12-31-1921

The Open Shop, Volume II Number 6

Business Men's Association of Omaha
Eliminate Lawlessness

The people of Nebraska at the next general election, in November 1922, are going to decide whether or not there is to be violence and lawlessness in future industrial strikes in this state. The last legislature passed a law defining unlawful picketing and prohibiting such interference with the right to work and engage in lawful business.

The leaders of organized labor with the assistance of the Non-partisan League have been able to hold up the enforcement of the law by having it referred to the people. When it was before the legislature, they insisted that they believed only in "peaceful picketing" and did not countenance violence.

Those who favored the bill maintained that there is no such thing as "peaceful picketing"; that violence and lawlessness almost invariably followed picketing and in every case there was intimidation. That they were right is shown in the record of the past few weeks.

Over at Ottumwa, Iowa, the workers in the John Morrell Packing Company plant have been on a strike for about a month. Pickets have been on duty and several outbreaks have occurred. Recently so much violence took place that the Governor found it necessary to send four companies of National Guards there to protect the workmen from the strikers.

New York is experiencing a strike of drivers and other employees in the milk industry. It has been marked with violence from the first. Machinery has been altered and damaged, milk has been destroyed and employees threatened and assaulted. Finally Supreme Court Justice Kelby issued an injunction restraining the strikers from "picketing in any way the depots, places of business or routes of any of the plaintiffs or any point where they or their employees are receiving or distributing milk" and from "spying on the operations of the plaintiffs or any of their customers or employees." It goes much farther than this by including all the prohibitions found in the Nebraska Law.

On November 14th the union teamsters in Chicago went on a strike. Here is what the Chicago Tribune reports about the situations in its issue of November 15th:

No bulky freight of any consequence was moved in Chicago yesterday and what few attempts were made to move it resulted in violence. Non-union drivers and union drivers who attempted to take loads from freight yards were mobbed by strikers, beaten in some cases, were bombarded with coal and stones. Several were removed to hospitals.

The first victim of violence was Frank Jones who was knocked from his truck and beaten at 14th & South Peoria Streets.

John Oitre was rescued from a mob of nearly 100 strikers at 14th Street and South Western Avenue by the police. He had been knocked from his truck and beaten.

Herbert Trow was stabbed, beaten and otherwise injured when he was knocked off a wagon at 16th Street and Union Avenue.

How much that sounds like the last teamster’s strike that Omaha experienced.

Newspaper reports of the packing house strike that is now in progress, are giving us many accounts of violence originating from the picket lines.

Experience shows that where ever picketing is permitted it is followed by lawlessness. We have come to know that the right or wrong of issues involved in a strike are never settled by violence. Then why invite it by permitting the picket? If the people of Nebraska are acquainted with the provisions of the law they will not defeat it at the polls next November.
A Brutal Strike

To what limit will closed shop unionism go in its attack upon the public? The milk strike that is now in progress in New York is one of the most despicable that has yet been attempted. The feeling of people toward such a strike is well described in the following editorial from the New York Herald:

The milk strike is on its last legs. It was such a stupid and brutal business that it never had a chance of success. The public recoiled in horror at the inhumanity and brutality of men who without an atom of feeling would imperil the lives of babies and children and invalids that they might enforce their greedy demands for bigger wages.

Open Shop Increases Wages

In a recent letter to the Associated Employers of Indianapolis, a foundry company in that city related how production and remuneration for employees had increased when it changed from a closed to an open shop system. The letter states:

In August, 1920, we had a total of 29 molders and five apprentices on our payroll, the average daily production of whom was 467 pounds of good castings. We now have on our payroll a total of 14 men doing molding, over half of whom are handy men or apprentices. The average daily production of these men, in good castings, was 926 pounds for the month of August, 1921. This is a better than double the daily production for August of last year, with 20 less men.

In August, 1920, the daily production in pounds of the five highest men was as follows: 1570, 1505, 1469, 1243 and 1212. In August of this year the daily production of the five highest men was as follows: 1570, 1505, 1469, 1243 and 1212.

