in America*, 227–29; *Pittsburg Labor Chronicle*, November 7, 1919; “Jackbooting” quote from Gagliardo, *Kansas Industrial Court*, 10; Howat quote in Hall, *Miner’s Life*, 142.

12. Vining, “Men and Coal,” 66–70.

13. *Topeka Daily Capital*, November 8, 1919. There are numerous examples of coal profiteering in Governors Correspondence, Henry J. Allen box 27 08 07 02, folder 4, KSHS.

14. Herscher, *Woodrow Wilson*, 622.

15. *Topeka Daily Capital*, November 6, 9, 10, 1919.

16. *Topeka Daily Capital*, November, 11, 12, 13, 1919.

17. *Topeka Daily Capital*, November 18, 19, 1919.

18. *Topeka Daily Capital*, November 19, 1919; *Topeka State Journal*, November 18, 1919.

19. *Topeka State Journal*, November 21, 25, 1919; “They Dug Trenches in France,” 44–47.

20. *Topeka Daily Capital*, November 27, 28, 1919.

21. *Topeka Daily Capital*, November 29, 30, 1919.

22. Governors Correspondence, Henry J. Allen, box 27 08 07 02, file 4, file 5, KSHS.

23. *Topeka Daily Capital*, December 1, 2, 1919; *Pittsburg Workers Chronicle*, December 5, 1919.

24. *Topeka Daily Capital*, December 3, 1919.

25. *Topeka Daily Capital*, December 12, 14, 1919; *Labor Chronicle*, December 19, 1919; *Emporia Gazette*, December 13, 1919; Gagliardo, *Kansas Industrial Court*, 22–23.

26. *Topeka Daily Capital*, December 4, 20, 23, 1919.

27. Governors Correspondence, Henry J. Allen, box 27 08 07, 05, KSHS; Allen’s comment on Howat in *Topeka Daily Capital*, December 14, 1919.

28. Clugston, *Rascals*, 126–27; *Topeka Daily Capital*, December 14, 1919; *Sun* quote from *Topeka State Journal*, November 29, 1919; “presidential ideas” from *Topeka State Journal*, December 8, 1919.

29. Gagliardo, *Kansas Industrial Court*, 27–28.

30. *Kansas House Journal*, 1920 (special session), 1–2.

31. Duffus, “Kansas Court,” 411–12.

32. *Topeka Daily Capital*, January 6, 1920.

33. *Topeka Daily Capital*, January 9, 1920.

34. *Topeka Daily Capital*, January 10, 1920.

35. *Topeka Daily Capital*, January 11, 1920.
36. Kansas, *Laws*, 1920, chap. 29; *Kansas House Journal*, 1920, 77; *Kansas Senate Journal*, 1920, 98.
37. Pittsburgh *Workers Chronicle*, January 30, 1920.
38. Allen, “Substitute for Strikes,” 6–7, 72, 75; “drinking customs” quote from Karson, “Trade Unions in Kansas,” 11.
39. Gagliardo, “Gompers-Allen Debate,” 385.
40. Gagliardo, “Gompers-Allen Debate,” 386–89.
41. Gagliardo, “Gompers-Allen Debate,” 290–95. The *New Republic*, June 1, 1921, contains Hillman’s probable response.
42. Gagliardo, *Kansas Industrial Court*, 201–5.
43. *Kansas City Post*, March 18, 1921.
44. Vance, “Kansas Court,” 456–77.
45. Skaggs, “Howat Strike,” 3, 6. The author notes that “no extant copy” of Howat’s book has been found.
46. Feis, “Kansas Court,” 711–15. Riordan, “Industrial Conflict,” 158, concludes that it had “confirmed the labor movement’s fears that the Industrial Court would only protect industry at the cost of labor.”
47. Gagliardo, *Kansas Industrial Court*, 135–36.
48. Gagliardo, *Kansas Industrial Court*, 136–39; Kansas State Federation of Labor, annual convention, *Proceedings*, 1922; Vining, “Men and Coal,” 83.
49. Alexander Howat to John H. Walker, July 19, 1921, Alexander Howat Clipping File, Axe Library.
50. “Alexander Howat Answers President John L. Lewis,” copy in Hearl Maxwell Papers, Axe Library; Gorn, *Mother Jones*, 249.
51. Skaggs, “Howat Strike,” 7.
52. Alexander Howat to William Green, October 6, 1922, Hearl Maxwell Papers, Axe Library.
53. Schofield, “Women’s March,” 159–66; “Kansas Industrial Snag,” *The Literary Digest*, 14.
54. Schofield, “Women’s March,” 167.
55. *Girard Press*, January 26, 1922.
56. Kansas State Federation of Labor, annual convention, *Proceedings*, 1921, 4.
57. Gagliardo, *Kansas Industrial Court*, 154–60.
58. The president of the Kansas State Federation of Labor tells this story in the annual convention’s *Proceedings*, 1921. *Kansas City Kansan*, January 7, 1921, lists the mayor’s name as H. A. Mendenhall.
59. Davis, *Power at Odds*, 13.
60. Davis, *Power at Odds*, 112, 120.
61. Davis, *Power at Odds*, 155; Wolf, “Kansas Court,” 89–90.
62. *Emporia Gazette*, July 20, December 9, 1922.

