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INDUSTRIAL WORKER

Advocate of Industrial Unionism for the Working Class

VOL. II, No. 1.

[JANUARY, 1907]

JOLIET, ILLINOIS.

SINGLE COPY, FIVE CENTS

INJUNCTION DISSOLVED

ACTIONS OF PRESIDENT CHAS. O. SHERMAN AND EXECUTIVE BOARD SUSTAINED.

C. D. No. 295198

Circuit Court of Cook County

Term, 190

St John

vs.

Chas. O. Sherman

et al.

WRIT OF INJUNCTION.

Filed _____ day of _____

_____ A. D. 190

_____ Clerk.

_____ Solicitor

THE J. M. W. JONES STATIONERY & PRINTING CO

Injunction Writ—Circuit Court.
 State of Illinois, }
 Cook County. } ss.

The People of the State of Illinois:
 To Charles O. Sherman, C. G. Kirkpatrick, Frank McCabe, F. P. Cranston, James Duffy, George J. Cannady, C. E. Mahoney, Prairie State Bank, and W. J. Hannemann, and your Attorneys, Solicitors, Agents and Servants, and to each and every of them, Greeting:

WHEREAS, It hath been represented to the Honorable, the Judges of the Circuit Court of Cook County, in the State aforesaid, on the part of

Vincent St. John, Eugene Fischer, Thomas J. Cole, F. W. Haslewood, Michael Miachele, and William E. Trautmann.

complainant in certain bill of Complaint, exhibited before said Judges, and filed in said Court against you, the said

Charles O. Sherman, C. G. Kirkpatrick, Frank McCabe, F. P. Cranston, James Duffy, George J. Cannady, C. E. Mahoney, Prairie State Bank, and W. J. Hannemann.

among other things, that you are combining and confederating with others to injure the complainant, touching the matter set forth in said bill, and that your actings and doings in the premises are contrary to equity and good conscience. And Honorable Lockwood Honore, one of said Judges, having ordered that a Writ of Injunction issue out of said Court, according to the prayer of said Bill: We, therefore, in consideration thereof, and of the particular matters in said bill set forth, DO STRICTLY COMMAND YOU, the said

Charles O. Sherman, Frank McCabe, C. G. Kirkpatrick, F. B. Cranston and James Duffy, and each of them, and the agents, servants, attorneys, and associates of each of them, and all other persons aiding or assisting the said defendants or any of them or their agents or servants, and the persons before mentioned and each and every of you, that you do absolutely DESIST AND REFRAIN FROM excluding the complainants or any of them, from the office of The Industrial Workers of the

World, situated on the 5th floor at 148 West Madison Street, Chicago, Illinois; also from excluding from the possession of the complainants or any of them, the books, papers, property, seal and effects of The Industrial Workers of the World; also from interfering with or interrupting the complainants or any of them, in taking possession of, and using and handling all the books, papers, effects, correspondence, money and property of The Industrial Workers of the World; also from receiving or retaining any money, property, books, or effects belonging to the said Industrial Workers of the World; also from removing, concealing, secreting, or destroying any correspondence, books, papers, mailing lists or effects of any kind, belonging to The Industrial Workers of the World, or pertaining to the affairs and business of the said Industrial Workers of the World; also that the defendants, C. G. Kirkpatrick and George J. Cannady, and each of them, be also enjoined and restrained from withdrawing from the Prairie State Bank at Chicago, Illinois, the sum of Three Thousand Dollars (\$3,000.00) or any part thereof, belonging to the fund known as the Metal and Machinery Industry, and now on deposit with the said Prairie State Bank; and that the said last mentioned defendants be also enjoined and restrained from converting to their own use, and from removing or secreting any portion of the fund belonging to the Department of Metal and Machinery Industry and received by said C. G. Kirkpatrick and George J. Cannady or either of them from the members of the said Department of Metal and Machinery Industry; also that the said defendants Charles O. Sherman, C. G. Kirkpatrick, Frank McCabe, James Duffy, C. E. Mahoney and W. J. Hannemann, and each of them, and their agents, attorneys, employes and servants, and all other persons assisting, aiding or abetting the said defendants or any of them, be enjoined and restrained from publishing or causing to be published a journal under the style and name of "The Industrial Worker," and from depositing or causing to be deposited in the Post Office, addressed to any person or persons, as pub-

lishers, any copies of a publication or journal, known as "The Industrial Worker," and likewise from collecting or attempting to collect from any of the subscribers to the publication known as "The Industrial Worker," any subscription money whatsoever,

until this Honorable Court, in Chancery sitting, shall make order to the contrary. Hereof fail not, under penalty of what the law directs.

To the Sheriff of said County, to execute and return in due form of law.

Witness, John A. Linn, Clerk of said Court and the seal thereof, at Chicago aforesaid, this 6th day of October A. D., 1906.

JAMES J. GRAY, Clerk.

INDUSTRIAL WORKERS OF THE WORLD

The foregoing is a facsimile of the Circuit Court Injunction which was served on the Executive Board and others on the 6th day of October, 1906. This injunction was prayed for and secured through the complaint of Vincent St. John, a miner, Eugene Fischer, a restaurant employe, Thomas J. Cole, a switchman, F. W. Heslewood, a miner, Michael Maichele, a metal worker, and Wm. E. Trautmann, a brewery worker.

It would be well for the readers of "The Industrial Worker" to preserve this number, that they may keep fresh in their memory the names of these so-called "friends" of the working class, who seek to settle the differences existing in a labor organization through the capitalistic court. Every one of the complainants in this case have in the past pretended to the working class that they held in contempt the capitalistic court, but their treachery in this case has placed them before the world in their true colors and brands them as hypocrites. Knowing, as they did, that no good could come from an appeal to a capitalistic court and half the differences existing among the members of The Industrial Workers of the World could have been settled by a referendum vote of the entire membership of The Industrial Workers of the World, they prove conclusively that they dared not rest their case with the rank and file and were in hopes of forcing their fanatical and unfair tactics upon the rank and file through an order from the capitalistic court.

The workers everywhere have been taught to believe that no good can come from a capitalistic court. These same complainants have been on record before the public time and again, where they have condemned the capitalistic courts. This is proof that they only made these assertions, feeling that they were voicing the sentiment of the working class, in order to gain their confidence. Every one of them believed that, by securing the above injunction, it would be the means of destroying and exploiting the treasury of The Industrial Workers of the World, though it be small, and that the long delay that would come from the legal action would discourage and dishearten the rank and file of The Industrial Workers of the World and eventually they would lose interest and The Industrial Workers of the World would be a thing of the past.

The injunction was asked for with the belief that the mandates of the injunction, as named herein, would be enforced, which would mean that the local unions could not be communicated with by the defendants, nor could the defendants receive communications from the local unions, which would lead the rank and file to believe that The Industrial Workers of the World was disrupted. They believed that by so doing they would be at liberty to send out their false statements, while the defendants

would be restrained, through the injunction, from stating the actual facts in the case, which would enable them to succeed in getting possession of not only the property of The Industrial Workers of the World, but the sympathy of the rank and file, while the defendants would be condemned for the want of an opportunity to defend themselves. But we are pleased to report that this injunction was issued by one Circuit Court Judge, the Honorable Judge Honore, who proved himself to be a man of fairness. When the complainants appeared in court against the defendants, which was three days after the injunction had been served, they prayed to the court, through their attorney, to have President C. O. Sherman and other defendants committed to jail for contempt of court, but the court, in reply to their prayer, plainly stated to them that it would not concede to their demand, as the court was in doubt whether it was justifiable in issuing the injunction or not, and felt satisfied now that the defendants had spoken, that the injunction was secured on false misrepresentation. The court made the statement that the injunction was issued on the grounds as stated by the complainants—that one, C. O. Sherman, C. G. Kirkpatrick, Frank McCabe, F. P. Cranstone, James Duffy, George J. Cannady, W. J. F. Hannemann, and C. E. Mahoney, were breaking into The Industrial Workers of the World headquarters at No. 148 W. Madison Street and were carrying away the property of The Industrial Workers of the World unlawfully and without any authority whatsoever. But now that the court learned that the statement made was false—that the defendant, C. O. Sherman, did not break into the headquarters at No. 148 W. Madison Street, but, to the contrary, that he had been a tenant at No. 148 W. Madison Street for over a year and had never given up possession of the headquarters, and that he secured entrance to the headquarters at No. 148 W. Madison Street on the 3d day of October in his usual manner, by unlocking the door with his own key—it would not dispossess C. O. Sherman nor the other defendants of the property at No. 148 W. Madison Street until the full merits of the case had been heard.

While "The Industrial Worker" feels that there is but little relief through the medium of court proceedings, it is compelled to credit the judge in this case with fairness, but, to take it as a whole, we ask the working class to pass judgment on this notorious attempt upon the part of these complainants to wreck The Industrial Workers of the World. **INJUNCTION:** The very word makes the working class shudder with fear, as it has been an instrument in the hands of the employing class for years; it has been used to crush the efforts of the producer; it is universally known to be the instrument of the exploiter. Yet we find a few men who pretend to be "friends" to the working class employ the same weapon, not to menace nor hinder the progress of the exploiter, but to coerce and imprison members of their own class. Does it not sound agreeable to the ears of the worker to hear that workingmen prayed to the judge to imprison behind iron bars members of their own class, men who have spent years of their lives trying to unite the producers into labor's forces, that they might better and brighten their homes? Can such men escape the scorn of the working class? Can they be held up as martyrs because they have been at liberty to issue false statements and brand the defendants with untold crimes, without giving them a trial and an opportunity of producing evidence? Can this act go unchallenged by

the working class? If it can, where can the working man hide his face? What excuse has he for condemning the employer when he goes into the capitalist court and there secures an injunction to crush out the life and manhood of labor?