During 1920 approximately 20 of the men on the payroll were drawing 90 cents per hour and refused piece work. In August of this year about half of the men doing molding were receiving 75 cents per hour but gladly accepting piece work and earning more per day than the 90 cents per hour men earned last year. In August 1920, the total cost of direct and indirect labor of molding was $76.78 a ton and in August, 1921, $45.88 a ton; a reduction of 40 per cent.

Could anything be more eloquent than the above figures, in indicating the difference between operating a foundry on the closed shop and open shop basis?

"Men are not at liberty to sell themselves into slavery, even to a labor union." — The Living Church.
Packer Union Calls Strike

We are in the midst of a strike of packing house workmen. The paid officers of the butcher workmen’s union claim that it was called in protest against the wage cut recently put into effect. That this is not sufficient reason for bringing about such a hardship on the workmen is understood when one remembers that the Secretary of Labor, the Railroad Labor Board and the President’s Unemployment Conference all agreed that wages must come down. Furthermore, the representatives of the workmen themselves agreed to the reduction.

There is a deeper reason, which a recital of the events leading up to the strike will disclose.

During the war the packers were forced to permit all matters of wages, working conditions and hours to be fixed by an arbitrator in the person of Federal Judge Alschuler, in order to keep the union from calling a strike when the government needed the product most. This arbitration agreement was kept in effect until recently. Before it expired four of the five large packers put into effect an employee representation plan in their respective plants.

The workmen in each plant elected by secret ballot, representatives to an assembly. The management appointed an equal number of representatives. All matters affecting the employment relation were to be placed before these assemblies. The matter of wage reduction was placed before each of these assemblies and was accepted in every case.

When the plan of employee representation was announced the officers of the butcher workmen’s union immediately opposed it and ordered that every union man elected to the plant assembly must resign from the assembly or be discharged from the union. In spite of this some of the union men elected stayed in the assembly.

So well was the new plan working that the union officers saw that something must be done if they were to maintain their positions. A strike was called, pickets stationed, and the usual tactics coincident with picketing were indulged in. Many men are now staying away who desire to work but are afraid of violence.

Indications are that this strike has been called because union leaders will not countenance any form of collective bargaining except that which is carried on with the officers of the union.

Open Shop in Canal Zone

A commission recently appointed by Secretary of War Weeks to investigate conditions in the Panama Canal Zone has submitted a report recommending thorough reorganization of the administrative machinery in the Zone, with radical changes in existing policies affecting employment of labor, physical operation of the canal and railroad, pay of employees and other important subjects.

Its chief recommendation is that the Governor of the Canal Zone be directed "not to make agreements or understandings with the canal employees or any class thereof, for any period of time, but that the wages be periodically adjusted in accordance with the law, which bases the canal wages on the pay of similar employees in the Government service in the United States," and that the Government shall "not deal with labor organizations as organizations, but shall deal with committees of employees."

"It is further recommended," the report says, "that the open shop principle be actually put into effect on the isthmus and that in all departments a substantial proportion of non-union men be employed."

In another section, the document asserts that "the open shop policy," in theory, is followed on the canal but in some departments it is only a theory, and the employees are completely unionized.

"The commission fully believes," the report adds, "in collective dealing between the operatives and the executives of the canal, and believes that thereby misunderstandings will be obviated and cordial relations attained, but it is absolutely opposed to having the policy of the canal dictated by labor organizations of the United States or elsewhere, and it is equally opposed to outside agencies coming..."
into the canal zone and fomenting dissatisfaction.

Another recommendation is that "all agreements limiting the use of tropical labor be abrogated" and that "the canal administration shall hereinafter retain complete freedom of action as to its policy in the employment of union, non-union or tropical labor."

Need More Mechanics

Under the above head the monthly bulletin of the Building Construction Employers' Association of Chicago discusses an evil practiced by union labor that needs more publicity. For that reason we reproduce it here.

When the building construction industry gets back to normalcy and conditions become stabilized, one of the most important and serious problems which will confront the employers and the building public will be that of the scarcity of competent and skilled mechanics in most all branches of the industry.

With the prospects of an exceedingly large building program for the early spring the demand for mechanics will be great and unless some effort is immediately put forth to increase the number of available men the industry is going to suffer considerably and whatever rate of wages may be stipulated in trade agreements will, on account of the demand for men, be in jeopardy through the machinations of greedy outside operators and contractors.

