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The Open Shop

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## The Open Shop: Volume III Number 3

Business Men's Association of Omaha

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# The Open Shop

Published by THE BUSINESS MEN'S ASSOCIATION of OMAHA

VOL. III.

OCTOBER 31, 1922

NUMBER THREE

## VOTE FOR The "Right to Work" Law ["Anti-Picketing" Law]

### No. 312

Go to the polls on election day, Tuesday, November 7th, and vote for this law.

It will be found on a separate ballot with three other referred laws and will be in second place.

Here is how it will appear:

This act prohibits any interference with any unwilling listeners, working, or seeking work, by threats, intimidation or persistent communications, designed to influence men from continuing in, or seeking employment. It prohibits picketing, or loitering about a place of business, or residence, against the will of the proprietor for the purpose of interfering with the employment of any person therein, or with any lawful business.

For the Measure, YES  
Against the Measure, NO

No. 312 YES  
 No. 313 NO

Vote "Yes" by placing the X in the square marked No. 312.

Remember the Number: **3-1-2**

## It Is To Your Interest

Does the "Right to Work" or "Anti-Picketing" Law interest me?

How shall I vote on it?

These questions will be asked by thousands of people who are employed in the various industries in this city and state. They are legitimate questions and should be given careful consideration.

A careful reading of the provisions of the law will provide the basis for an intelligent answer to these questions.

The only purpose of the law is to protect people in their lawful right to work or to conduct a lawful business. It serves to make unlawful only those acts that have come to interfere with exercise of these rights.

You are employed in an industry. You may belong to a union or you may not. You may like your work, for you see ahead of you a chance to advance by diligence and an improvement in your knowledge and skill.

You may have a family to support whose welfare means more to you than anything else in the world. Or you may be looking forward to the time when you can establish a home.

All these matters will be given consideration by you when industrial storms begin to gather around the business in which you are employed. You will want to weigh

them all with the utmost care and freedom before you decide to leave your job when a strike is called. And when you have made your decision you will want to be free to carry it out.

Here is where this law comes in.

If you decide to quit your job it will not interfere with you nor will it keep you from urging similar action on your fellow employees as long as they desire to listen.

If, however, you decide to remain at work, it will place around you the protection of the state and stop the threats and intimidation that are always visited upon men and women who want to work.

Hundreds of men were satisfied with their jobs and did not want to quit when the railroad strike was called but they were forced to do so by the very acts that this law seeks to prohibit.

"It is fundamental to all freedom that all men have unquestioned rights to lawful pursuits, to work and to live and choose their own lawful way to happiness," said President Harding in an address to Congress on August 18th.

You have the opportunity to protect yourself and your fellow men from those who would deny you these rights. Go to the polls on election day, November 7th, and register your vote in favor of this protection.



### The Real Friend

A man went up the mountain of Opportunity. Cheerfulness sped him on his journey from the inn below. Hope was the sun that shone before his pathway. Ambition walked beside him. And Enthusiasm was the light in his eyes that looked ever toward the summit. As he journeyed Honesty, Loyalty and Sincerity—three soldiers in the same company—became his body guard.

Before every obstacle an ally rose to help him. It was Perseverance. As he rose into the clearer air he felt already the stimulus of Success. But as he set foot upon the solid earth of his Purpose achieved, he suddenly knew that the real pilot of his pilgrimage was none of these. It was a friend he had been too busy to be aware of. It was WORK.—FROM WORK.

### Seniority Rights

If your cook leaves you in the midst of the canning season with the dishes dirty, the kitchen a mess and company coming—

And pickets the gate to keep you from hiring another cook and makes you all the trouble she can—

And you spend six weeks breaking in a new cook, who qualifies and serves in spite of the brickbats hurled by her predecessor—

And, finding she can't shut off your meals, the old cook comes back and insists on being reinstated with rights unimpaired and no questions asked—

WOULDN'T YOU FEEL JUST AS THE RAILROADS DO?

—NEW YORK TRIBUNE.



### Organized Labor Not The Public

In the following editorial the Saturday Evening Post makes some strong points concerning the relation between capital, labor and the public:

"Mr. Gompers often points out that the public and labor are not separate, but that organized labor even when engaged in strikes is part of the public. This, of course, is true, but everyone knows that organized labor is a comparatively small part of the general public. But what is of more importance is the fact that great portions of the population have no natural sympathy with the methods so commonly employed by organized labor to win its ends or anything to gain by them.