63. Statement of Alexander Howat, July 29, 1922, copy in Hearl Maxwell Papers, Axe Library.
64. Kansas State Federation of Labor, annual convention, *Proceedings*, 1921, 4; Vining, “Men and Coal,” 85–86.
65. *Topeka Daily Capital*, April 10, 1920.
66. Black, “Labor Problems,” 82.
67. Kansas State Federation of Labor, annual convention *Proceedings*, 1922, 9–11.
68. M. L. Walters to John L. Lewis, January 21, 1926, Hearl Maxwell Papers, Axe Library; John L. Lewis to M. L. Walters, February 1, 1926, Hearl Maxwell Papers, Axe Library.
69. Coleman, *Men and Coal*, 89, 126.
70. Dubofsky and Van Tyne, *John L. Lewis*, 114–22; Bernstein, *Lean Years*, 267–72; Gorn, *Mother Jones*, 292, 392n85.
71. Kansas State Federation of Labor, annual convention, *Proceedings*, 1928, 5; *Topeka Daily Capital*, April 19, 1930. Gorn, *Mother Jones*, 392n85, notes that Howat, Germer, and John Walker, officials of the renegade United Mine Workers Reorganized, led the procession into the church for Mother Jones’s funeral.
72. Dubofsky and Van Tyne, *John L. Lewis*, 116–27; Heavener, “Alexander Howat,” 165; *Topeka Daily Capital*, April 22, 1931.
73. *Court of Industrial Relations v. Wolff Packing Company*, 109 Kan 629; 111 Kan 501.
74. U.S. 522.
75. *Dorchy v. Kansas*, 264 U.S. 286.
76. Gagliardo, *Kansas Industrial Court*, p.m 214; Vorse, “Ma and Mr. Davis,” 359–60. After crediting labor with the defeat of Allen, even though he did not run for office that year, David Montgomery says, “never before had the American working class asserted itself so decisively at the polls,” *Fall of the House of Labor*, 435.
77. Feis, “Kansas Court,” 725.
78. Kansas, *Laws*, 1925, chap. 258; *Literary Digest*, December 31, 1921, 14; Wolf, “Kansas Court,” 73.
79. Schruben, *Wea Creek to El Dorado*, 1–5.
80. Miner, *Fire in the Rock*, 42–44; Fitzgerald, “We Are All in this Together,” 23–24.
81. Miner, *Discovery*, 117–18, 145–46.
82. Miner, *Discovery*, 162–63; Dobler, “Oil Field Camp Wives,” 31–32.
83. Dobler, “Oil Field Camp Wives,” 32.
84. Dobler, “Oil Field Camp Wives,” 33–34.
85. Dobler, “Oil Field Camp Wives,” 36–39.
86. Dobler, “Oil Field Camp Wives,” 39–41.

New Deal Labor Policy

1. Bernstein, *New Deal Collective Bargaining*, 1–7, 17.

2. Unemployment figures are “probable” because accurate figures were not kept and occasionally officials distorted them so as not to show the accurate bleakness of the situation. Literature on the causes of the depression is extensive. One might begin with Galbraith, *Great Crash*. The *Topeka Daily Capital* reported on December 28, 1933, the Kansas State Federation of Labor statistics. Carpenter figures are from Groves, *Building the Sunflower State*, 4. The White quote comes from Sheridan, “College Student Employment Program,” 206.