Too little attention is, unfortunately, paid to the question of making more mechanics, and too many contractors who, by the terms of their trade agreements are permitted to take apprentices, refuse to avail themselves of the opportunity to help increase the number of mechanics necessarily needed in the construction industry in Chicago.

Many unions still have the "old stone wall" around their membership, and it is hard for anyone to break in unless they are known to be "right."

Employers' Associations should at once take a determined and decided stand upon this question and demand the unrestricted right of any competent mechanic to work at his trade.

The Cleveland Building Trades Employers' Bulletin, referring to the question of the apprentices, says:

"The great flaw in all apprentice plans is the requirement that the apprentice shall come in at a certain age. It may not be the time in life when the average young fellow is thinking of bettering himself. Five years later, when his expenses and responsibilities have increased, he may be anxious to better himself."

But the union says to him: "Too late. You are over twenty. You must work at unskilled labor all your life."

It is not among the youths of 18 and 20 that trades should be recruited, but among the more intelligent men working at common labor.

Every contractor has had experience with unskilled laborers who were quick to learn and who, with an open door, would have become skilled tradesmen in record time. Often he has wanted to promote such men to places of greater responsibility, but the union says "no"; such a man can neither learn by casual practice nor be permitted to qualify as a regular apprentice.

The right of any man to learn a trade should not be restricted and many skilled mechanics have graduated not from apprentices regularly indentured, but through experience years after they were too old to enter in any trade as an apprentice.

How best to increase the number of mechanics for the building industry should and undoubtedly will be the subject of a conference at an early date.

Printing Trades Situation

Under the date of October 1st, 1921, the National Forty-Eight Hour League of Employing Printers submitted the following as printing shop conditions in 102 cities as of September 15th, 1921:

<table>
<thead>
<tr>
<th>Description</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Union Shops prior to May 1, 1921</td>
<td>2424</td>
</tr>
<tr>
<td>Employed in all departments</td>
<td>28892</td>
</tr>
<tr>
<td>Open and non-union shops prior to</td>
<td>1468</td>
</tr>
<tr>
<td>May 1, 1921</td>
<td></td>
</tr>
<tr>
<td>Employed in all departments</td>
<td>19443</td>
</tr>
</tbody>
</table>

** Totals 3892 48335 **

Shop conditions in the same 102 Cities Shown on Tabulated Sheet as of September 15, 1921:

<table>
<thead>
<tr>
<th>Description</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Union shops remaining</td>
<td>1184</td>
</tr>
<tr>
<td>Union shop employees in all</td>
<td>7404</td>
</tr>
<tr>
<td>departments</td>
<td></td>
</tr>
<tr>
<td>Open and non-union shops</td>
<td>2695</td>
</tr>
<tr>
<td>Employed in all departments</td>
<td>35406</td>
</tr>
</tbody>
</table>

** Totals 3879 42810 **
"Peaceful Picketing" in Omaha

Immediately upon calling the strike at the packing houses large numbers of pickets were placed at every avenue of approach to each plant. The following excerpts from the daily press will show some of the reported results of this form of "peaceful picketing."

OMAHA BEE, Dec. 6, 1921:
The first injury attributed by police to the walkout of packing house workers was sustained by Andrew Reilly, laborer at the Cudahy plant, late yesterday afternoon at 33rd and Q Streets. Reilly was struck on the spinal column just below the base of the neck with a brick. He was knocked unconscious.

Patrolman P. W. Riley, one of the picked North Side officers sent to the South Side, attempted to seize the man who hurled the brick, but a crowd interfered, according to the police report.

Two women, one a striker, came to blows late in the afternoon near 33rd and Q Streets, according to Captain Briggs. The woman striker is a widow with two children. She attacked the other woman who had gone to work in a packing plant yesterday.

OMAHA BEE, Dec. 7, 1921:
Numerous cases of hurling of bricks, fighting and jeering marked the progress of the strike of packing house workers today, and last night while both strikers and packers claim gains.

Martha Aldia and her husband, Opra, 3555 Monroe Street, were arrested last night in front of the Armour plant after it is alleged, Mrs. Aldia hurled a brick which struck Anna Serbin, 3537 Monroe Street, as she was coming from the plant after work. Mrs. Aldia was fined $25.00 by Judge Wappich in police court this morning. Mrs. Serbin testified that there were 200 women and more than that number of men in front of the plant when they emerged.