"To think of organized labor, or even of labor that from the unionist's viewpoint is theoretically capable of organization, on the one hand, and capital on the other, as alone constituting society, is at once a baseless and vicious fallacy. **To think of the America people as made up solely of a few bloated plutocrats, and many organized laborers who get ahead in the world only by strikes, picketing, and similar weapons, is the last word in falsity, and yet no picture is more commonly drawn.**

"It takes no account of the farmers, who are at once capitalists and laborers, and who constitute the largest single portion of the population. **It takes no account of other millions who work hard at varied tasks and perform services of the utmost value, but who neither sympathize with nor gain from strike methods.**

"Thus it is clear that however much the public may be puzzled by the right or wrong involved in strikes it will never in the long run in this country tolerate the assumption that organized and fighting labor covers the whole map. Nor will it knowingly and consciously surrender the principle that the most effective discontent within the breasts of men is that with themselves rather than with their surroundings.

**"In this country it has always been true and it is true now for the large majority, that the surest way to obtain a living wage is to improve the quality of one's work and to qualify for tasks of still greater value to society. There may be men and**

women so handicapped, so ignorant, that no change in the character of their employment from childhood to age is possible. But though they are entitled to fight if need be for their fair share of the national income, there can be nothing but abhorrence of the doctrine that most individuals can get ahead in the world only by means of strikes, sabotage, violence and the threat of revolution."



### Shall the Workman Be Protected?

In the Open Shop for April, 1921, appeared an article under the above heading, which contained the following paragraph.

"The greatest crimes that organized labor has perpetrated have come as a result of picketing. Men have been abused, threatened, hounded, slugged and even murdered, and their wives and children insulted and terrorized, merely because they chose to work. So much violence has grown out of the picket line that the very sight of one picket, although he says not a word, strikes fear to the heart of the workman. It is a threat of the same kind of violence that has taken place in the past."

That we were right has been amply illustrated by the recent railroad strike. In Omaha and out in the state many men who desired to work were intimidated by pickets until they were forced to stay away.

Others left their home towns and went to work for the railroads in other places where they were not known and where they were furnished protection by being given board and lodging within the railroad shops.

Where is there any justice if men who want to work are forced to quit their jobs and remain idle or else steal away to some other community and hide behind the barricade of a shop enclosure.

Haven't American people the right to go to their honest work without fear or even embarrassment?

The Nebraska Legislature believed that they had and passed a law to protect them in the exercise of it.

Approve the action of your Legislature by going to the polls and voting to sustain this law!



### Formula For Industrial Peace

Roger Babson gives the following formula for the restoration of industrial peace and prosperity.

1. Abolition of the closed shop movement on the part of unions.
2. Encouragement by the unions of individual efficiency instead of putting a premium on sloth and inefficiency.
3. Promotion by unions of harmony and co-operation between employers and employee, instead of the present strife and discord.
4. The teaching of respect for law and order. Legislation for the whole people instead of for a class.
5. Securing better conditions for labor by insisting upon full time production.
6. Teaching trades to the youth instead of limiting apprenticeship.
7. Keeping contract.
8. Making trade unions thoroughly American.

Mr. Babson has a national reputation as a statistician and a close student of industrial problems.



### Labor Unions and The Government

The Attorney General of the United States has been severely criticized for obtaining an injunction against unlawful acts being committed by the railroad unions in pursuance of their strike. Regardless of the merits of his action we cannot help but feel that he has done untold good by setting forth so clearly the attitude that organized government must take toward the activities of lesser groups of its citizens.

"The government of the United States," he said in his address to the court, "is not opposed to labor unions if they perform such functions as can be performed in lawful America. Never, while the labor unions limit their activities to legitimate acts and lawful pursuits not injurious to society, at least while I speak, and to the extent that I can speak, for the government of the United States, shall a blow be struck at them. But it may be understood that, so long, and to the extent, that I can speak for the government of the United States, I will use the power of the government of the United States within my control to prevent the labor unions of the country from destroying the open shop. **When**

**a man in this country is not permitted to engage in lawful toil, whether he belongs to a union or not, with full protection and without interruption, the death knell to liberty will be sounded and anarchy will supersede organized government.**

"There are many who believe, on account of the arrogance of certain officials of labor unions, that the unions themselves should be destroyed. I do not think they should, but I think they should be corrected and restrained. If the acts of violence and murder are inspired by the unions, then it is time for the government to call a halt. No organization or association, no matter how well organized or how powerful it may be, can hold its constitution or its laws supreme over the government, the constitution and the laws of the United States of America.