While the defendants in this case feel that a notorious attempt was made not only to blacken their personal characters, but to destroy one of the greatest organizations ever founded in the United States, yet, with all of this coercion, they will have no time in the future to devote to trying to punish those who sought to punish them. We accept the attempted criminal act philosophically and will push forward with our duties and our work of organizing the producers and educating them to the necessity of economic solidarity. At the same time we will try to educate them to the principle that never again will a set of so-called "workmen" seek through a capitalistic court, to coerce their own fellow workingmen, that they may become possessors and controllers of an institution which has been created, fostered and built up by the toilers themselves.

We regret very much that this case which has just been disposed of has occupied so much time, as we realize that it has dampened the spirit of organization and has set back our organization two months. We can assure you that it was no fault of the defendants in this case. We did everything within our power, through our attorney, to get a decision. We realized the anxiety of our local unions and their members. We tried, in our humble way, to keep them as well posted as possible. But now the case has been disposed of; the court has decided that the President and the Executive Board of the Industrial Workers of the World are lawfully entitled to the possession of the property of the Industrial Workers of the World and are lawfully entitled to carry on the work of the organization until such time as changes are made by the rank and file, and we can assure the rank and file that everything will be done to build up and strengthen our organization, and we ask the co-operation of our local unions everywhere. We feel that, within a few weeks, we will again strike the same pace that we were enjoying when this unpleasant affair occurred.

We desire to thank the local unions that have supported and maintained us in this struggle and sincerely hope that the time will never come when they will regret the action they have taken. And now we appeal to the membership everywhere. Let us forget the past and push forward and build up the Industrial Workers of the World into an economic, industrial organization, with the battle-cry "no affiliation to any political party or no political or religious test to become members thereof."

WHERE DAISY SLEEPS

(To Mother! Sweetest to us of all the earth. We call her "Daisy.")

The grass grows green
Where Daisy sleeps;
The mulberry tree its vigil keeps
Where Daisy sleeps.

The wind blows soft
Where Daisy sleeps;
The modest, blue-eyed violet peeps
Where Daisy sleeps.

The birds sing sweet
Where Daisy sleeps;
The mournful willow bends and weeps
Where Daisy sleeps.

The sun shines bright
Where Daisy sleeps;
Each changing season sows and reaps
Where Daisy sleeps.

—Eugene V. Debs.

LET US RETURN TO LIFE

By TEOFILLO PETRIELLA

Finally the treacherous apostles who have disgraced the childhood of the Industrial Workers of the World have appeared in their true colors. Once unmasked, they have been doomed. A summary annihilation of despotic arrangements to disfranchise 60,000 organized toilers has been a noble homage paid to the ignored rights of our rank and file.

There has been a bitter struggle, in which many splinters have been thrown around. We could not help that. Struggle of the good against the evil is the eternal essence of human progress. We have nothing with which to reproach ourselves. While our opponents plotted for men, we stood for principles. They appealed to the courts of the master; we invoked the help of our class. They cowardly schemed in the depth of night; we, manly, fought in the light of the day. They have lost for themselves; we have won for the working class.

The event will not be forgotten, although it is not the first of the kind. History repeats itself. The farce played in Chicago was merely a recapitulation of long-known disruptionist tactics.

The path of onward march is full of obstacles to the down trodden wealth producers. The movement for the emancipation of labor from the thralldom of wage-slavery is an intensely vitalized aggregation of dissimilar and heterogeneous elements.

It carries in its very bosom the germs of dissatisfaction. It hides a latent force craving to dissolve and abolish. There is a feeling of mistrust and a disparity of inborn individual dispositions. Factional passions, prejudices and graft—a natural product of the dehumanized-system under which we live—are not rare. However, hindrances are more or less, sooner or later, wiped out by a strong power of reciprocal attraction determined by a uniformity of class material interests. Noble ideals grounded on economical foundations will at any time defy all those ravagers that in vain endeavor to make a helpless wreck of every effort to help the rise of the working class to the height of its historical mission.

Karl Marx, who is, was, and perhaps will ever be, the greatest exponent of the philosophy of proletarian rivendications, dissecting through scientific analysis the different stages of society, found out that material factors govern human society. The juridical and political institutions are but the reflex of mechanical and industrial conditions. He proved that our social misery is the necessary result of an economic system whose plentiful production by social labor stands in glaring contradiction to its mode of private usurpation. The small number of employers receive, as interest, rent and dividends, the whole profit, while the workmen receive a wage, a kind of lubricant to keep the social machinery going. The fact that the profit increases as the wage decreases involves the existence of divergent interests and consequent strife between employer and employed. Hence, for the workers, who want to overcome their exploiters, the necessity of getting together, on the industrial field, in a revolutionary organization expressing the class struggle.

Marx, the teacher, was misunderstood. The disciples gathered the class-conscious proletarians on the political field in a political party which crystallized around the ballot box—an institution of the ruling class that, so far, has served only those who want to fish in troubled waters. Honor seekers and proletarian leeches completely ignored that in the mind of our great patriarch the unity of the proletarians was wanted, not to capture the political machinery of the capitalist government, but to remove the capitalist government in order to install an industrial administration of our own.

In this country Marx was fully vindicated when, in January, 1905, labor advocates whose experience was made of sufferings and tears launched that historic manifesto which gave birth to the Industrial Workers of the World. This new organization should have largely developed in a land where a loose federation of craft unions has, for twenty-five years, upheld the appalling crimes of capitalism on the industrial battle-field. At this time we should be in condition to ring the funeral bell to the obsolete and corrupt craft union system.

Yet, practically, we have been at a standstill. The triumphal march of Industrial unionism has

been thwarted. No good, indeed, was to be expected when, by installing the Socialist Trade and Labor Alliance, in the organization a place was given to a fanatical fraction of a gasping, but still sneaky political party. The first Chicago convention will never be pardoned the blunder of not having considered that the Socialist Labor Party, this mockery of the revolutionary thought, in all its blacklegging life has done nothing but to clog the wheels of progress of anything created for the welfare of the working people.

Daniel DeLeon, boring from without, and W. Trautmann, boring from within, by a play of catchwords which hoodwink the gullible, tried to use our Industrial union to revive their skimpy political machine. For them, the Industrial Workers of the World was supposed to be, first, the recruiting office, and afterwards the liberal manger of the Socialist Labor Party. They have been frustrated. The preamble to our constitution, though it might appear a rebus to a smart lawyer, remains ever a plain page for a common laborer. In that document it is clear that ours is a class politics and not a party politics. We have to go into politics in the same measure that we are exploited, in the same measure that we feel the necessity of exercising our influence on the political power—as a class and not as privileged voters. Past experience teaches that our needs and wants can be satisfied only by that direct politics which has its starting point right where we are hived and robbed. The ideal is a politics of contrasts made on the markets in which labor power is bought and sold.

We have nothing against any Socialist Party, no matter what the additional denomination. The Socialist Party and the Industrial Union can be friends, as they pursue the same end; yet they cannot consolidate in one organization, as their ways are as poles asunder. We are convinced beyond a doubt that better than anything else a clean-cut economic organization can afford that industrial solidarity which is the best winning strength of the working class. The French wage-slaves are the most successful in their never-ceasing fight for better conditions. That is due to the fact that in France they have eliminated from the economic organization all questions, discussions and diatribes concerning electoral and governmental parliamentarism. On the contrary, in Denmark, where DeLeon's principles and tactics find a practical application, the revolutionary conquest of ameliorations for the working man is a failure, not withstanding that the Socialist Party there dominates the public opinion through sixteen daily papers and exercises a pressure on the functions of the state through fifteen members of the Parliament.

The second Chicago convention, in its dastardly work, has achieved the great result of correcting the blunder of the first one. It has given our organization the opportunity of getting rid of the Socialist Labor Party, the millstone that has held us down for the past year. For us, so-called republicans, democrats, socialists, as well as men who do not believe in the political ballot, as long as they are wage-earners, all have the right and it is their duty to develop their best activities in an organization which stands for the millions and not for the odds. We hold—to use the words of Pouget—that the political opinions of a workman are secondary to his class interests. Consequently, whatever may be the opinion of a workman upon that head his interests are ever supreme and, upon the field of interests, in the revolutionary struggle against capitalism, all opinions can blend into one.

The task of carrying on the evolution in industry from the collective production for private profit into collective production for social needs is not the natural gift of any labor leader or of any law-maker. A class organic preparation, a rational technical training in a school where the pupils are men pulled together by economical necessities is the demand. An educational and aggressive economical organization, composed of industrial departments harmoniously working under general rules, is the practical answer.

Organization must precede education. Never will the workers be masters of anything until they are organized, until they have started to think and act as a class. Fewer hours, more wages, better conditions and the whole product of labor will be gradually gained by the workers only when they are united in a single economic union which, at a certain moment, through a general strike, can

paralyze one whole industry or, if it is necessary, the whole social life, in order to meet and vanquish the encroachment of the masters.

The Industrial Workers of the World which, as it is framed, can utilize all the advantages coming from the solidarity of labor, now returns to its proper mission of organizing and educating. The giant, once freed from the chains which fastened him to the rock of a hard fate, notwithstanding the marks of past anguish, strides on to regain lost time. It behooves all the workers to join him. Base insinuations of cheaters and chronic fault-finders deserve no attention. Let us move forward to close up the ranks and form, as Marx says, one head and one heart, so that through a great collective effort, through a class pressure, may be erected an insurmountable barrier, a social obstacle which will prevent us to sell, in base of a "free contract," ourselves and our children up to slavery and death.

By so doing we return to life.