John Kirchis, 5321 South 33rd Street, and James Hannigan, 1641 V Street, were fined $10.00 each in police court on a charge of fighting at 33rd and Q Streets, last night.

William Curran, a member of the plant conference board at Armour, attended the mass meeting of strikers at union headquarters last night and in a speech, with the consent of a majority of those present, made some statements which failed to please his hearers. At the end of the meeting he was shoved roughly from the platform, but interference by cooler-headed men saved him from possible violence.

Joe Pitmen, 5718 South 32nd Street, was arrested at 7:30 this morning charged with disorderly conduct. He was jeering at workers entering the Swift plant, officers alleged.

Charged with throwing brick-bats at workmen leaving the Armour plant, Joe Sawichz, 5514 South 32nd Street, was arrested last night and fined $10.00 today.

WORLD-HERALD, Dec. 9, 1921:
Steven Nickels, 15 months old, was shot through the right hand and Mary Nickels, the child's mother, narrowly escaped injury when un-identified persons poured a volley of revolver shots through the window of the bedroom where the mother was putting the baby to bed at their home 3628 Y Street, late last night. The baby was ordered taken to St. Joseph's hospital by police surgeons where the wound was said to be serious.

The shooting occurred at 10:30 while Mrs. Nickels was alone with the baby and six other children, the oldest, a girl of 13. George Nickels, her husband, who has refused to leave his work at Armour packing plant when the strike order was issued this week, was at work.

When Patrolman Lunde attempted to quell a slight disturbance at 36th and Q Streets about 8 o'clock last night, he was fired upon by Frank Curak, 2405 R Street, according to police.

WORLD-HERALD, Dec. 10, 1921:
Sam Mitchell, 2425 Madison Street, was arrested charged with vagrancy and being a prowler when found near the Dold plant. He was carrying a large iron nut, police say.

Mat Pulner, 2534 Washington Ave., was arrested charged with carrying concealed weapons late last night. He had a large caliber revolver when arrested, police say.

A crowd of fifteen men terrorized Mrs. E. Hagan, 5606 South 42nd Street, when they threatened to burn the house because her husband, a foreman at the Swift plant, refused to strike. She was alone at the time the gang appeared.

OMAHA BEE, Dec. 14, 1921:
Bricks were hurled at a street car containing strikebreakers at 26th and Q Streets about six last night but with the exception of one unidentified man who
was slightly cut by flying glass, no one was hurt.

OMAHA DAILY NEWS, Dec. 15, 1921:
Sam Sesto, Italian, 608 North 17th Street, said to be a strikebreaker, was rendered unconscious when attacked by five men early this morning at 34th and U Streets. His face and head were badly lacerated.

OMAHA BEE, Dec. 16, 1921:
A group of strikers, mistaking Ed Petricka, 4207 South 12th Street, for a strikebreaker, assaulted him last night at 13th and Missouri Avenue. He was badly beaten. He said he does not work in a packing house.

“Big Tim” Murphy Convicted
A jury in the court of Federal Judge Landis has found “Big Tim” Murphy and some of his associates guilty of conspiracy to rob the mails, and guilty of receiving stolen property. Murphy is the president of the Chicago gas workers’ union.

At the first meeting of this union after he was released from jail where he had been held for some time in connection with the murder of “Mossy” Enright, he is alleged to have said: “This union has been run on a Sunday School basis, where they give out stogies and punch the bag, and don’t accomplish anything. When I started out to organize the gas workers I got all the Dugans, O’Briens and Flannerys I could find because I knew they could fight. I asked a man if he had been in jail. If he said ‘yes’ I wanted him. A man that can’t fight and hasn’t been in jail don’t amount to much. They don’t use boxing gloves in the labor world. They use Smith & Wessons.”

Railroad Costs
“In view of the efforts of certain labor groups to bring about a national railroad strike, it might be pertinent to emphasize a few facts.

