

Portland Labor Press

Official Paper Federated Trades Council

"Trade Unions are the bulwarks of modern democracies"—W. E. Gladstone

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IMPORTANT DECISION

LONG DRAWN OUT CASE OF GARMENT WORKERS' UNION VS. WHITE IS HEARD.

Rickert, as president of the United Garment Workers of America, vs. WHITE—The averments of the complaint are sustained by the evidence. It is established that the defendant while acting as secretary of the United Garment Workers of America and entrusted with the purchase of certain supplies, procured the same from a firm of which he was a member. It also appears that his connection with the firm was concealed from the corporation. UNDER THE CIRCUMSTANCES THE DEFENDANT MUST ACCOUNT TO THE PLAINTIFF FOR THE PROFITS HE DERIVED FROM THE TRANSACTIONS IN QUESTION. The defendant held a position of trust and confidence and will not be permitted to use his office for personal gain. Officers of a corporation are bound to exercise the utmost good faith toward the corporate interests and cannot lawfully take secret profits in contracts which they are employed to make. When an officer or any agent is authorized to sell he cannot lawfully become the purchaser, and when directed to buy he cannot become the seller. When in disregard of his duty as an officer, makes purchases or enters into contracts whereby he acquires a personal advantage of the profits thus obtained belong not to him but to the corporation. (Koster v. Pail, 41 App. Div., 444; Smith v. Seattle, 72 Hun. 202; Barnes v. Brown 30 N. Y., 535.) Judgment for plaintiff.—N. Y. Law Journal.

LETTER TO UNION MEN.

Headquarters Labor Party, Portland, Ore., May 10, 1907.

Dear Sir and Brother: The Central Committee of the Labor party hereby gives notice to all delegates that the next regular meeting of the Labor party will be held in Cooks and Waiters' hall, 128½ Fifth street, Wednesday evening, May 15, 1907, commencing at 8 p. m.

The purpose of this meeting is to take steps, in a preliminary way, of placing a full ticket in the field of bona fide union men for the June election, as has been the purpose of the Labor party from the first. The ticket can be selected by mass convention of 100 regular electors in accordance with the law, and the arrangement of this will be the subject matter of the meeting Wednesday night. There are four candidates, however, who have already been selected by referendum vote of the unions for a place upon the ticket. They are H. J. Sirard, for city treasurer; F. C. King, councilman Fourth ward; Robt. Henderson, councilman First ward, and M. J. Allen, Councilman-at-large. These men are union "card" men and worthy candidates.

In addition to the above there is a number of places to be filled, which will have to be done at the mass convention. None other than union card men should be considered, and this seems to be the sentiment generally expressed by the trades unionists of this city.

Brothers, the candidates elected at the primaries by the old parties are by habit and conviction, inimical to our interests. If elected we can expect but scant consideration from them. Their masters are our enemies. If we do not show our strength in this election our industrial burdens in the future will be increased to the proportion that we are indifferent with our ballots now. Take this prophesy to your homes and think it over. Then make a

solemn pludge to yourselves and those dependent upon you that you will attend Wednesday night's meeting, and do your utmost to elect our union candidates to office.

Fraternally,
N. HUGHES, Pres.,
T. M. LEABO, Sec.,
Central Committee Labor Party.

UNIONS FAVOR PEACE.

The interest that is being taken by organized labor in furthering the movement for international peace is one of the hopeful signs of the times. It is an indication that the organized workers of the country are advancing to a larger conception of their influence on the affairs of the world than is to be found in the limitations to conflicts with organized capital. Labor organizations are taking their places among the forces that are advancing the nations to higher civilization. The trade union stands for peace and not for war, but it wants the peace that is founded on justice.

To the workingman war brings but a heavy burden of sacrifice. Industries are disturbed, work ceases, cost of living increases, and mainly upon his shoulder rests the arm for national defense. He it is who performs the soldier's duty and yields his life in his devotion to his country's cause.

The workingman wants peace, and we are pleased to see that representative men in the labor movement of this country are to give their time and labor for its advocacy at a meeting to be held in Cooper Union on April 16. At that meeting organized labor will show in an unmistakable manner, we trust, its sympathy with the movement for international peace that can but have a great benefit on the workingmen of all countries.—The Union Citizen.

SOME FACTS IN THE CASE.

The long drawn out case of T. A. Rickert, as general president of the United Garment Workers of America, against Henry White, ex-general secretary, has at last been heard. A brief account of the case is hereby reproduced from the New York Tribune:

"Decision was reserved March 11 by Justice O'Gorman, in the Supreme Court, in an action brought by Thomas A. Rickert, the president of the United Garment Workers of America, against Henry White, formerly the general secretary of the union, for an accounting.

"It is alleged by the plaintiff on behalf of the union that White, while secretary from 1897 to 1904, placed all his orders for union labels and stationery with the New York Bond and Ticket Company, in which he had a large interest. The accounting is asked for the profits he made on these transactions, on the ground that, as secretary of the union, he had no right to join in any enterprise to benefit himself at its expense.

"The business of the New York Bond and Ticket Company was almost entirely comprised of the work done for the union. The accounting is asked for the years prior to 1902 for all sums in excess of \$10,000, his first contract with the firm having then run out.