A STATEMENT FROM F. McCABE

After the late joke of the so-called convention, followed by Trautmann and Co. resorting to the procedure of securing an injunction to try and disrupt the Industrial Workers of the world, as well as the departments in the city of Chicago, we wish to notify you that the injunction has been dissolved, and we are ready to publish "The Worker," the same as before the injunction was served on us. This bunch of so-called revolutionists, or properly named, disruptionists, with Trautmann and King Danny in the lead, are on their last legs, and it will be only a question of time when they will be a thing of the past. We had those so-called leaders that have been trying to solve the labor problem for years, but in fact, they have been nothing but disruptionists, which can be proven from their past records. I do not want to be personal with anyone, but when my character has been assailed by ones that are living in glass houses, I consider it my duty to defend my character at all costs. Now, if this would-be Leader Trautmann had confined his time to his duties as Secretary-Treasurer of the Industrial Workers of the World with his able assistant Friday or Honest John, the organization would have been saved the expense of employing an expert accountant to check up the work of the two Secretaries; also having the Executive Board use up their time trying to correct the mistakes and errors made by the double set of good officers in that position as Secretary-Treasurer of the Industrial Workers of the World. Trautmann has been nothing but a disturber in this organization, the same as all others that he was ever connected with, and had he attended to his affairs, instead of trying to meddle with others' affairs, all this trouble would have been avoided. He has assailed everyone that did not coincide with his crazy ideas of anarchism; his chief stock of trade was to holler "fakir" and "grafter," but the first thing that Trautmann should do is to clear his own skirts instead of attracting attention to others in order to cover up his own dirty work. I deny every allegation or charge made by this Trautmann against me, and I will meet him any place or time and make him prove those allegations against me, for I consider him nothing but a has-been and not responsible for his actions. I do not consider him trustworthy, and have advised him of the fact long before this trouble came about. I have been his mark for the past year, but I am of a far different brand than this beast, for I make my fight in the open if I have one to make, but Trautmann has that sneaking way of all of his kind, and resorts to underhand tactics as all cowards will resort to. He has been defended by that old fogey King Daniel in the Mud-Hole Excuse, also the Weekly Pimple that was about dead until this trouble gave Danny a new lease of life to save King Danny from the scrap pile for a short time. Now, then, Willie T., you have shot your bolt, so make arrangements to go back to the old malt house that you should have never left, and my advice to you and others of your kind is this, when another new organization is launched and you happen to be lucky enough to join it, do not dream that you are the sole proprietor of the same, as you and your clique thought that you owned the Industrial Workers of the World. This should be a very good lesson to all Workers, and I hope that every local will adopt the proper safeguard against admitting any member of the so-called S. L. P., and make them withdraw from that party before becoming a member of the Industrial Workers of the World.

FRANK McCABE.

Original Industrial Workers' Union No. 208,
Washington, D. C.
Mr. Chas. O. Sherman, General President, Industrial Workers
of the World.

Dear Sir and Brother: Your letter of the 4th received. Pursuant to instructions therein contained, I read it to local No. 208 at its meeting of Friday, October 5, and on motion it was ordered received and filed.

Under head of new business I brought it up for consideration with the following motion that, Original Industrial Workers of the Union No. 208 go on record as fully endorsing our General President and General Executive Board in the stand they have taken, and that its officers and Executive Committee be instructed to comply with all instructions received from them until such time as the local may otherwise direct. This motion was carried by about a two-thirds majority, those voting nay, doing so on the ground that we should wait until we receive fuller news of the convention. Then as a test I moved the following: That we heartily commend our General President in the brave and manly stand he has taken, and assure him that so long as he continues to act in accordance with the regularly adopted constitution, we will give him our undivided support in the rocky path he will probably have to travel in cleaning house. Motion carried without dissenting vote.

And now a word or two for myself. Give them hell, old man, I glory in your spunk. Profane but sincere.

Fraternally yours,

Washington, D. C.

(Signed)

CHARLES L. BESSING,
Secretary Local Union No. 208.

REPORT OF THE LAST SO-CALLED SECOND CONVENTION

The Second Annual Convention of the Industrial Workers of the World, Properly Called to Meet Sept. 17th, Turns Out to be a Farce through the Illegal Actions of a Number of Its Delegates

President C. O. Sherman, on Monday morning, September 17, at 10 o'clock, called the delegates who had assembled at Fitzgerald Hall, corner Halsted and Adams streets, Chicago, Ill., to order and, as a number of other members and strangers, non-delegates, were present as anticipated, had decided to name a temporary credential committee selected from the list of delegates whose duplicate credentials had been received, being careful to have each department and each section of the country, as well as the Executive Board, represented on the committee, who were announced as follows: Wm. Keough, Chairman; John McMullen, Secretary; Lillian Forberg, L. M. Kohl, A. Maichele, Mack Hendricks and F. W. Cronin.

Immediately after the announcement was made, a number of those present created wild excitement, turning the meeting into chaos; they, headed by J. J. Kinneally, a DeLeon right-hand man, demanded that the credential committee be elected from the floor, in the face of the fact that only the President and Secretary could know who were delegates, and, as it was plain that under such conditions a credential committee could not consistently be elected from the floor, President Sherman ruled such action out of order and did not recognize the points of order raised and appeals made from the decision of the chair, and declared the meeting adjourned to meet at 2 p. m., to give the credential committee an opportunity to prepare their report.

At this juncture, it became evident that the S. L. P. delegates and some non S. L. P. delegates, who showed signs of intimate relations to the S. L. P. delegates, with D. DeLeon as their leader, were intent on creating confusion, so as to right in the beginning get control of the convention by electing a credential committee from the floor by the votes of an unorganized meeting and votes of those who were present, but not as delegates. The S. L. P. delegates refused to turn over their credentials to the credential committee and took the position of reopening the meeting by making a motion to elect a chairman and then to proceed to elect a credential committee from the floor. The majority of all the delegates present delivered their credentials to the credential committee and while leaving the hall, the S. L. P. delegates were doing all kinds of antics in the form of tongue wagging, but eventually decided to go over to headquarters. Upon arriving there, they entered the room set aside for the credential committee, who had commenced their labors, and made all kinds of statements to the credential committee in a boisterous manner and then left in a body and held a caucus, at which they decided to deliver their credentials to the credential committee, which was then done.

At 2 p. m., President Sherman convened the meeting at Fitzgerald Hall and Delegate Keough, the Chairman of the credential committee, brought the message that the credential committee was not yet ready to report.

The unorganized meeting thereupon insisted upon discussing various matters. While under all rules of decorum and in justice and fair play to the rank and file, their actions could not be regarded as binding, they passed a resolution which they insisted should be recognized by the credential committee even before the convention was organized, although even the convention when organized had no right to recognize any action decided upon previous to convention being organized to become binding upon that body. The resolution was as follows and was made by D. DeLeon:

"Resolved, That when the committee on credentials reports, the convention shall organize with those delegates that the committee reports favorably upon, except those against whom objection may be raised by the delegates reported favorably upon; and that as to the delegates reported upon adversely and those delegates reported upon favorably, but objected to by the organized convention."

Fitzgerald Hall had been engaged, rent free, by the Executive Board after considering all the available halls; Brand's Hall could only be had for ten days and, as experience had shown, during the first convention, the delegates speaking could not be heard by their fellow delegates, as the acoustic arrangements in the hall are very bad; therefore same was not engaged; while Fitzgerald Hall, with strict union conditions, could comfortably hold the delegates without crowd-

ing; but in the face of above facts, a motion was made by P. Veal and carried in the unorganized meeting that we meet Tuesday morning at 9 o'clock at Brand's Hall.

Tuesday Morning, September 18.

Meeting called to order by President Sherman at Brand's Hall. Telegrams received were read, as follows:

"Heartly congratulations to the Industrial Workers of the World and success to their deliberations." EUGENE V. DEBS.

"While not with you in person, I am with you in thought. Liberty and Justice for Meyer, Haywood and Pettibone."

W. F. DAVIS, Goldfield, Nevada.

"We congratulate the second annual convention of the Industrial Workers of the World. The past year has proven that the capitalist class finds a worthy foe in the Industrial Workers of the World. We hope the good work will continue many years and Industrial Workers of the World conventions held until wage slavery is abolished."

EXCELSIOR EDUCATIONAL SOCIETY,
New York City, N. Y.

F. P. Cranston was appointed sergeant-at-arms. Moved and seconded that we take a recess until the credential committee is ready to make a report. Carried.

President Sherman called the meeting to order at 10:45 o'clock and the credential committee rendered their report as follows:

Credential Committee Report.

Chicago, Ill., Sept. 17, 1906.

To the Officers and Delegates to the Second Annual Convention of the Industrial Workers of the World:

We, your committee on credentials, have examined all credentials submitted to us and recommend the seating of the following duly accredited delegates and officers, with their apportioned vote set opposite their respective names:

Butte, Mont., No. 5—George Abbott, 11 votes.
Los Angeles, Cal., No. 12—George S. Holmes, 2 votes.
Butte, Mont., No. 15—Mack Hendricks, 3 votes.
New York City, N. Y., No. 18—W. J. F. Hanne-
mann, 1 vote.
Nine Mile, Mont., No. 41—James Kelly, 2 votes.
St. Regis, Mont., No. 50—Wm. Ahern, 1 vote.
New York City, N. Y., No. 58—D. DeLeon, 1 vote.
New York City, N. Y., No. 61—S. Moskowitz, 1 vote.
Minneapolis, Minn., No. 64—J. W. Johnson, 1 vote.
Jersey City, N. J., No. 67—D. DeLeon, 1 vote.
Chicago, Ill., No. 74—F. P. Cranston, 1 vote.
Goldfield, Nev., No. 77—J. M. Brown, 8 votes.
Chicago, Ill., No. 83—Fred E. Dressler, 1 vote.
St. Louis, Mo., No. 84—W. W. Cox, 1 vote.
Chicago, Ill., No. 85—Lillian Forberg, 1 vote.
Yonkers, N. Y., No. 91—D. DeLeon, 1 vote.
Portland, Ore., No. 92—F. W. Kleese, 1 vote.
Bingham, Utah, No. 93—James Motherwell, 2 votes.
New York City, N. Y., No. 95—P. Augustine, 1 vote.
Lathrop, Mont., No. 108—W. Ahern, 2 votes.
New York, N. Y., No. 110—E. Fischer, 1 vote.
New York City, N. Y., No. 120—W. Keough, 2 votes.
New York City, N. Y., No. 121—W. Keough, 1 vote.
New York City, N. Y., No. 130—E. Fischer, 1 vote.
Cleveland, O., No. 139—James Rugg, 1 vote.
Bitter Root, Mont., No. 140—D. McKnight, 2 votes.
Braddock, Pa., No. 150—E. R. Markely, 1 vote.
Detroit, Mich., No. 159—H. Richter, 1 vote.
New York City, No. 161—S. Moskowitz, 1 vote.
Bellville, Ill., No. 162—W. Goss, 1 vote.
Chicago, Ill., No. 167—A. Simpson, 1 vote.
San Francisco, Cal., No. 173—I. Shenken, 2 votes.
St. Louis, Mo., No. 174—P. Veal, 1 vote.
New York City, N. Y., No. 176—M. Dumas, 3½ votes; J. Mullady, 3½ votes.
New York City, N. Y., No. 177—L. Goldberg, 1 vote.
Colorado City, Colo., No. 182—L. Ginther, 1 vote.