“In the three years of 1912, 1913, and 1914 the average annual labor cost of the railroads on the direct pay rolls was some $1,300,000,000. But in 1920 the labor cost of the railroads on these direct pay rolls was $3,698,000,000. The pay roll increase of $2,400,000,000 was thus not far from twice what the whole pay roll had been before the war. The pay roll total was not far from three times what the total had been before the war.

“Similarly the bill for material and supplies had run up from $425,000,000 for that three year average to $1,063,000,000 in 1920. In this instance the increase of $638,000,000 was not twice the original total; it was about one and a half times as much. The total bill was not three times the former bill—it was about two and a half times what it had been before the war.

“Taxes also had their share of the bankrupting work. From an average for that three year period of $115,000,000 a year they had gone up in 1920 to $278,000,000. The increase of $165,000,000 was nearly one and a half times as much as the old tax bill. The total tax bill was nearly two and a half times what it had been before the war.”—AMERICAN INDUSTRIES.

Closed Shop Produces Unemployment
The effect of the closed shop policy is clearly demonstrated in the following paragraph taken from the Digest of Organization Activities published by the National Industrial Council.

In an interesting and authentic study of the relation of unemployment to the Open and Closed Shop condition of employment, using the building trades as a barometer, Noel Sargent, manager of the Open Shop Department of the National Association of Manufacturers, clearly demonstrates that unemployment is greater in those cities where the Closed Shop prevails than in Open Shop cities. Mr. Sargent has prepared a report on this subject, copies of which may be had on application. Briefly stated, Mr. Sargent finds that in cities where building is on a Closed Shop basis unemployment is 94.6 per cent greater than in cities where the Open Shop prevails. Mr. Sargent has prepared tables comparing twenty Open Shop building cities with twenty communities where building (a key industry) is on a Closed Shop basis which proves conclusively the above statement. Summarizing his findings, he says: “Out of every 1,000 inhabitants of towns where building is Open Shop, 37 are now
unemployed; where building is Closed Shop 72 are seeking work. In other words 94.6 per cent more persons per 1000 are now unemployed where the Closed Shop prevails—almost twice as many. In twenty cities where building is Open Shop, having a total population (1920 Census) of 5,222,529, total of 195,052 persons are unemployed or 3.7 per cent of the population. In twenty cities where building is Closed Shop, having a total population of 16,048,136 a total of 1,161,290 persons are unemployed, or 7.2 per cent of the population.

Favor Open Shop in Building

The Labor Relations Committee of the Cleveland Chamber of Commerce recently made a survey of the attitude of the building public on the open shop policy in the building trades. A questionnaire was addressed to the members who held building permits issued during the previous year and to a list of Cleveland companies. The questions asked were as follows:

Do you favor the re-establishment of the open shop in Cleveland's building industry?

If the open shop is re-established by representative Cleveland contractors, will you support this policy by inserting an open shop clause in contracts for your future building construction?

The result was an overwhelming indorsement of the open shop policy. Out of a total of 6309 questionnaires mailed, 4169 were returned, of which 3749 were for, and 224 were against the re-establishment of the open shop, and 3403 would support such a policy by inserting an open shop clause in future building contracts. The combined capitalization of firms voting for the open shop was $708,989,100.00 and those against $45,000.00.

According to the report of the State Department of Labor, the downward trend of wages in the factories of New York State continued in September for which month the average weekly wage in all industries was $25.07, a drop of 36 cents from the average for August. The most important factor in the decrease was the reduction of wages which occurred in all industries. Re-employment of lower grade labor in the re-starting of closed factories also affected the figures. New York City factories, however, showed a decrease of only three cents in the average, most of the decline being in up-State factories. The average weekly wage in the metals and machinery industry for September was found to be $26.24.

Responsibility for Depression

Commenting on the statement given out by the Department of Labor showing that four billion dollars a year is lost by wage earners through strikes, lockouts and deliberate absenteeism resulting therefrom, and charging that the loss is due to the refusal of employers and employees to take advantage of the mediation and arbitration machinery of the Labor Department, the NEW YORK HERALD has the following to say:

It is an unfortunate fact, and nothing is to be gained by concealing its truth, that arbitration in the faulty way it has been practiced must bear its share of responsibility for the very economic disturbances and industrial paralysis now afflicting the country.