"No union, or combination of unions, can, under our laws, dictate to the American union. When the unions claim the right to dictate to the government and to dominate the American people and deprive the American people of the necessities of life, then the government will destroy the unions, for the government of the United States is supreme and must endure.

"No labor leader, or capitalistic leader, nor organization or association of any kind or kinds, or combination of the same, will be permitted by the government of the United States to laugh in the frozen faces of a famishing people without prompt prosecution and proper punishment."



Senator Nelson, Minnesota, speaking in the Senate in regard to the injunction in the shopmen's strike, said: "No one denies the right of these unions to organize, to enter into collective bargaining or to quit work, but the trouble is these unions, when they strike as they call it, when they quit work, stand with a club in their hands to prevent other men from taking their places and doing the work they left. I hear a good deal in this Senate about free speech, but I have heard very little about the liberty of labor, liberty to work for a living. This is the great question which confronts the American people."—OPEN SHOP REVIEW.



### Why The Objection?

The voters of Nebraska will be called upon November 7th to cast their ballots for or against the so-called anti-picketing law, which was passed by the last legislature and referred by petition. The Nebraska law is not a radical one. It infringes upon the constitutional rights of no one. It merely prohibits the acts which cannot be defended or excused whether there is strike on or not. The scope of the law is thus defined in the title:

"This act prohibits any interference with any unwilling listeners, working, or seeking work, by threats, intimidation or persistent communications, designed to influence men from continuing in, or seeking employment. It prohibits picketing, or loitering about a place of business, or residence, against the will of the proprietor for the purpose of interfering with the employment of any person therein, or with any lawful business."

Threats and intimidations are never justifiable. No man has a right to interfere by unlawful acts with the conduct of another's business. No man has a right to deny to another his constitutional right to work unmolested in whatever line of employment he decides to enter. The law interferes with no rights of the unions, it does not in any way interfere with collective bargaining. It permits workmen to quit their jobs if they are dissatisfied, but it prevents their throwing unlawful obstacles in the way of other men who may desire to work.

Everyone deplors disorder and terrorism in strikes. Most instances of disorder can be traced to picketing. The law will tend to prevent disorder.

Will Maupin, editor of the Gering Courier and a union man, in an editorial under date of April 8, 1921, says he "can see nothing in that bill that is objectionable to any union man who prizes his good citizenship as highly as he prizes his union membership. The bill, if enacted into law, will merely prevent any man doing to you and yours what you would strenuously object having done."

Why, then, can there be any objection to the bill?—NORFOLK DAILY NEWS.



If one does good to his class only, he stoops below the level of the highest. One must take in the whole human family and see the influence of his course of conduct

upon mankind at large. That which helps a class only, while ignoring others, in the long run injures the class it is supposed to help. The closed shop is essentially selfish in that it seeks to better a class at the expense of the rest of the world. The world will not stand for this. The people in general are against the closed shop because the closed shop is against the people.—GEORGE BEDELL VOSBURGH.



### No "Peaceful Picketing"

In granting the petition of the Attorney General of the United States for an injunction against the striking shopmen, Federal Judge Wilkerson said there was no such thing as "peaceful picketing."

"The word of the 'peaceful picket,'" declared the judge, "spoken in the vicinity of the shops was emphasized by the club and pistol of the 'unknown party'."

Here is a summary of a small part of the acts of violence committed during the railroad strike taken from affidavits submitted by the government which led Judge Wilkerson to grant the injunction.

"Twenty-five murders, some of men, women and children who were not opposing the strikers, but were travelers on trains.

"Twelve trains abandoned in the deserts of California and hundreds of passengers, some very old, some babies in arms and some ill, forced to live in terrific heat for periods of from one to four days.

"Approximately 950 mail trains forced to discontinue. A loss of \$75,000,000 suffered by California fruit growers unable to have their products transported.

"Dynamiting, bombing and setting fire to railroad property, including many bridges.

"The removal of non-union coal cars from trains in Kentucky; tampering with the mechanism of 4,000 or 5,000 cars so they could not be moved and setting fire to others.

"The drawing of spikes from rails in innumerable cases, endangering lives of workers and passengers.

"Caused United States to appoint 5,500 United States deputy marshals to protect mails and other transportation."



## The Herrin Massacre

### THE GRAND JURY REPORTS

The Grand Jury empanelled to investigate the Herrin, Illinois, Massacre finished its work on September 23rd after returning 44 indictments for murder, 58 for conspiracy to murder, 54 for assaults with intent to murder, and 58 for rioting, making a total of 214 indictments. The Grand Jury filed a report of this investigation, several excerpts of which are given below.