"J. Frederick Busche, a printer formerly connected with the Kellner Printing Company, testified that that firm had done some work for the United Garment Workers. He said he was about to start in business when White told him he wanted to get in on the game and put up \$1,500 for three-sevenths of the capital of the business, and also \$250 to buy one-seventh interest for his brother.

"White denied that this matter was unknown to the union, and said that everybody in it knew he was

MOST TERRIBLE OF INJUNCTIONS

Superior Judge Albertson, of the State of Washington, Issues Most Stringent Injunction Against Strikers

If our information concerning the injunction issued by Judge Albertson of the Superior Court of Washington, be correct, we must conclude that the glorious boon of life, liberty, and the pursuit of happiness are mere mythical sentiments in the State of Washington.

This is what the dailies have given as the substance of said injunction. An injunction against the striking employees of the Moran Co., and the Variety Iron Works, and against members of all unions interested, preventing them from picketing or patrolling any of the streets or avenues leading to the property of either company, from visiting the homes of any employees with a view to persuading or coercing them to quit the service of either company, from intercepting employees on the street or in other places with the same intent, and from displaying banners bearing inscriptions concerning the strike inaugurated against either company.

Now, who ever heard of such procedure in a free and enlightened country? Is it possible that Judge Albertson, contrary to numerous court decisions bearing on the subject of strikes, picketing and boycotting or blacklisting, means to deprive the struggling wage-earner of his only means of self-preservation against the greed and tyrannical would-be task masters?

Were it necessary, we might quote from several important decisions the authority of some of the ablest judges in America showing the boycott, the union picket and the strike to be legitimate measures before the law; and how Judge Albertson justifies his terrible injunction against peaceful strike methods is a question we have no means of solving. To say that workingmen shall not be permitted to meet their fellows and discuss the most avail-

interested in the printing concern, and the reason he placed the orders with it was because his predecessor had always given the orders to Busche, as he was able to do the work cheaper and quicker, on account of having the special machinery required."

B. A. Langer was called as a witness and he testified as follows: "I was general president for a period during the time the defendant was general secretary, and never knew that Henry White was an interested party in the New York Bond and Ticket Company."

White in his evidence stated that Charles F. Richers, who was at one time general president, and Samuel Tutler, general treasurer, both knew of his connection with the concern, as he had told them.

When these gentlemen took the stand the former swore he knew absolutely nothing of White's connection with the printing company. The latter said he had heard it rumored by members of his local union, but was never told by White.—New York Law Journal.

THE PEACE ASSOCIATION.

Portland has now established within its borders a new and promising organization—the Industrial Peace Association.

The aims and ambitions of this young society are chiefly to make peace where disruption and conflict rages or may rage between employer and employe, and, doubtless, the eye of stern scrutiny is upon its composition and its movements.

A noble, God-like purpose is that

able means to secure justice at the hands of their employers, that they shall not display banners proclaiming to their fellow-citizens the cause of their grievance, that they shall not visit one another's homes for the purpose of arranging the plans of their campaign for better conditions, is a position assumed by the court not far short of barbarity, a position, to overcome which, our forefathers freely shed their hearts' blood.

Why should honest, law-abiding citizens, whose only crime is poverty, be so enjoined? Have we an example on the court records of this country where the employers have been so treated when they planned and convened for the purpose of cutting men's wages or of increasing hours of service? No, not such an example; and if the wealthy may, without smallest hindrance, resort to combination to reduce wages and refuse reasonable conditions, why prevent by injunction the laborer from adopting the same remedy in his behalf. That is simply what the picket and the boycott means—the effective banding together for the prevention of our fellows from taking our positions while we strive by the power of the strike to bring about conditions under which we may be able to decently subsist.

If law support the position of Judge Albertson in this matter, then it should become the accepted duty of every true American to strive for the repeal of such czarism. But we believe the decisions already rendered in many states of this union will convince the unprejudiced that there is no law warranting such stretch of the judicial power, and we are firmly convinced that the justice of the strikers' demands in Seattle will ultimately crown their struggles with a splendid victory, notwithstanding the superior judge to the contrary.

which prompted its existence, and the men who have freely consented to devote time and money to the worthy cause deserve the lasting gratitude of the three great elements concerned in every industrial warfare that arises between capital and labor—the producer, the capitalist and the general public.

While we frequently engage in our industrial struggles without the interference of the third party—the public—it must be acknowledged that in many cases the whole people are the serious sufferers in the conflict. To a great extent, man is his brother's keeper, and the general public, being the great representative of all interests, becomes the universal "keeper" of humanity and its affairs. It has, therefore, a perfect right—indeed it becomes the inalienable duty of the public to mediate between the two factors immediately concerned in the strife, and through its good offices restore peace and friendly relations between the opposing elements.

We hope for the future of this organization and will always be found striving for the promotion of its objects; we realize the awful calamity of such a situation, for instance, as prevails at the present time in suffering San Francisco, and we hope our new association may never be called upon to interfere in such a deadly struggle in our fair city, but when occasion arises for such mediation, we hope the association may be equal to the demands of the situation and fully prepared to enforce its findings irrespective of who may be concerned.