3. Fearon, “Self-Help,” 107–11, is a good summary of this problem. Commission of Labor and Industry, *Annual Report*, 1930, 63.

4. *Topeka Daily Capital*, June 24, 1930, November 21, 1930, April 22, 1931; Commission of Labor and Industry, *Annual Report*, 1930, 63.

5. Fearon, “Self Help,” 111–12.

6. *Topeka Daily Capital*, August 23, 1931, September 1, 1931, November 1, 1931.

7. Fearon, “Self Help,” 114–15.

8. Fearon, “Self Help,” 116–19; *Topeka Daily Capital*, July 27, 1932; *Public Welfare Spending in Kansas: A Ten Year Report* by KERC, copy in KSHS; Governors Correspondence, Harry H. Woodring, box 27–11–01–05, KSHS.

9. Fearon, “Self Help,” 122.

10. Vittoz, *New Deal Labor Policy*, 78–81.

11. Lens, *Labor Wars*, 273.

12. Dubofsky, *State and Labor*, 119.

13. Bernstein, *Lean Years*, 263–67.

14. For a discussion of the “First” and “Second” New Deals see Graham, “Historians,” 133–40.

15. Dulles and Dubofsky, *Labor in America*, 266; Dubofsky, *State and Labor*, 119–20; Bernstein, *Lean Years*, is a good account of these turbulent years. See also Gross, *Making of the National Labor Relations Board*.

16. Lens, *Labor Wars*, 277–78.

17. Kansas State Federation of Labor, annual convention, *Proceedings*, 1935, 17, 20; Zieger, *American Workers*, chap 2.

18. Suggs, *Union Busting*, chap. 1; Commission of Labor and Industry, *Report*, 1935, 69.

19. Commission of Labor and Industry, *Report*, 1935.

20. *New Republic*, January 1, 1940, 7–8.

21. Suggs, *Union Busting*, 33–37.

22. Governors Correspondence, Alf Landon Adjutant General File, box 27–11–03–04, folder 13, KSHS; *Baxter Springs Citizen*, May 9, 1933.

23. Suggs, *Union Busting*, 51–64, 68–69; Vittoz, *New Deal Labor Policy*, 138.

24. Suggs, *Union Busting*, 73–82.

25. Governors Correspondence, Alf Landon, box 27–11–03–04, folder 13, KSHS; Commission of Labor and Industry, *Report*, 1935, 70.

26. *Baxter Springs Citizen*, June 10, 1935.

27. Suggs, *Union Busting*, 85–89.
28. Browne to Attorney General Milton R. McLean, June 20, 1935, Governors Correspondence, Alf Landon, box 27–11–03–04, folder 13, KSHS. The message had two “confidential” stamps on it.
29. Browne to Attorney General Milton R. McLean, June 20, 1935, Governors Correspondence, Alf Landon, box 27–11–03–04, folder 13, KSHS.
30. Browne to Attorney General Milton R. McLean, June 20, 1935, Governors Correspondence, Alf Landon, box 27–11–03–04, folder 13, KSHS; Suggs, *Union Busting*, 92–93; Governors Correspondence, Alf Landon, box 27–11–03–04, folder 13, KSHS.
31. Governors Correspondence, Alf Landon, Strike File, box 27–11–03–04, KSHS.
32. Suggs, *Union Busting*, 95–100.
33. Suggs, *Union Busting*, 139.
34. *Baxter Springs Citizen*, April 12, 1937; *WPA Guide to Kansas*, 98.
35. Governors Correspondence, Walter Huxman to E. B. Morgan and Sheriff Fred Simkin, April 12, 1937, Commissioner of Labor and Industry File, box 27–11–05–03, folder 27, KSHS.
36. Governors Correspondence, Walter Huxman to E. B. Morgan and Sheriff Fred Simkin, April 12, 1937, Commissioner of Labor and Industry File, box 27–11–05–03, folder 27, KSHS.
37. Suggs, *Union Busting*, 193–98.
38. Horowitz, *Negro and White*, 86.
39. Halperin and Horowitz, *Meatpackers*, 65–66.
40. Manzo, “Sequent Occupation,” 20; Horowitz, *Negro and White*, 89–92.
41. Halperin and Horowitz, *Meatpackers*, 69; Horowitz, *Negro and White*, 92–93.
42. Raspberry’s story is in H. J. “Jim” Yount interview, April 23, 2001, copy in KSHS.
43. Horowitz, *Negro and White*, 94–97; quote from Halperin and Horowitz, *Meatpackers*, 72; *Kansas City Kansan*, March 8, 9, 1937.
44. *Kansas City Kansan*, September 9, 10, 1938.
45. Horowitz, *Negro and White*, 98; Halperin and Horowitz, *Meatpackers*, 73.
46. *Kansas City Kansan*, September 12, 1938.
47. Horowitz, *Negro and White*, 99–100.
48. Horowitz, *Negro and White*, 101–2.
49. Casebeer, “Workers Unemployment Insurance Bill,” 231–32, 242–45, 248–49.
50. Casebeer, “Workers Unemployment Insurance Bill,” 250–55; Bremner, “New Deal and Social Welfare,” 76–79; Dulles and Dubofsky, *Labor in America*, 272.
51. Fearon, “Self-Help,” is a good summary of this program.
52. Alf M. Landon to Harry L. Hopkins, September 30, 1933, FERA records RG 73, entry 10, National Archives, hereafter cited NA.
53. Sherrard Ewing to Harry Hopkins, October 6, 1933, FERA records, RG 69, entry 10, NA.
54. *Topeka Daily Capital*, December 10, 1933.
55. Joseph P. Harris, director of the Social Science Research Council, to Harry