There have been two strikingly transparent troubles with heedless mediation and arbitration schemes and they have borne bitter fruits in the situation now confronting the country. One is that almost invariably the arbitrator has scaled up wages, whether an industry could stand the burden or not, for the express reason that the arbitrators' purpose and commission are to prevent strikes and they have found this the easiest way to prevent them. Following this line of least resistance in the main they have disregarded the fundamental question of the welfare of the industry or business upon which absolutely depend the job of the employee and the function of the employer.

The second fault with such arbitration has been that a decision sought primarily if not solely to meet an emergency such as artificially hoisted living costs, acute shortage of labor or war excations has been construed afterward as a final determination of a specific question decided, as if it were an interpretation by the Supreme Court of a legislative statute or of a clause of the Constitution of the United States. Not merely have labor unions been prone so to construe the arbitrator's award, but
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later arbitrators have shown a tendency to build upon such an award, as courts might upon judicial opinions and decisions. Notable instances of this are found in the coal industry, the building trades and the railroad business.

In putting wages up the arbitrator is a swift performer; in putting wages down he is a weak and shuffling thing.

In this way it has come about that many of the labor disputes, strikes and "vacations" of the present are due to the processes of the kind of arbitration which are so quick to put up labor costs to a basis which could not possibly be maintained under adverse conditions or in normal times; yet has shown itself without the power or the will to put them down when they must come down if business is to operate and employment continue.

It is not too much to say, under these circumstances, that the usual forms and methods of past arbitration have cost and are costing the public more, and vastly more, than strikes and lockouts are now costing anybody. This is not an argument against the principle of the intelligent and competent economic agency which sound and fearless arbitration could be. It is an argument either for the complete reformation of the kind of arbitration the country generally has had or for the abandonment of the whole system.

Why Unionism is in Bad

Members of labor unions often wonder nowadays why unionism has lost so much of prestige with the public. A few years ago 99 per cent of the community looked with a favorable eye on unionism. It was recognized that by increasing the prosperity of the workingman, the general prosperity of the community at large had been raised. Among the employing classes a remarkable change of feeling had manifested itself. The sons of manufacturers, who had taken an uncompromising attitude toward the demands of labor in a bygone generation, showed themselves tolerant and willing to cooperate in all measures to insure good conditions for the workingman and his family. Then unionism lost its head; the more arrogant and shortsighted elements in the ranks of labor got control; the idea that every man who worked for wages was a "slave" was inculcated; but worse than that, unionism tried the wild and wasteful policy of interfering with the laws of supply and demand; of regulating production, so as to create "more jobs" for the adult generation; while making it more and more difficult for the rising generation or the new-comer to earn an honest livelihood. A hundred rules for the artificial restriction of industry were invented, which employer and employee were expected to regard as sacred.

The result has been a strong re-action of feeling which permeates every section of the community. — TORONTO SATURDAY NIGHT.

The Milk Drivers' Union have made good their threat to call a strike unless they were granted their demands of an increase of $5.00 a week. The result has been that New York is almost entirely without milk. Efforts are being made by the health authorities to deliver milk to hospitals and to homes with invalids and babies. The milk distributing corporations have posted notices of their determination to put the open shop policy into effect and have advertised for men to take strikers' places.

What Others Think

"If labor were the basis of all worth, then China would be the richest nation in the world, for she has more labor, and they would be doing better than they ever did. But it is only when labor and capital are linked together that a country is rich." — GOVERNOR ALLEN.

Judge Charles M. Foell yestery in Chicago, in discharging 75 members of the Carpenters' Union on a contempt of court charge, declared there was no such thing as peaceful picketing under the law as defined by the Supreme Court. "Although this strike has been orderly," the court declared, "I must admonish the strikers and their leaders, you can never picket a place of business and still be within the terms of the law as defined by the Supreme Court."

Duluth, Minnesota, is just passing through its first year of open shop in the building trades and very satisfactory progress is reported. "Probably 65 to 75 per cent of all building this year has been done on the open shop plan," says the Citizens Alliance Bulletin of Duluth.

"Meanwhile wise words won't feed and shelter the workers who are out of jobs because they listened to the 'advice' of labor leaders and killed the goose which laid the golden dollars."