As organized at present, the association seems to lack the means of enforcing its decisions should it be called upon tomorrow to investigate a grievance between capital and labor. In its constitution no provisions are made for vigorously following out to its ultimate conclusion and practical effectiveness of the decision it might arrive at pertaining to a labor strike or a lock-out. It would appear some system of enforcing its findings should be provided for in the constitution, such as a public boycott against the party refusing to agree to reasonable arbitration, etc.

In our humble way of thinking, and from the experience we have had in dealing with such matters, the work of the association will likely prove futile unless severe penalties, through public sentiment, are imposed against the stubborn plaintiff or the haughty defendant.

HENEY EXONERATES LABOR UNIONS.

Extract From Speech Delivered Before the Students of Berkeley University.

"The trouble is in the government of our cities—not in men. And right here I want to emphasize a condition in San Francisco. Some men accuse the labor unionists of responsibility for all the graft and corruption and the Labor party is condemned. Men who attempt to place the responsibility for our municipal evils upon the labor unions are densely ignorant or else they speak from bitter and selfish enmity and base motives.

"Labor men are your fellow citizens. Unhappily all men who toil do not have the opportunity you have to obtain a broad education. But these men who earn their bread have the same fine sentiments, the same high purposes and aspirations, the same affections that you college graduates have, and they are inspired by the same principles and the same love for our common country and its institutions.

"So I urge you, young men, not to permit yourselves to believe that labor does not include the highest citizenship in the United States. Men who work respect the law, and they are entitled to the protection of the law.

"I have confidence that the labor element will vote right, if the issues in San Francisco are brought right. I have not the same confidence in the merchant class or the corporation class.

"Do not misunderstand me—I do not mean that all merchants or corporation men are dishonest or corrupt. I mean that in the analysis, the laborer, the merchant and the corporation man will vote his self interest when the workman has self interest in one.

"That means that nine times out of ten labor votes on principle, with no personal interest, and nine times out of ten the merchant votes for his self interest and against moral principle."

ROOSEVELT AND RAILROADS.

An Associated Press dispatch from Washington follows: "Andrew Carnegie, who is in Washington for a few days, today expressed the following opinion on the railroad situation: 'I absolutely indorse the president's attitude towards the railroads. He is the best friend they have, and they ought to realize it. The railroads had better stand with him. If they do not accept his moderate measures, they may be confronted by a man in the White House who will approach the question of the railroads from an entirely different standpoint. I regard the president's influence as to the railroads as wholesome and conservative.'"—Ex.

A workman to be a man must be a union man.

ORGANIZE FOR SAFETY

SOME OPPORTUNE ADVICE TO UNIONS AND UNION MEN.

Labor Omnia Vincit.

Headquarters: 423-425 G street N. W., Washington, D. C.

To all Wage-Workers of America, Greeting:

It is now generally admitted by all really educated and honest men that a thorough organization of the entire working class, to render employment and the means of subsistence less precarious, by securing an equitable share of the fruits of their toil, is the most vital necessity of the present day.

To meet this urgent necessity, and to achieve this most desirable result, efforts have been made, too numerous to specify, and too divergent to admit of more than the most general classification. Suffice it to say, that those attempts at organization which admitted to membership the largest proportion of others than wage-workers were those which went the most speedily to the limbo of movements that won't move; while, of the surviving experiments, those which started with the most elaborate and exhaustive platforms of abstract principles were those which got the soonest into fatal complications, and soonest became exhausted.

In the face of so many disastrous failures to supply the undoubtedly existing popular demand for a practical means of solving the great problem, the question naturally suggests itself to many: "Which is the best form of organization for the people, the workers?"

We unhesitatingly answer: "The organization of the working people, by the working people, for the working people—that is, the trade unions."

The trade unions are the natural growth of natural laws, and from the very nature of their being have stood the test of time and experience. The development of the trade unions, regarded both from the standpoint of numerical expansion and that of practical working, has been marvelously rapid. The trade unions have demonstrated their ability to cope with every emergency—economical or political—as it arises.

It is true that single trade unions have been often beaten in pitched battles against superior forces of united capital, but such defeats are by no means disastrous. On the contrary, they are useful in calling the attention of the workers to the necessity of thorough organization, of the inevitable obligation of bringing the yet unorganized workers into the union, of uniting the hitherto disconnected local unions into national unions, and of effecting a yet higher unity by the affiliation of all National and International Unions in one grand federation, in which each and all trade organizations would be as distinct as the billows, yet one as the sea.

In the work of the organization of labor the most energetic, wisest, and devoted of us, when working individually, can not hope to be successful, but by combining our efforts all may. And the combined action of all the unions when exerted in favor of any one union will be more efficacious than the action of any one union, no matter how powerful it may be, if exerted in favor of an unorganized or a partially organized mass.

We assert that it is the duty, as it is also the plain interest, of all working people to organize as such, meet in council, and take practical steps to effect the unity of the working class, as an indispensable preliminary to any successful attempt to eliminate the evils of which we,

(Continued on page 4)