Hopkins, November 25, 1935, WPA records, RG 69, entry 10, NA. The penciled note at the top reads “wish I had known it at the time” of the court’s decision. 138 *Kansas Reports* 913 (1934), quote at 914.

56. L. L. Exker to Aubrey Williams, November 2, 1935, FERA records, RG 73, entry 10 NA. “Tired of being told” quote from *Topeka Daily Capital*, February 28, 1935.

57. *New York Times*, November 2, 6, 8, 1935; Schlesinger, *Politics of Upheaval*, 532.

58. McJimsey, *Harry Hopkins*, 93, 123–24; McCoy, *Landon of Kansas*, 235; High, “WPA,” which is a diatribe against the political uses of WPA, contains the “tax and tax” phrase.

59. Leuchtenburg, “Election of 1936,” 2811–15.

60. McCoy, *Landon of Kansas*, 230, 233, 272–74, 309. “Duration of the war” quote from Schlesinger, *Coming of the New Deal*, 3.

61. “Prairie state” quote from Leuchtenburg, *Franklin D. Roosevelt*, 175.

62. Kansas, *Laws*, 1936, chaps 4, 5.

63. *Kansas Senate Journal*, special session 1936, 28–29.

64. *Topeka State Journal*, July 8, 9, 1936.

65. *Topeka State Journal*, July 9, 1936; *Topeka Daily Capital*, July 9, 1936.

66. *Kansas Senate Journal*, special session 1936, 25; *Kansas House Journal*, special session 1936, 11.

67. White, “Landon,” 72.

68. Commissioner of Labor and Industry, annual *Report*, 1934, 1936; Kansas State Federation of Labor, annual convention, *Proceedings*, 1935, 11.

69. *Topeka Daily Capital*, March 5, 1937.

70. *Pittsburg Headlight*, March 8, 1937; *Kansas Senate Journal*, 1937, 523; *Kansas House Journal*, 1937, 518, 671; *Kansas Laws*, 1937, chap. 255.

71. *Kansas House Journal*, 1937, 854; *Kansas Senate Journal*, 1937, 677, 726; *Topeka Daily Capital*, March 11, 31, 1937.

72. *Kansas Laws*, 1937, chap. 327.

73. *Stewart Machine Company v. Davis*, 301 US 548; *Helvering v. Davis*, 301 US 619; *Morehead ex rel Tipaldo*, 298 US 587; *West Coast Hotel v. Parrish*, 300 US 379.

74. Paulsen, *Living Wage*, 15–17, 33, 47.

75. Paulsen, *Living Wage*, 84.

76. Paulsen, *Living Wage*, 87–88; *U.S. v. Darby Lumber Company*, 312 US 100; Dulles and Dubofsky, *Labor in America*, 274–75; *WPA Guide to 1930s Kansas*, 99.

77. *Wichita Eagle*, October 25, 1943.