Peoria, Ill., No. 189—A. Lingenfelter, 1 vote.
Brooklyn, N. Y., No. 190—Fred W. Haver, 1 vote.

San Pedro, Cal., No. 195—Geo. S. Holmes, 1 vote.

Toronto, Can., No. 198—J. M. Reid, 1 vote.

Wichita, Kas., No. 205—E. J. Foote, 1 vote.

Brooklyn, N. Y., No. 206—D. DeLeon, 1 vote.

Washington, D. C., No. 208—J. Swerdinger, 1 vote.

New York, N. Y., No. 209—D. DeLeon, 1 vote.

Pittsburgh, Pa., No. 215—D. Gilchrist, 1 vote.

Spokane, Wash., No. 222—C. H. Duncan, 1 vote.

Wichita, Kas., No. 224—E. J. Foote, 1 vote.

New York, N. Y., No. 227—S. Moskowitz, 1 vote.

Evansville, Ind., No. 231—A. J. Hawkins, 1 vote.

Colorado Springs, Colo., No. 237—L. Ginther, 1 vote.

Oklahoma City, O. T., No. 239—Wm. O'Donnell, 1 vote.

Joplin, Mo., No. 240—A. L. McIntosh, 1 vote.

New York, N. Y., No. 244—D. DeLeon, 1 vote.

Missoula, Mont., No. 250—W. Parks, 1 vote.

Hamilton, O., No. 251—H. Northoldt, 1 vote.

Paterson, N. J., No. 252—S. J. French, 4 votes.

Columbus, O., No. 257—A. Keefe, 1 vote.

Rhyolite, Nev., No. 258—J. M. Brown, 3 votes.

Canton, O., No. 259—H. K. Juergens, 1 vote.

Houston, Tex., No. 270—J. R. Robinson, 1 vote.

New York, N. Y., No. 284—S. Moskowitz, 1 vote.

Lake Charles, La., No. 289—W. J. Rogers, 1 vote.

New Castle, Pa., No. 297—E. U. Lundy, 1 vote.

St. Paul, Minn., No. 307—Wm. McCue, 1 vote.

Chicago, Ill., No. 309—F. G. Moore, 1 vote.

Youngstown, Ohio, No. 310—S. O. Reece, 1 vote.

Greenwood, B. C., Can., No. 311—F. W. Haslewood, 1 vote.

Portland, Oregon, No. 319—F. W. Kleese, 1 vote.

New York City, N. Y., No. 331—S. Moskowitz, 1 vote.

Duluth, Minn., No. 351—J. W. Johnson, 1 vote.

Eveleth, Minn., No. 361—T. Petriella, 1 vote.

Denver, Colo., No. 488—A. Bohling, 1 vote.

New York City, N. Y., No. 370—D. McKinnon, 4 votes.

Transportation Department—L. M. Kohl, 5 votes.

Metal and Machinery Department—A. Maichele, 60 votes.

Mining Department—John McMullen, 108 votes; P. R. McDonald, 109 votes; V. St. John, 109 votes; A. Ryan, 109 votes.

Members of Executive Board—J. Riordan, 1 vote; F. McCabe, 1 vote; C. G. Kirkpatrick, 1 vote; F. W. Cronin, 1 vote; C. E. Mahoney, 1 vote; Wm. E. Trautmann, 1 vote; C. O. Sherman, 1 vote.

Committee finds credentials from Metal and Machinery Department Locals No. 38, No. 4, No. 52, No. 1, No. 2, No. 7, No. 23, No. 43, No. 64, No. 27 and No. 8 and recommends that they be not seated, as constitution provides they be represented through their respective departments.

Committee finds credentials from Transportation Department Locals as follows: No. 17, No. 7 and No. 12, and recommends that they not be seated, as their department represents their interest in full.

We find credentials from Musical Union Locals No. 23 and No. 41, who are not directly chartered by the Industrial Workers of the World, and respectfully refer same to the convention without recommendation.

All delegates who presented credentials to the committee and whose names do not appear as seated in this convention, the committee desires them to appear before the committee and explain the errors on their credentials.

Respectfully submitted,
(Signed) WM. KEOUGH,

Chairman:
LILLIAN FORBERG,

L. M. KOHL,
A. MAICHELE,

MACK HENDRICKS,
F. W. CRONIN,

JOHN McMULLEN,
Secretary.
Committee.

Protests were entered against seating of Delegates D. McKinnon, from Local No. 370; L. M. Kohl, from the Transportation Department, and

A. Maichele, from the Metal and Machinery Department.

Motion was made and seconded that the report be accepted. An amendment was made and seconded that the report be accepted, provided that same does not conflict with the resolution passed yesterday. The vote on the amendment, taken by roll call of delegates, favorably reported upon, resulted as follows: 542 yes, 3 no.

Motion to adjourn at 12 o'clock noon, and meet at 3 p. m., to enable the credential committee to consider the contested cases, was then carried.

Afternoon Session.

Convention called to order at 3 p. m., by President Sherman.

Moved by Delegate DeLeon and seconded that the committee on credentials be instructed to adjourn its meeting forthwith, that its members appear on the convention floor, the convention then to constitute into a committee of the whole and take up the contests, beginning with that of the Metal Workers. Motion carried by the roll call; 815 yes and 118 no.

Moved and seconded that a stenographer be employed to take a stenographic report of the future proceedings of the convention. Motion lost by roll call; 185½ yes and 366½ no.

Moved and seconded that a telegram be sent to Brothers Moyer, Haywood and Pettibone now illegally confined in jail at Boise, Idaho. An amendment was made and seconded that a committee of three be appointed to draft a suitable resolution. The amendment was carried by unanimous consent. The committee was appointed as follows: D. DeLeon, V. St. John and W. E. Trautmann.

The credential committee made an additional report, recommending that the following delegates be seated:

Cincinnati, O., No. 6—J. M. Dial, 1 vote.
Cleveland, O., No. 89—S. Rotkowitz, 1 vote.
New York, N. Y., No. 179—J. J. Kinneally, 1 vote.

Cincinnati, O., No. 243—W. R. Fox, 1 vote.
Cincinnati, O., No. 221—W. R. Fox, 1 vote.
Manhattan, Nev., No. 254—J. M. Brown, 2 votes.
Cincinnati, O., No. 269—M. Eisenberg, 1 vote.
Chicago, Ill., No. 299—O. Olsen, 1 vote.
Fairview, Nev., No. 315—J. M. Brown, 1 vote.

Moved and seconded that the report be received and the delegates be seated. Motion carried by unanimous consent.

The delegates formed into a committee on the whole.

Moved by Delegate Kirkpatrick and seconded, that the protest made against seating the delegate from the Metal and Machinery Department be submitted in writing; a substitute motion was moved by Delegate DeLeon, and seconded, that the protesting delegates be now heard giving them five minutes each to present their case; the substitute was carried by roll call; 554 yes and 2 no.

The protestants, W. E. Tullar, P. Schweinburg, of Chicago; E. Hauck, of Buffalo; H. Richter, of Detroit; Nyholm, of Pullman, and A. Maichele, of Schenectady, stated their case, in effect that the Metal and Machinery Department was never legally organized and have not at present a complete department. A. Maichele, who was elected a delegate by referendum vote of the Metal and Machinery Department members, stated that he did not object if any of his sixty votes would be taken from him and given to other members of the Metal and Machinery Department not elected by referendum vote; and that the opinion of the Metal and Machinery locals in Schenectady was that there is no properly formed Metal and Machinery Department.

R. T. Sims and Delegate DeLeon took the floor, supporting the protestants.

Delegate St. John, being in the chair, President Sherman took the floor and stated "that the Metal and Machinery Department was regularly installed at the first convention of the Industrial Workers of the World in July, 1905, with a membership of over 3,000, or about 3,400 members; perhaps it fell behind for the first five months on account of the lack of our membership to readily understand the conditions which confronted them when affiliated with the Industrial Workers of the World, but after much discussion the membership gradually grasped the true meaning of the conditions for membership in the Industrial Workers of the World and renewed their interest in the organization, and those who were suspended were reinstated, as that in January, 1906, the Metal and Machinery Department paid its per capita tax to the General Office on 3,000 members and continued to grow until they now have 4,200 members.

I ask this body to send a committee to the Metal and Machinery Department Office and examine the old books of the United Metal Workers' International Union, which will substantiate my statements here made."

Delegate Kirkpatrick, President of the Metal and Machinery Department, substantiated the above remarks made by President Sherman and

Delegate McCabe stated that upon the strength of the United Metal Workers' International Union and the A. L. U., affiliating with the newly organized Industrial Workers of the World, same was successfully launched; otherwise there would not have been an Industrial Workers of the World organized in July, 1905.