The story it tells is one of almost unbelievable horror. The Turkish massacre at Smyrna was worse only because there were more people involved. The nature of the crimes were the same.

From the record is very clearly seen the connection that existed between the telegram sent by the President of the United Mine Workers of America, and the massacre. But let us read from the report.

"On Monday, June 19, State Senator W. A. Sneed, District President of the United Mine Workers of this district, received from John L. Lewis, President of the United Mine Workers of America, a telegram as follows:

"William Sneed, President Sub-District 10.

"District 13, United Mine Workers of America, Herrin, Ill. Your wire 18th. Steam Shovel Men's Union was suspended from affiliation with American Federation of Labor some years ago. It was ordered suspended from the mining department of the A. F. of L. at Atlantic City convention.

"We now find that this outlaw organization is permitting its members to act as strikebreakers at numerous pits in Ohio. This organization is furnishing steam shovel engineers to work under armed guards under no agreement which exists by and between this organization and the mining department or any branch of the A. F. of L. permitting them to work under such circumstances.

"We have through representatives officially taken this question up with the officers of the Steam Shovel Men's Union and have failed to secure any satisfaction.

"Representatives of our organization are justified in treating this crowd as an outlaw organization and in viewing its

members in the same light as they do any other common strikebreaker.

"JOHN L. LEWIS."

"A copy of this telegram was posted and read in various places. Following the publication of the telegram from President Lewis preparations for an attack upon the mine were made. The hardwares in all the cities of Williamson County were searched for firearms. The weapons were either taken by force or upon a verbal assurance that the local would pay for them.

The report then goes on to relate how a conference was held at which officers of the Miner's Union agreed to let the men working at the mine depart in safety. How this promise was broken is told in the following words:

"Nevertheless at the break of day the following morning firing began in a severe volume, the attacking party having crept up in the cover of the darkness. They were checked sufficiently to permit of a parley, and after a time a spokesman for the strip mine workers asked to speak to the leader.

"A long range conversation was held and it was agreed by the spokesman of the attacking party that safe conduct would be accorded the men if they laid down their arms and marched out with hands up.

"This was done and from behind the earth embankments created by the shovel operators came a great number of unarmed men and more from the surrounding hills until the forty-seven surrendering men were surrounded by the many hundreds of men mostly armed. "The captive men were marched down the road toward Herrin in double file. After they had marched about one mile Superintendent McDowell, being crippled and unable to keep up with the procession, was taken by members of the mob and shot to death. The remainder of the captives were marched on the public road and were stopped at the power house of the interurban railroad, about three miles from Herrin. Here a change in the leadership took place and the man who had guaranteed the safety of the men who had surrendered was deposed and another leader installed.

"The new commander ordered the captive men to march into the woods adjacent to and around the power house,



Here the new leader directed that only those in the crowd who had guns should follow into the woods, and those who were unarmed should remain without.

"The surrendered men were then marched some 200 yards back of the power house to the vicinity of a barbed wire fence, where they were told they would be given a chance to run for their lives under fire.

"The firing began immediately, and thirteen of the forty-seven non-union men were killed and most of the others were severely wounded.

"The mob pursued those who had escaped and two were hung to trees, six were tied together with a rope about their necks and marched through the streets of Herrin to an adjacent cemetery where they were shot by the mob and the throats of three were cut. One of the six survived.

"The atrocities and cruelties of the murders are beyond the power of words to describe. A mob is always cowardly, but the savagery of this mob in its relentless brutality is almost unbelievable. The indignities heaped upon the dead did not end until the bodies were interred in unknown graves."

That a crime like this happened in enlightened America is difficult to believe. The names of those indicted did not spring from eastern or southern Europe but with few exceptions sound as though they had been in this country a long time.

This terrible crime has shaken the country to its foundations. It cannot be ignored. The time has come when we must put an end to violence in industrial disputes. The opportunity is at hand in Nebraska. Will we grasp it or must we wait until we receive a shock similar to the Herrin tragedy.

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Federal Judge Woodrough of Omaha is quoted in the Omaha Bee, August 19, 1922, as saying, in answer to a request by the Attorney for the striking shop craft unions that he modify the injunction against them.

"If I make any changes, I would amend the injunction to prohibit picketing altogether. **Most of the trouble would be eliminated if no picketing was allowed.**"

### A Creed

BY HARRY A. EARNSHAW

I BELIEVE that work is a blessing.

I BELIEVE that the work I am doing is worth while.