78. *Pittsburg Headlight*, March 6, 1937; *Kansas 146 Reports* 146 (1937) at 349, 403.

79. McNutt, *Kansas Unemployment Organizations*, 155–57.

80. *Kansas City Kansan*, March 6, 1942.

81. Vincent, “Organized Labor,” 111, 117, 118; Karson, “Trade Unions in Kansas,” 15–16.

The Greatest War

1. Kansas State Federation of Labor, annual convention, *Proceedings*, 1940, 13; 1943, 10.
2. Lichtenstein, *Labor's War at Home*, 70–71.
3. Lichtenstein, *Labor's War at Home*, 72; Seidman, *American Labor* is a good account of labor in the war years.
4. Peter Fearon, “Ploughshares into Airplanes, 299–300. The *Topeka Daily Capital*, December 19, 1943, says Kansas had 708,600 employed in general industry, but this appears to be an exaggerated figure.
5. E. C. Mengenback to Payne Ratner, June 23, 1939, Governors Correspondence, Box 27–11–06–04, folder 1, KSHS; Kansas State Federation of Labor, annual convention, *Proceedings*, 1940, 14–15.
6. Payne Ratner to Floyd Odum, September 29, 1941, Governors Correspondence, box 27–11–06–04, folder 1, KSHS; Harry Woodring to Payne Ratner, May 19, 1939, Governors Correspondence, box 27–11–06–04, folder 1, KSHS; J. C. Nichols to Payne Ratner, December 19, 1941, Governors Correspondence, box 27–11–06–04, folder 1, KSHS; OPM report in Riddle, *Truman Committee*, 60; Spletstoser, “City at War,” 83.
7. John Mills Houston Papers, box 1, ff2, Ablah Library, Wichita State University.
8. Sidney Coleman to Payne Ratner, December 22, 1941, Governors Correspondence, box 27–11–06–04, folder 1, KSHS; *Topeka Daily Capital*, April 30, 1941, December 28, 1941, March 16, 1945.
9. *Topeka Daily Capital*, April 30, 1941, December 18, 1941, December 22, 1942, March 18, 1943, April 3, 4, 1943, December 31, 1943, March 16, 1945.
10. Davis, “Wichita.”
11. “Battle of Kansas,” 481; Clarence G. Nevins to Malcolm Miller, August 7, 1942, WPA File, RG 69, entry 12, NA. The Seattle weather observation is from Rowe and Miner, *Bourne on the Southwind*, 132.
12. Miner, “War Years,” 264.
13. Moley, “Kansas at War,” 96; Miner, “War Years,” 264–66.
14. *Wichita Beacon*, May 15, 1942; Fulton Lewis quote in Miner, “War Years,” 270.
15. *Wichita Beacon*, June 5, 1942, July 1, 1942.
16. Davis, “Wichita,” 11.
17. *Wichita Beacon*, October 29, 1942, November 24, 1942.
18. *Wichita Beacon*, April 7, 8, 1942.
19. Lindley, “War in the Heart,” 38.
20. Lindley, “War in the Heart,” 16, 39.
21. Lindley, “War in the Heart,” 40.
22. *Wichita Beacon*, January 18, 1942; Miner, “War Years,” 264–66.
23. *Wichita Beacon*, April 15, 21, 8, 1942.
24. *Wichita Beacon*, March 6, 31, 1942, October 20, 1942.