Moved by Delegate D. DeLeon, and seconded, that the contesting delegates be seated and be given a vote to which they are entitled according to the books of the Metal and Machinery Department, the votes to be subtracted from the vote held by the Department Delegate, the credential committee to ascertain the standing of the locals they represent.

Delegates Kirkpatrick and McCabe took the floor against the motion. Trautmann spoke in support of the motion, claiming there was no Metal and Machinery Department.

Moved and seconded that we adjourn; motion lost by roll call; 159 yes and 291 no.

An amendment was made by Delegate Moore, and seconded, that A. Maichele be seated with the votes of the Schenectady locals and that the contesting delegates be seated with a vote to represent their respective locals.

President Sherman stated that the amendment would shut out about sixty-five locals to representation who had, by a referendum vote, elected a delegate for the Metal and Machinery Department. A substitute was moved by Delegate Hannemann, and seconded by McMullen, that we seat the duly elected delegate from the Metal and Machinery Department; that a committee of three be elected to investigate the charges advanced against the Metal and Machinery Department. Delegate Hannemann stated that by adopting either the motion or the amendment would, figuratively speaking, be proceeding to do our work "by placing the cart before the horse."

A point of order was raised that the substitute was out of order; the point of order was not sustained by Chairman St. John. An appeal was taken from the decision of the Chair. The decision of the chair was sustained by roll call vote; 263½ yes and 182½ no.

President Sherman took the chair.

Delegate C. E. Mahoney spoke in support of the Metal and Machinery Department and pointed out that the constitution of the Industrial Workers of the World should be followed, which stipulates that departments shall be represented by a delegate duly elected by referendum vote of each department, one delegate for the 4,000 members, etc., and not by delegates from locals of the departments.

The substitute motion was lost by roll call vote of 252 yes and 306 no.

The amendment was lost by roll call vote of 3 yes and 545 no.

The motion was carried by roll call vote of 306½ yes and 242 no.

The committee on the whole adjourned at 8:40 p. m. to meet at 9 a. m. Wednesday.

Wednesday Morning, September 19.

The committee on the whole was called to order at 9:35 a. m. by President, Sherman.

The roll was called and moved that we adjourn until the credential committee can report on the standing of the locals of the contesting delegates with the Metal and Machinery Department. Delegate DeLeon moved that the motion be tabled, which was seconded. The motion to lay on the table was lost by roll call vote of 170 yes and 370 no. During the roll call on the motion to table, Delegate DeLeon voted "yes" by mistake and requested that his vote be changed to "no", which caused general laughter.

The original motion was carried by roll call vote of 373 yes and 173 no.

The committee on drafting a resolution to be telegraphed to Brothers Moyer, Haywood and Pettibone reported as follows:

Chicago, Ill., Sept. 19, 1906.
Messrs. Moyer, Haywood and Pettibone, Ad County Jail, Boise, Idaho.

Comrades:—Industrial Workers of the World, in convention assembled, send greetings and regret that capitalist conspiracies prevent your being with us in the greatest revolutionary, working-class convention ever held on American continent, strictly in line with last year's convention."

"D. DELEON,
"W. E. TRAUTMANN,
"V. ST. JOHN,
"Committee."

The report was unanimously adopted and the Secretary instructed to forward the telegram; thereupon, the committee on the whole adjourned to meet at 1 p. m.

Afternoon Session.

President Sherman called the committee on the whole to order at 1:53 p. m. The credential committee reported that the standing of locals with the Metal and Machinery Department, whose delegates had presented credentials, was as follows:

Chicago, Ill., No. 23, M. and M. Dept.—W. E. Tullar, 1 vote.

Chicago, Ill., No. 7, M. and M. Dept.—A. Schultz, 2 votes.

Chicago, Ill., No. 2, M. and M. Dept.—P. Schweinburg, 3 votes.

Chicago, Ill., No. 52, M. and M. Dept.—J. Hammerly, 1 vote.

Chicago, Ill., No. 1, M. and M. Dept.—H. Huelse, 3 votes.

Pullman, Ill., No. 8, M. and M. Dept.—Wm. Rice, 1 vote.

Pittsburg, Pa., No. 64, M. and M. Dept.—H. Pelzolt, 1 vote.

Buffalo, N. Y., No. 43, M. and M. Dept.—E. Hauck, 1 vote.

Detroit, Mich., No. 4, M. and M. Dept.—H. Richter, 1 vote.

Brooklyn, N. Y., No. 38, M. and M. Dept.—S. Moskowitz, 1 vote.

Schenectady, N. Y., No. 34, M. and M. Dept.—H. Jackson, 8 votes.

Milwaukee, Wis., No. 54, M. and M. Dept.—R. T. Sims, 1 vote. (This Delegate's card seven months in arrears.)

Pullman, Ill., No. 27, M. and M. Dept.—J. Nyholm, no vote.

And recommended that the following delegate be seated:

Grand Junction, Colo., No. 35—Nora B. Spear, 1 vote.

Moved that the report be received and all delegates with votes be seated. An amendment was made that R. T. Sims be seated as a delegate to represent Local No. 54, Metal and Machinery Department, and Milwaukee, Wis., Locals No. 123, 1 vote, and No. 219, 1 vote. Motion to divide the question was carried by unanimous consent. The motion to seat all Metal and Machinery Department delegates was carried by roll call vote of 319½ yes and 239 no. The motion to seat R. T. Sims to represent Milwaukee Locals No. 54, Metal and Machinery Department, No. 123 and No. 219, was carried by roll call vote of 343 yes and 260 no.

The following resolution was submitted by Delegate Riordan against seating Delegate L. M. Kohl from the Transportation Department, who was elected delegate by referendum vote of that department:

"Whereas, The so-called Transportation Department of the Industrial Workers of the World exists in name only, as the accounts of that organization show, and

"Whereas, The affairs of said organization are conducted in open defiance of the principals governing the Industrial Workers of the World so much that even the mandates of the Executive Board of the Industrial Workers of the World were disregarded, therefore, be it

"Resolved, That this convention refuses to recognize said department as a legitimate part of the Industrial Workers of the World, and also refuses to recognize the credential of the delegate from that department or the representative on the General Executive Board of the Industrial Workers of the World representing said department, and be it further

"Resolved, That the credentials of all local unions of transportation workers, who are sending delegates, be recognized and the delegates seated.

"(Signed) JOHN RIORDAN."

Attached hereto is a statement of account of department in question.

Moved by Delegate Tullar that the contestants and representatives of the Transportation Department be given the floor to state their case. Delegate Markley took the chair. After some discussion and a call for the previous question, Delegate Mahoney took the chair. The motion was then carried by a roll call of 619 yes and 2 no.

W. Hickey, from Local No. 1, Transportation Department, Chicago, made the following statements: "At a meeting of the Board of Directors of the Transportation Department, held on December 1, 1905, of which he was a member, they decided that the salary of the Secretary-Treasurer be withdrawn; that it was stated that Secretary-Treasurer W. L. Hall had resigned and that his books had been audited and found correct, but that he (Hickey) refused to concur in this action of the Directors. Hickey reported his action to Local No. 1, T. D., and was sustained by said local. Whereupon said local elected a committee to investigate the causes of the differences between the members of the Board of Directors. The committee reported that McCabe refused to testify and found that Hall did not hand in his resignation. Trautmann preferred charges against McCabe, who ignored the papers until this question is settled. Saturday, January 6, 1906, a meeting of the Board of Directors of the Transportation Department was held and suspended locals in bad standing and members of the Board of Directors, who were members of the suspended locals." W. J. Pinkerton, from Local No. 2, Transportation Department, Blue Island, Ill.

stated as follows: "That McCabe and Hall had garbled financial reports. McCabe had made strong charges against Financial Secretary W. L. Hall and yet was willing to give Secretary-Treasurer Hall a clean record and resignation."

John Plummer, from Local No. 12, Transportation Department, Hammond, Ind., stated that letter was received by Local No. 12 from McCabe stating that no charter had been issued to that Local, yet he (Plummer) has a charter dated September, 1905, in his possession.

J. Fitzgerald, from Local No. 7, Transportation Department, San Antonio, Texas, stated that he wants charges read, made by Trautmann against McCabe and which were withdrawn by him under certain provisions which were not carried out. The Chairman ruled that the charges not be read, as they had been withdrawn. Delegate Sims appealed from the decision of the Chair. The decision of the Chair was not sustained by a roll call of 418 no and 137 yes. The charges were then read, in effect as follows: "From first week McCabe had grossly violated the basic principles of the organization; sneered at the inscription on the constitution that 'to labor belongs all the products of his labor,' objected against the red button and objected to a too progressive movement in this organization."

The committee on the whole adjourned at 5:55 p. m. to meet at 9 a. m. Thursday.

Thursday Morning, September 20.

The committee on the whole was called to order at 9:20 by President Sherman. The roll was called and the Chairman announced the case of the Transportation Department open for further consideration. J. Fitzgerald continued with his statements as follows: "Local No. 7 could get no stamps from W. L. Hall, hence did not pay per capita tax, and then the local was suspended for non-payment of dues. The General Executive Board of the Industrial Workers of the World had planned the following action: A motion was made that the Transportation Department be dissolved and that all locals come in as local unions directly affiliated with the general organization. This was ignored by the Transportation Department Board of Directors, and that J. Riordan had stated to him that the suspended locals could get no justice on the General Executive Board of the Industrial Workers of the World, but would have to go before the convention of the Industrial Workers of the World. Fitzgerald closed by saying that if the convention decided against them, then 'you are traitors of the working class.'"