I BELIEVE that the interests of mankind are mutual and that business is simply organized service.

I BELIEVE that the only way life can be made happier and living cheaper is for everyone to do his full duty.

I BELIEVE that incompetence, laziness, or greed in an employee is not only unfair to employer but a sin against the whole body of society.

I BELIEVE that if I fail to do my fair share of the world's work I shall only make life just that much harder for some other fellow who perhaps has greater handicaps than I.

I BELIEVE that the Creator gave me talents in the expectation that I would use them in the service of my fellow man. Even if unmindful of my own interests, I have no right to cheat others.

I BELIEVE that every piece of goods I help to manufacture represents a part of myself when it goes out into the world. Whether I write letters or file them, whether I work at a desk or in a factory, or in a store, I believe in the thing I am doing, and will put my best thought and effort into it.

I BELIEVE in myself and in my friends. I believe in my company. I believe in humanity in general, and that the good in the world far outweighs the bad. I believe that I shall receive justice and a square deal. I believe that if I do my best, if I study to improve myself, and look cheerfully upon life and its tasks, whatever rewards may be justly due me I shall receive.

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### The Demagogue

The Demagogues are the men who have stirred up the present contempt for the law and the present eagerness for violence. They sowed the wind and we are reaping the whirlwind. This is the time above all for conservatism. We need the conservation of the old splendid American institutions and ideals. The greatest need of the day is for the **rebirth of a great national loyalty to American institutions. The day of the demagogue is gone.**—WADE H. ELLIS, Former Assistant Attorney General.



### He Was Only Eight Years Old, So He Got A Whipping.

The father had been talking considerably at home about his "rights," and how he wouldn't do this and that thing.

He was a carpenter, so he wouldn't pick up scraps after a bricklayer, or a painter. And the eight-year-old boy listened in wonder and admiration while his dad told about walking off a job because he had been asked to carry a few bricks up to a mason who was finishing up a job.

The boy's particular work about the house was to carry out the garbage pail on Monday and Thursday mornings. He was entirely responsible for seeing that this work was done.

One day Dad told Jim to carry out the pile of old newspapers that had collected in the basement. But the boy refused.

"I'm a garbage can carrier," he declared stoutly, "and I refuse to carry out your old papers."

But, as we said above, he was only eight years old, so he got a whipping.

We imagine that father has to smile to himself when he thinks of the policies the leaders of his labor union have asked him to follow: that a man may not be employed except he belong to the union; that raw materials must not be furnished by "open shop" concerns; that apprentices be employed only on approval of the union; and that men may do only a certain amount of work in a given time. And, of course, a man can do only the work specified as his "trade."

The labor union leaders seem to have adopted a set of rules for the union members that wouldn't go very well anywhere else. Just stop a moment and think how far you would get anywhere else but in a "closed shop" with the above policies.

Then, you'll get an idea of why most employers and a large percentage of labor union men are getting pretty well fed up on the "closed shop" and are repudiating these policies for the "open shop" where all men may work contentedly and win individual reward for individual effort.—THE CINCINNATI INDUSTRIAL ASSOCIATION.

### Liberty Means The Right To Work

The Declaration of Independence in Congress, July 4, 1776:

"We hold these truths to be self-evident—that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness—that to secure these rights, Governments were instituted among men."

President of the United States, July 4, 1922.

"Liberty is gone in America when any man is denied by anybody the right to work and live by that work, no matter who does the denying."

To protect its people in these Rights, Nebraska's Legislature passed the "Right to Work" Law. It has now been referred to the people of the State for their approval or rejection. If you believe that every citizen should have this Right you will go to the polls on November 7th and vote for this law.



### No Slavery or Tyranny

"The right of a man to work or not as he pleases does not involve any right in him to say whether his neighbor shall work or not as he pleases, and while compulsion of labor might be slavery, the effort of any group of men to control on a nation-wide scale the production of any essential article or to control transportation and to say not only whether they shall work, but also whether anyone else shall work is tyranny, and a free government cannot permit either slavery or tyranny."—HON. NATHAN L. MILLER, Governor of New York.



### The Love of Work

If you ask any successful man the reason for his making good, he will tell you that first and foremost it is because he likes his work; indeed, he loves it. His whole heart and soul are wrapped up in it. His whole physical and mental energies are focussed on it. He walks his work; he talks his work; he is entirely inseparable from his work, and that is the way every man worth his salt ought to be if he wants to make of his work what it should be, and make of himself what he wants to be.—SENATOR ARTHUR CAPPER.