25. Fearon, “Ploughshares into Airplanes,” 302–5.
26. DeGraaf, “Significant Steps,” 29; Johnson and Torbenson, “Stories From the Heartland,” 223–26.
27. Fearon, “Ploughshares into Airplanes,” 306–10; *Plaindealer*, January 23, 1942, February 13, 1942.
28. Fearon, “Plowshares into Airplanes,” 306–10; *Wichita Beacon*, February 15, 1942.
29. Gabin, *Feminism in the Labor Movement*, 47–48, 57–59, 63, 70, 78, 81, 94; “little colored girl” quote from DeGraaf, “Significant Steps,” 28.
30. Fearon, “Plowshares into Airplanes,” 309–10.
31. *Kansas City Kansan*, October 31, 1942.
32. Johnson, “Uncle Sam,” 40–41; *Wichita Beacon*, March 28, 1942.
33. “What Rosie Left Behind,” *Wichita Eagle Beacon*, July 18, 1985. The Veronica Lake story from the *Kansas City Kansan*, February 16, 1943.
34. *Wichita Beacon*, August 18, 1942.
35. “What Rosie Left Behind,” *Wichita Eagle Beacon*, July 28, 1985.
36. Johnson, “Uncle Sam,” 41–42.
37. Johnson, “Uncle Sam,” 42.
38. Johnson, “Uncle Sam,” 42–44.
39. Johnson, “Uncle Sam,” 45–46.
40. Johnson, “Uncle Sam,” 47–49.
41. *Kansas City Kansan*, February 27, 1943; Fearon, “Plowshares into Airplanes,” 311–12; O’Brien, “Kansas At War,” 18; “Over Here,” KCPT Video Library, Kansas City, Missouri; *Wichita Beacon*, November 20, 1942.
42. Cong., 1 Sess., 1943, *Public Hearings*, pt. 20, Special Committee to Investigate the National Defense Program, 8301–8; *Kansas City Kansan*, June 9, 1943.
43. Cong., 1 Sess., Senate Special Committee to Investigate the National Defense Program, Report #10, Serial 10839, 349.
44. Bauer, *Fairfax Ghosts*, 8, 14–15; Spletstoser, *City at War*, 85.
45. Bauer, *Fairfax Ghosts*, 26, 53.
46. *Plaindealer*, January 10, 24, 1941.
47. *Plaindealer*, March 21, 1941.
48. *Plaindealer*, March 29, 1941.
49. *Plaindealer*, April 4, 1941.
50. *Plaindealer*, April 18, 1941, May 16, 1941. The statute is in Kansas, *Laws*, 1953, chap. 249, and its enactment will be discussed in the next chapter.
51. *Plaindealer*, September 12, 26, 1941, October 24, 1941.
52. *Plaindealer*, October 17, 1941, April 3, 1942, November 6, 1942.
53. *Kansas City Star*, September 21, 1940, January 10, 24, 1941.
54. *Kansas City Star*, May 16, 1941, December 27, 1941, March 25, 1942.
55. *Kansas City Kansan*, January 19, 1942, July 17, 1942, November 15, 1942; Bauer, *Fairfax Ghosts*, 27–29.

56. *Kansas City Kansan*, February 10, 1943.
57. *Kansas City Star*, August 16, 1942.
58. *Kansas City Star*, September 20, 1943.
59. *Kansas City Star*, July 30, August 30, 1942.
60. *Kansas City Star*, July 6, 1943, November 18, 1943, July 23, 1944.
61. Interview with the above-named five in the Desko home in Kansas City, Kansas, on March 30, 2001, tape deposited in KSHS.
62. Kansas State Federation of Labor, *Proceedings*, 1942, 4; *Kansas City Kansan*, August 14, 1942, November 19, 1942; H. J. “Jim” Yount interview, April 23, 2001; hereafter cited as Yount interview, tape deposited in KSHS.
63. Harriet Bowers Van Fange to Mrs. Schwarzenholz, August 8, 1984, Wyandotte County Museum Archives; Bauer, *Fairfax Ghosts*, 138–39.
64. *Kansas City Kansan*, January 19, 1942, February 5, 1942.
65. *Kansas City Times*, December 22, 1942.
66. *Kansas City Times*, February 17, 1943.
67. *Kansas City Star*, March 21, 23, 1943.
68. *Kansas City Times*, August 10, 1943.
69. *Kansas City Star*, August 29, 1943; “migration of workers” quote from Spletstoser, *City at War*, 68.
70. *Wichita Beacon*, February 17, 1943.
71. *Wichita Beacon*, March 6, 7, 1942, May 31, 1943.
72. *Kansas City Kansan*, December 15, 1941, January 9, 1942, March 19, 1942; Bauer, *Fairfax Ghosts*, 21.
73. *Kansas City Kansan*, August 7, 1942, September 26, 1942.
74. *Kansas City Kansan*, March 2, 1942, January 20, 1942.
75. “Harry Darby,” *Encyclopedia USA*, 18 (Gulf Breeze FL: Academic International Press, 1993); Spletstoser, *City at War*, 89.
76. Strahan, *Andrew Jackson Higgins*, 1; *Kansas City Kansan*, January 20, 1942, November 20, 1957.
77. The drought story is from <http://www.kclibrary.org/sc/post/businesses/20000296.htm>; *Kansas City Star*, June 6, 2001.
78. NAA plant bulletin, May 25, 1945, Wyandotte County Museum Archives; Bauer, *Fairfax Ghosts*, 43–52.
79. Horowitz, *Negro and White*, 175–78.
80. Lee, *Truman and Taft-Hartley* is a political history of the enactment of the law.
81. For the steel strike, see Marcus, *Steel Seizure*.
82. Horowitz, *Negro and White*, 184–88; Halperin and Horowitz, *Meatpackers*, 78.
83. Lecker, “Race Relations,” 233–34.
84. Lichtenstein, *Labor’s War at Home*, 111–12; quote at x.