T. E. Cole, from Local No. 17, Transportation Department, Blue Island, Ill., stated that Secretary-Treasurer Kohl, of the Transportation Department, wrote a letter stating that there was no charter issued for Local No. 12, of Hammond, Ind., from the Transportation Department. T. E. Cole says that a charter was issued, and produced what was purported to be a charter with the alleged signatures of McCabe, Trautmann and Sherman; that the constitution provides that Transportation Department is subordinate to the Industrial Workers of the World, and hence the General Executive Board could take action, but instead, they said they do not want to meddle with the affairs of the Transportation Department as such matters must be settled by the Transportation Department itself. There was no referendum vote on the constitution and by-laws of the Transportation Department.

W. L. Hall, from Local No. 1, Transportation Department, Chicago, Ill., stated that McCabe is not responsible individually for the conditions of the Transportation Department; it must not depend upon the personality of a man, but must be based on well grounded principles; after the last convention considerable animus was displayed between McCabe and myself. All animus came from the letter of charges made by McCabe against W. L. Hall, causing McCabe to say that either McCabe or W. L. Hall must get out of the Transportation Department. I never resigned. A letter was written by McCabe, stating that Hall had resigned; then McCabe turned around and stated that Hall did not resign, but had resigned in an indirect manner by the fact that his salary was withdrawn. It was not a case of finances, but a case of getting rid of Hall; requests that the minutes of the General Executive Board be read, which clearly state the condition of affairs as follows: "The Board of Directors of the Transportation Department declared the office of Secretary-Treasurer vacant because Hall was not devoting his full time to his work and elected L. M. Kohl in his place, who only devoted part of his time, gratis." "Hall is simply a figure-head. The question that we should decide is whether the personality of a man should be the guide or the expression of a collective membership." Hall closed by saying: "I suggest that the Department of Transportation be dissolved and pre-

vent the formation of another, unless it can be done with proper safeguards."

W. E. Trautmann stated that "this is not between McCabe and Hall nor of a minority of majority, it is a battle between progress and the instruments of the capitalist class. An error made by the capitalist class cannot be forgiven by the working class in the class struggle. McCabe was never true to the working class. McCabe is a traitor to the working class. McCabe wants to hold a job."

Delegate P. Augustine took the chair and President C. O. Sherman took the floor and requested Fitzgerald to show him his credential as organizer, which was produced. Sherman asked, "When did you receive this credential?" Fitzgerald answered, "In September, 1905." Sherman asked, "Did you receive another credential?" Fitzgerald answered, "Yes, in August, 1905." Sherman asked, "Have you got a membership card?" Fitzgerald answered, "Yes." Sherman asked, "When did you get it?" Fitzgerald answered, "I secured that book January 1, 1906." Sherman then stated that Fitzgerald was a credential or voluntary organizer, and did not withdraw his commission because he did not see any reason for doing so. "I requested McCabe to call a convention of the Transportation Department, but he said that he did not want to discourage the membership, as the membership was small. I claim I have no right as President of the Industrial Workers of the World to force the Transportation Department to call a convention. I requested McCabe to put the question to a referendum vote or resign." Sherman closed by saying that if Riordan's resolution is passed this convention is denying representation to a part of the membership of the Transportation Department. President Sherman took the chair.

F. M. McCabe, President of the Transportation Department, stated that "Locals No. 1, No. 4 and No. 17 were suspended, giving them a chance to come in any time they wanted to. The locals were called upon to pay their per capita tax, but refused to do so for October, November and December, and Local No. 17 also refused for September. I received a letter dated December 18, 1905, from Fitzgerald, which stated that the local in San Antonio, Texas, was dead. I received another letter stating that an S. L. P. member by name of Gilhaus had said that McCabe would be kicked out."

The committee on the whole adjourned at 12:35 noon to meet at 1:45 p. m.

Afternoon Session.

President Sherman called the committee on the whole to order at 1:45 p. m. Trautmann stated that a member by name of Friedman had informed him that McCabe had said that Trautmann should not speak at mass meetings.

Mahoney took the chair. L. M. Kohl and F. McCabe made further statements in behalf of the Transportation Department.

Chairman Mahoney declared that the main question is now open to discussion of all delegates in the committee on the whole. A suggestion was made that the contestants be seated. A suggestion was made that the delegate from the Transportation Department not be seated. A suggestion was made that the report of the General Executive Board be omitted. It was moved that the question be divided. An amendment was made that we consider the seating of the local delegates and then the seating of the Transportation Department delegate and drop the withdrawal of the member of the General Executive Board. It was moved by Delegate DeLeon that the matter containing the resolution introduced by Delegate Riordan be divided into two questions:

First, Shall the contestants be seated?
Second, Shall the elected delegate of the Transportation Department be seated?

Seconded by Delegate McMullen. There being no objections, the Chairman declared that the division of the question stands. It was moved by Delegate DeLeon, and seconded, that the contestants be seated, except such of them as the convention may ascertain were not in good standing at the time the Hall-Kohl trouble arose. An amendment was made by Delegate P. R. McDonald that all delegates of local unions of the Transportation Department with credentials be seated, provided that they show their cards in good standing and that the locals are in good standing in the Industrial Workers of the World, the convention to decide their good standing; seconded by Delegate Hannemann. A delegate moved to lay the amendment on the table; seconded. The motion to lay on the table was declared out of order by the Chair. A delegate asked for an appeal from the decision of the Chair. The appeal was not recognized. A delegate raised a point of order that we cannot make an amendment to refer to another committee. The Chairman stated that he makes this ruling

as a precedent was established in the previous case; however, he will now rule that an amendment to refer to another committee is out of order.

The committee on the whole was declared adjourned by Chairman Mahoney at 6 p. m. Friday a. m. September 21st.

The committee on the whole was called to order at 9:30 a. m. by President Sherman.

The roll was called and the Chairman announced the case of the Transportation Department open for further consideration. F. McCabe took the floor in behalf of the Transportation Department. A telegram was received at this point of the session from Local No. 17, New York City.

McCabe stated that a letter dated August 11, 1905, signed by Fitzgerald, addressed to Hall, contains the following statement:

"I (Fitzgerald) was broke and had collected money for dues and request you (Hall) not to tell McCabe until I (Fitzgerald) am on my feet again."

Mahoney took the chair. McCabe refuted the statements made by Trautmann yesterday and filled in facts omitted.

Pinkerton took the floor. Hall took the floor. St. John took the chair. The committee on the whole adjourned at 12:10 noon to meet at 1 p. m. Afternoon Session, September 21, 1906.

President Sherman called the committee on the whole to order at 1:20 p. m. Motion was made calling for the previous question. Motion is ruled out of order by the Chair. An appeal from the decision of the Chair is made. Motion was made that the appeal be tabled. President Sherman ruled that the appeal be voted upon. Delegate Keough took the chair. The decision of the Chair was sustained by a vote of 432 yes and 29 no. President Sherman took the chair. St. John took the chair. Mahoney took the chair. The Chairman ruled that as the case was reopened by having again permitted the contestants to take the floor, the original motion disappeared. The resolution was made by Delegate Riordan is again before the house. Motion made by Delegate DeLeon and seconded by Delegate McMullen, that the matter containing the resolution introduced by Delegate Riordan be divided into two questions:

First, Shall the contestants be seated?
Second, Shall the elected delegate of the Transportation Department be seated?

The motion was carried by unanimous consent. A motion to refer the matter back to the credential committee was ruled out of order. Moved by Delegate DeLeon and seconded that the delegates from the Transportation Department locals with credentials, who were in good standing at the time the difference came up, shall be seated. An amendment was made by Delegate Hannemann, and seconded, that all delegates of local unions of the Transportation Department with credentials be seated, provided that they show their cards in good standing and that the locals are in good standing in the Industrial Workers of the World, the convention to decide their good standing. Delegate DeLeon raised a point of order that the amendment is out of order. The Chairman declared the amendment is in order. Delegate DeLeon appealed from the decision of the Chair. After Chairman Mahoney defined his position as following the letter and the spirit of the constitution, Delegate DeLeon withdrew his appeal. A substitute motion was offered that the regular elected delegate of the Transportation Department be seated until such time as the convention will disband the Transportation Department. The substitute was ruled out of order by Chairman Mahoney. Delegate Hannemann took the floor and said that the actions of a number of delegates caused the convention and the committee on the whole to proceed with its business, figuratively speaking, "by placing the cart before the horse." That there seems to be an inside circle in this convention working to gain control and in doing so are ignoring the constitution; that to be honest with the rank and file, we must live up to the constitution until such time as it is changed by a referendum vote. Therefore, we have no right to seat delegates to represent locals of any department at this time. Delegate Hazlewood took the floor and said "that the last speaker is narrow-minded and is beating around the bush and should come out in the open and say that he meant the S. L. P. was the inner circle. He is simply appealing to the sympathy of the delegates." Also made same slandering remarks against the last speaker and Delegate McMullen, from the Mining Department.

A motion made to lay the amendment on the table was declared out of order. A delegate took the floor and at the end of his remarks called for the previous question, which was declared out of order by the Chair. A motion calling for the previous question was declared out of order.

Delegate McMullen took the floor. A motion was made by Delegate Veal that all delegates go out while McMullen is speaking. Motion was ruled out of order by the Chair. Delegate McMullen said that some delegates have cast reflections on those who hold political views contrary to their own and pointed out the fact that we must abide by the constitution as it now stands until such time as it is changed by a referendum vote; therefore, the seating of delegates from locals of any department is illegal.

The question having been called for, the Chairman ruled that a vote be taken on the amendment. The vote, taken by roll call, showed the amendment lost by 252 yes and 348 no. The motion was carried by a vote of 379 yes and 246 no. Delegate DeLeon moved that the contestee be seated with a vote of the locals he represented. An amendment was made by President Sherman and seconded, that Delegate Kohl be seated as a delegate from the Transportation Department with five votes. Delegate DeLeon withdrew his motion. No objection being raised, the Chairman ruled that, with the consent of the mover and seconder of the motion, the amendment is now the motion. President Sherman took the floor and stated that L. M. Kohl was elected by a referendum vote of the Transportation Department and could not represent any locals, but the department only; that if he would be seated a delegate to represent the local he was a member of, it would deprive representation of the other locals of the Transportation Department. The motion as made by President Sherman was then carried by unanimous consent. The Chairman then declared the committee on the whole adjourned at 5:35 p. m. to meet at 9 a. m., September 21st.

Morning Session, Saturday, September 22, 1906.

The committee on the whole was called to order at 9:15 a. m. by President Sherman. After the roll call a protest was introduced by Delegate Augustine as follows:

"To the Delegates of the Second National Convention of the Industrial Workers of the World:

"In accordance with instructions from Local No. 95, Building Trades Industrial Union, which I represent, I hereby protest against the seating of Daniel McKinnon, representing Local Union No. 370, on the ground that the local he represents is a local union irregularly chartered after August 1, 1906."

Delegate Augustine then claimed that if the charter had been issued prior to July 31st the local would be entitled to representation, but if the charter was issued after July 31st, the local is not eligible to representation. The charter was issued after August 1st. Delegates French, Fischer and Moskowitz spoke against seating McKinnon. Delegate Mahoney took the chair. President Sherman took the floor and stated that McKinnon should be seated; that Local No. 370 was regularly chartered and he had signed the charter and that this can be made a test case in this convention as to the right of the General Executive Board issuing a charter over the protest of any local union when it finds that the protest is without foundation. Delegate Keough, President of the New York Industrial Council, asked if a resolution had been received which was passed at the New York Industrial Council meeting held on Thursday, September 13th, which condemned the officers at general headquarters for having issued the charter to Local No. 370. The Secretary answered "No." Thereupon Delegate Keough requested that the resolution be read from a copy held by the Recording Secretary, Hannemann, of the New York Industrial Council, who was present as a delegate to this convention. The Chairman ruled that the copy be read. Delegate Hannemann took the floor and stated that the resolution in question was voted upon at the council meeting as follows: 18 yes and 8 no; that the delegates who voted "yes" were solid S. L. P. members, and that the delegates who voted "no" represented the large locals of New York City and that Brother Keough and the speaker had voted "no"; that the vote was taken by roll call. The resolution was then read as follows:

Copy of Resolution Passed by the New York Industrial Council Meeting of September 12, 1906.

Whereas, At some previous time the Industrial Council, Industrial Workers of the World of New York, submitted to general headquarters a proposition that no action be taken on charter applications by general headquarters unless bearing seal and endorsement of said council.

Whereas, The general headquarters concurred in the proposition of said New York Industrial Council, Industrial Workers of the World, thus making it binding on both to that extent;

Whereas, The general headquarters, after mutual consent as above stated, granted a charter to a local in New York, the House and Bridge Constructor Local No. 370, without the consent, seal or endorsement of said Industrial Council, and

Whereas, Such high-handed action on the part of general headquarters is in direct opposition to the fundamental principles and ideas upon which the Industrial Workers of the World were founded; therefore be it

Resolved, By the Industrial Council of New York in regular meeting assembled, that we vigorously and most emphatically condemn this violation of the aforesaid mutual understanding between the general headquarters and this Industrial Council; and be it further

Resolved, That this resolution be spread on the minutes book of the council and a copy forwarded to the Industrial Workers of the World convention and to the Industrial Workers of the World Press.

Signed, W. GREEN, Chairman,
A. ORANGE,
A. J. FRANCIS, Secretary,
Committee.

After further discussion, Delegate Augustine offered to withdraw the protest and allow McKinnon to be seated, so as to save time. Objection was made to the withdrawal of the protest. The committee on the whole adjourned at 12:10 noon to meet at 1:30 p. m.

Afternoon Session, December 22, 1906.

The committee on the whole was called to order by Chairman Mahoney at 1:40 p. m.

An amendment was made that we permit Local No. 95 to withdraw their protest. The Chairman ruled that the amendment is out of order. An appeal was taken from the decision of the Chair. The appeal was put and a roll call taken, which sustained the decision of the Chair by a vote of 530 yes and 100 no. Delegate Gilchrist made a motion to elect a new chairman. The Chairman declared the motion out of order. An appeal was taken from the decision of the Chair. The appeal was put and a roll call taken; sustained the decision of the Chair by a vote of 572 yes and 30 no. Delegate Gilchrist, of Pittsburg Local No. 215, and Delegate F. G. Moore, of Chicago Local No. 309, withdrew from the convention, stating they had no more time to waste.

Delegate Augustine again requested permission to withdraw the protest against seating McKinnon. Delegate DeLeon seconded his request. Delegate Hannemann objected. The Chair then declared that the protest remains as part of the records.

Delegates Keough, Kirkpatrick and Hannemann spoke in favor of seating McKinnon. Motion was made and seconded that McKinnon be seated with his full vote. An amendment was made that the delegate be seated, with one vote, but not seconded. The roll call taken seated McKinnon as delegate by a vote of 425 yes and 3 no.

Moved by Delegate DeLeon that this committee on the whole now rise and report to the convention, the Secretary to state the motions and its recommendations. Question was raised as to seating the Musical Union delegates. Delegate DeLeon claimed that no injustice had been done the Musical Union in not seating their delegates up to this time, as they had been holding a convention of Musical Unions. Delegate McCabe spoke against the motion, claiming that the recommendation to seat delegates from local unions of departments is illegal. Delegate Veal spoke in favor of the motion. Delegate Hannemann claimed that an injustice had been done to the musical unions, as they were present every day, asking their right to be seated and should have been seated directly after the credential committee made its report. The actions of a number of

delegates (S. L. P. and other sympathizing delegates) with their cart before the horse tactics prevented their being seated; if we do not seat them now, we will be ignoring our duty toward a part of the rank and file by continuing to deny them the right of representation. Motion was made and seconded that the previous question be now put, which was carried by a roll call vote of 491 yes and 191 no. The motion that the committee now rise was carried by a roll call vote of 360 yes and 127 no. President Sherman took the chair. The Secretary thereupon reported the actions of the committee on the whole to the convention by reading its minutes.

Motion was made and seconded that the report of the committee on the whole be concurred in. Delegate McMullen raised a point of order that the delegates seated during the session of the committee on the whole have no right to vote on this motion. The Chair ruled that they have a right to vote. Delegate McMullen appealed from the decision of the Chair. The decision of the Chair was sustained by a roll call vote of 363½ yes and 254 no. Delegate P. R. McDonald requested that he be recorded as protesting against this decision and that the actions of this convention have been illegal up to this time.

Motion was made and seconded that we take up the report seriatim. Motion was made and seconded that this motion be tabled. A point of order was raised that the motion to table is out of order. The Chair ruled that the motion to table was in order. The motion to table the motion was carried by a roll call vote of 384 yes and 245 no. Motion was made that the previous question be now put, seconded. The motion calling for the previous question was carried by a roll call vote of 332 yes and 236 no. Delegate Mahoney took the chair. The motion to concur in the report of the committee on the whole was carried by a roll call vote of 375 yes and 243 no. Motion was made and seconded that we adjourn to meet at 9 o'clock Monday morning, September 24th, and that the credential committee report on the Musical Union delegates and all other credentials. Motion was made and seconded that the motion be tabled. The motion to table the motion was carried by a roll call vote of 477 yes and 146 no. President Sherman took the chair. Moved by Delegate DeLeon that the Chairman appoint the following standing committees immediately, with the consent of the house: Committee of three on rules, committee of five on constitution, committee of five on resolutions, committee of three on investigating the status of the locals from the Transportation Department, whose delegates the convention had seated. An amendment was made and seconded that the committee on constitution be stricken out and same be elected from the floor. Motion was made and seconded that the amendment be tabled. The motion to table was lost by a roll call vote of 143 yes and 476 no. The amendment was carried by a roll call vote of 423 yes and 202 no. Motion was made and seconded that we adjourn to meet on Sunday, 9 a. m. An amendment was made and seconded to strike out Sunday and meet on Monday, 9 a. m. The amendment was lost by a roll call vote of 270 yes and 351 no. The Chairman ruled that discussion on the original motion is in order. An appeal was made from the decision of the Chair. The decision of the Chair was not sustained by a roll call vote of 140 yes and 359½ no. The motion to adjourn to meet on Sunday, 9 a. m. was carried by a vote of 261½ yes and 247 no.

Sunday a. m., September 23, 1906.

The convention was called to order by President Sherman at 9:15 a. m. The Chairman announced the committees as follows: Committee on rules—P. R. McDonald, Geo. Abbott and W. J. F. Hannemann. Committee on resolutions—Max Hendricks, P. Augustine, Wm. Keough, A. Ryan and A. Lingenfelter. Committee to investigate status of delegates from locals of the Transportation Department—D. DeLeon, V. St. John and C. H. Duncan.

Delegate DeLeon moved to strike out the name of McDonald from the committee on rules and insert W. R. Fox in its place; to strike out the name of Hannemann and insert the name of F. W. Kleese in its place; seconded. The motion was divided by unanimous consent of the house.

The motion to strike out McDonald and insert W. R. Fox was lost by a roll call vote of 240 yes and 268 no. The motion to strike out Hannemann and insert Kleese was carried by a roll call vote of 357 yes and 203 no. Delegate DeLeon moved to make Augustine first on the committee on resolutions and Hendricks second. The debate that followed showed that the delegates understood that each committee will select its own chairman and secretary. Delegate DeLeon asked for permission to withdraw his motion. The Chair ruled that the motion cannot be withdrawn. An appeal was made from the decision of the Chair. The decision of the Chair was sustained by a roll call vote of 264 yes and 245 no. A motion was made and seconded that the motion be laid on the table. The motion to lay on the table was carried by a roll call vote of 492 yes and 120 no.