Farmer against Laborer

1. Gall, “Defeating Right-to-Work,” 197; Dodd, “Some State Legislatures,” 174.
2. *Wichita Beacon*, February 20, 1942; *Topeka Daily Capital*, August 4, 1942; *Kansas City Kansan*, July 28, 1942.
3. *Topeka Daily Capital*, March 4, 1943.
4. Kansas Legislative Council, “Operation of Labor Unions In Kansas,” Publication #118, December 1942, 7–12. KSHS.
5. Kansas Legislative Council, “Operation of Labor Unions In Kansas,” Publication #118, December 1942, 7–12, 14–17 KSHS.
6. Lee, “Reining,” 122; J. Otto Lee to Governor Andrew Schoeppel. March 19, 1943; Governors Correspondence, Schoeppel, box 27–12-07–04, folder 13, KSHS; *Topeka Daily Capital*, March 5, 6, 1943.
7. *Kansas Senate Journal*, 1943, 191; *Kansas House Journal*, 1943, 297; *Topeka Daily Capital*, March 6, 1943.
8. *Kansas Senate Journal*, 1943, 191–92; Governors Correspondence, Schoeppel, box 27–12-07–05, folder 1, KSHS.
9. Kansas, *Laws*, 1943, chap 191.
10. Kansas State Federation of Labor, 1943 convention, *Proceedings*, 50–51.
11. Governors Correspondence, Schoeppel, box 27–12-07–05, folder 1, KSHS.
12. Lee, “Reining,” 125–28.
13. *Kansas City Kansan*, April 28, June 29, July 2, 1943; *Topeka Daily Capital*, May 25, June 8, 1943; Lee, “Reining,” 127; Millis and Brown, *Wagner Act to Taft-Hartley*, 326n24.
14. Lee, *Eisenhower and Landrum-Griffin*, 13.
15. Pratt, “Employer Offensive,” 137.
16. *Topeka State Journal*, October 16, 1953.
17. Lee, *Eisenhower and Landrum-Griffin*, 47.
18. *Wichita Eagle*, December 15, 1943, January 5, 1954.
19. *Wichita Eagle*, December 12, 15, 1953.
20. *Wichita Eagle*, February 7, 1955, March 3, 1955.
21. *Wichita Eagle*, January 2, 8, 12, 15, 1954.
22. *Wichita Eagle*, January 15, 20, 1954.
23. White, *Kansas State Industrial Union*.
24. *Topeka Daily Capital*, March 21, 1954.
25. Lee, “Triple Switch,” 30.
26. *Hutchinson News-Herald*, January 31, 1954; *Topeka State Journal*, June 29, 1954; *Hays News*, June 7, 1954.
27. Fred Hall Veto Message, March 28, 1955, printed in *Kansas House Journal*, 1955, 366. Hereafter cited as Veto Message.
28. *Hutchinson News-Herald*, August 28, 1954.

29. A transcript of the debate is in the Yount Papers, Kansas Collections, Spencer Library, University of Kansas. Hereafter cited as Yount Papers.
30. Jim Yount, Confidential Report to KSIUC, Yount Papers, 220: 1.45.
31. *Salina Journal*, March 24, 1955.
32. News clipping in Yount Papers, 220: 4, 18; *Topeka Daily Capital*, September 22, 1958.
33. Sandon, “When Kansas Said Yes,” 271–74.
34. Yount interview.
35. Veto Message, 364–69.
36. L. E. Weiss to Dwight D. Eisenhower, May 15, 1956, GF 126-K, Box 970, Dwight D. Eisenhower Library, Abilene, Kansas.
37. *Kansas House Journal*, 1955, 351; *Topeka Daily Capital*, March 30, 1955.
38. *Topeka Daily Capital*, March 29, 1955.
39. *Topeka Daily Capital*, March 30, April 20, 1955.
40. *Topeka Daily Capital*, March 30, 1955; Yount interview.
41. *Topeka Daily Capital*, April 17, 1956.
42. *Topeka Daily Capital*, August 4, 1956.
43. *Topeka Daily Capital*, August 8, 9, 1956; Jim Yount to CIO-COPE, June 11, 1956, Yount Papers, 220: 1.50.
44. Series of memos in Yount Papers, 220: 1.50; Jim Yount, “The Untold Story of Right to Work,” unpublished paper, 1982, copy in possession of author; hereafter cited as Yount, “Untold Story.”
45. *Topeka Daily Capital*, August 4, 8, 9, 1958, September 22, 1958; Sandon, “When Kansas Said Yes,” 276; Yount, “Untold Story”; Yount interview.
46. Lee, “Triple Switch,” 33.
47. Yount Papers, 220: 1.51.
48. *Kansas House Journal*, 1953, 194, 336, 352; *Kansas Senate Journal*, 1953, 339, 352; *Topeka Daily Capital*, September 22, 1958.
49. Yount, “Untold Story.”
50. *Kansas House Journal*, 1957, 194.
51. News clippings, Yount Papers, 220: 1.50.
52. Jim Yount to Kansas State CIO officers, November 30, 1956, February 12, 1957, Yount Papers, 220: 1.50.
53. *Topeka Daily Capital*, March 4, 8, 1958; Yount Papers, 220: 1.51.
54. Yount, “Untold Story”; Yount interview.
55. *Kansas City Times*, April 22, 1958, May 20, 1958; *Topeka State Journal*, April 28, 1958, July 7, 1958.
56. Yount, “Untold Story.”
57. Sandon, “When Kansas Said Yes,” 276–78.
58. *Topeka Daily Capital*, August 12, 1958, September 29, 1958.
59. *Topeka Daily Capital*, August 12, 1958, September 14, 1958.
60. *Topeka State Journal*, September 9, 1958.

61. McCoy, *Landon of Kansas*, 564–65; “Alf Landon as a Labor Leader Knows Him,” tribute in Yount Papers, 220: 1.10.
62. *Kansas City Star*, September 10, 17, 1958.
63. *Topeka Daily Capital*, September 24, 1958.
64. H. J. Yount to William S. Holly and F. E. Black, September 22, 1958, Yount Papers, 220: 1.1.
65. H. J. Yount to William S. Holly and F. E. Black, September 22, 1958, Yount Papers, 220: 1.1.
66. H. J. Yount to William S. Holly and F. E. Black, September 15, 1958, Yount Papers, 220: 1.1.
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68. Gall, “Defeating Right to Work,” 197–207.
69. Gall, “Defeating Right to Work,” 207–10.
70. Gall, “COPEing with Right to Work,” 115–17, quote at 116.
71. Lee, “Reining,” 135–36; *Kansas Senate Journal*, 1973, 297. Sage study in *Kansas City Star*, June 27, 2001.
72. *Kansas Laws*, 1953, chaps. 246, 249; *Kansas Laws*, 1955, chap. 251.
73. *Plaindealer*, March 13, 1953.
74. *Plaindealer*, February 6, 20, 1953; *Kansas House Journal*, 1953, 219; Yount interview.
75. Katz and Tucker, “Pioneer in Civil Rights,” 246; *Topeka Daily Capital*, March 11, 1953.
76. *Topeka Daily Capital*, March 18, 1953; *Plaindealer*, March 13, 1953, April 3, 1953; *Kansas Senate Journal*, 1953, 230, 266; *Kansas House Journal*, 1953, 378; *Kansas, Laws*, 1953, chap. 250; *Kansas, Laws*, 1955, chap. 251.
77. Lee, *Eisenhower and Landrum-Griffin*, covers political developments of the Landrum-Griffin Act.

Conclusions

1. Stromquist, *Generation of Boomers*, 267.
2. Frank, *What’s the Matter With Kansas?* 5.
3. Goldberg, *Grassroots Resistance*, 42.

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