Delegate Fox was substituted for Delegate DeLeon on the Transportation Department locals committee by unanimous consent of the house. Delegate St. John withdrew his name from the same committee and Delegate Parkes was appointed in his place by unanimous consent of the house. The committee on Transportation Department locals delegates as finally composed was as follows: W. R. Fox, W. Parkes and C. H. Duncan. Motion was made by Delegate DeLeon and seconded that the convention proceed to elect a committee on constitution to consist of six members and that when the delegates from the Musical Unions are seated, they be allowed to select a representative on the committee. An amendment was made by Delegate Richter and seconded that the whole committee of seven be elected by the house. Adjourned to meet at 1:45 p. m.

Afternoon Session, September 23, 1906.

The convention was called to order at 2 p. m. The amendment to elect the whole committee of seven on constitution was lost by a roll call of 50 yes and 543 no. The motion to elect a committee of six, etc., was carried by a roll call vote of 386 yes and 222 no. Nominations were made for the committee on constitution as follows: D. DeLeon, J. J. Kinneally, V. St. John, A. Maichele, D. McKinnon, E. J. Foote and L. M. Kohl. Delegate Kohl withdrew and by unanimous consent the following were declared elected as the committee on constitution: DeLeon, Kinneally, St. John, Maichele, McKinnon and Foote. B. Stone, from Local No. 158, Chicago, was seated as delegate with one vote. Delegate Keough moved that W. T. Leach, from Local No. 229, Montreal, Canada, be seated as a delegate, providing that the dues of the local shall be paid upon his return to Montreal. The motion was seconded and carried by unanimous consent of the house and the delegate seated with one vote. J. Schomber spoke in behalf of Musical Unions No. 23 and No. 41. Motion was made and seconded that three delegates be seated to represent all the Musical Unions; that the vote of the delegates be based upon the payment of 8 1-3 cents to the general office and the credential committee to report how many votes they are entitled to. The motion was carried by unanimous consent. Delegate C. H. Duncan moved to renew the motion to employ a stenographer to take the proceedings of the convention and that the report be published in book form; seconded. The motion was carried. Motion was made, seconded and carried that the Secretary be instructed to employ a stenographer.

Adjourned to meet at 9 a. m. Monday.

Monday a. m., September 24.

President Sherman called the convention to order at 9:20.

The roll of members was called by the Secretary.

The President: The next in order will be the reading of the minutes of the previous meeting. I would suggest, however, owing to the fact that we have minutes for two or three sessions that have not been read, I believe it would be in order this morning to read all of the minutes that have not been read. If there are no objections I will so order the Secretary.

The minutes of the sessions from September 17th to September 23d inclusive were read by the Secretary.

You have heard the reading of the minutes. What is your pleasure?

Delegate McMullen: I desire to offer a correction.

The Chairman: What is your correction?

Delegate McMullen: At the morning session of the 18th a protest was received from No. 95 concerning No. 370. Right after the credential committee reported the first protest received of any kind was from Delegate—I believe it was from 95, was it not?—concerning the seating of 370, of New York. There is no mention at all in there of that fact.

The Chairman: If there is no mention of that fact—

Delegate McMullen: I am offering it as a correction because it occurred in the business here. Now again, in the matter of the Transportation Department, I believe you recollect Delegate McCabe was up here. Delegate McCabe is made to say by these minutes that he admitted that these several locals were in good standing. His distinct and explicit statement here was that they were suspended for non-payment of dues. Now, these minutes go out broadcast as the proceedings of this convention. This man should not be made to say a thing that he distinctly asserted the contrary of. Now, again, when these delegates withdrew here, the delegate that withdrew offered a motion to proceed to elect a new Chairman, and the same was defeated, and he announced his withdrawal on that reason. There is no record whatever of that motion at all, but there is a record of his withdrawal. You recall the fact, my brother, is not that so?

Delegate Lingenfelter: Was that Delegate Gilchrist, of Pittsburg?

Delegate McMullen: I believe it was. I cannot remember the name, but that was the fact, however.

Delegate Kleese: You are right.

Secretary Trautmann: It is recorded that he withdrew from the convention.

Delegate McMullen: I know. It is not recorded that after that some one made a motion to appoint a new Chairman.

Secretary Trautmann: That was defeated.

Delegate McMullen: Yes, that was defeated.

Secretary Trautmann: Or rather not entertained at all.

Delegate McMullen: I know, but there was an appeal from the decision of the Chair.

Secretary Trautmann: Yes.

Delegate McMullen: And the decision was lost. Do you recall that?

Secretary Trautmann: That is right.

Delegate McMullen: It is, exactly, is it not, brother?

Secretary Trautmann: That is right.

Delegate McMullen: I only ask that these corrections be made, to show just what took place. I have no objections to anything that is a fact, but I do not want McCabe to be made to say things here that he positively denied, because McCabe said just what I stated to you. I ask that those corrections be inserted.

Delegate Sims: Mr. Chairman, I wish to take exception to one correction that Delegate McMullen made in regard to the admission of McCabe as to the standing of locals in the Transportation Department. He absolutely admitted on the floor to Delegate DeLeon that this local from San Antonio and Local No. 5, I believe, and No. 1 of Chicago, and, if I am not mistaken, also one or two other locals, with the exception of one local which was not contested here—that they were in good standing up to the time of the Hall-Kohl controversy, and that they were suspended because they refused to recognize Kohl as General Secretary of the Transportation Department; that they were in good standing up to the time of that controversy, while it seems to be attempted now to convey the idea by Delegate McMullen's assertion that they were suspended because of non-payment of dues, and were not in good standing. And I wish to take exception to and deny that, on behalf of the Transportation locals which refused to accept autocratic measures being introduced in regard to the Secretary-Treasurer.

Delegate McCabe: Mr. Chairman, the books are here. The ledger that was left in the office by Brother Hall is still there, and it shows for itself that those locals, some of them, were in bad standing for the months of October and November. I don't say all. Some of the others received stamps in the month of November and refused to pay for them. Therefore I consider them in bad standing.

Delegate Smith: A point of order. We are not taking evidence now. This matter pertains to what was stated on this floor, and that brother did distinctly say what the minutes say. I just merely want to coincide in the other corrections that Brother McMullen has stated here.

Delegate McCabe: I have plenty to attend to besides replying to those who are sticking a knife in me every time they get a chance, and I am getting tired of it.

Delegate Fox: I distinctly heard Brother McCabe admit that No. 1 and No. 12 and No. 7 were in good standing at the time of this controversy.

Delegate DeLeon: A point of order. No motion has been made, and this discussion is out of order.

Delegate McMullen: Let me ask one question. Is this the official stenographer that is working this morning?

Assistant Secretary Edwards: Yes.

Delegate DeLeon: Yes. My point of order is that this discussion is not on any motion. There is a discussion instead of rising here and making a motion. The way to do it is to make a motion to make a correction of the minutes.

The Chairman: The point of order is well taken. You have heard the reading of the minutes; what is your pleasure?

Delegate Smith: I move to adopt the minutes as corrected.

Delegate DeLeon: Seconded.

The Chairman: It has been moved and seconded that we adopt the minutes as corrected. Are you ready for the question?

Delegate McMullen: With these corrections?

The Chairman: With the corrections that have been taken down, I understand.

Delegate McCabe: Not only with the corrections that have been made now, but with the others?

The Chairman: I should judge there didn't seem to be any objection when the other changes were made, and for that reason I would take it for granted that by mutual consent the other changes would come in the minutes.

Delegate McMullen: Do I understand that in making those corrections the utterances will appear in the official report? I maintain that what I stated was a fact, as to the McCabe affair.

The Chairman: I suppose the brother has taken it down here.

Delegate McMullen: All right, sir.

Delegate Smith: Mr. President, do you understand my motion?

The Chairman: It has been moved and seconded that the minutes be endorsed as corrected and read.

Delegate Smith: Now, that is not clear at all. As corrected previously, but not as corrected now.

The Chairman: Well, everything corrected; that correction has not gone in there yet, brother. I think I am safe in stating "as read and corrected."

Delegate Smith: That is right.

The Chairman: And the only correction I know of that is on record is as to the McCabe affair.

Delegate DeLeon: In view of the fact that objection has been raised to that part of the minutes relating to the McCabe affair, I wish to say that McCabe's statement was made. I asked Brother McCabe a number of questions, and in answer he distinctly admitted that No. 7 of San Antonio, No. 1 of Chicago and No. 12 of Hammond, Ind., were in good standing at the time of the Hall-Kohl controversy, or when the Hall-Kohl controversy began, and that the only local that he insisted was in bad standing at the time was Local Blue Island. I think McCabe said that, according to my recollection, in his answer to my question.

Delegate McMullen: Do you recall—just listen to this one second—didn't McCabe distinctly state on this floor—I am trying to refresh your mind, now—you recall he read a letter showing that meetings were held in someone's house and that there were three members there? Now it would be impossible for such a local to be in good standing. That claim could not be asserted. That letter came from a gentleman who was a protestant; I forget his name; Fitzgerald, I believe. Yes, Fitzgerald was the person who signed that communication.

Delegate DeLeon: On the question being asked Mr. McCabe, you distinctly recollect that McCabe read here what purported to be a letter and said there were charges in this case, and the document was not presented to us. You cannot judge as to whether all of that letter was read or otherwise. But I was trying to take a short cut across lots and asked him directly for his conclusions, and his conclusions were that the San Antonio local was in good standing and No. 9 of Chicago was in good standing, and Hammond, Ind., was in good standing, but that Blue Island was not.

Delegate Fox: The books of that department do show that San Antonio local paid over \$36 into their treasury, and could not be in bad standing.

Delegate Smith: Question.

The Chairman: The question has been called for. Are you ready for the question? Call the roll, Mr. Secretary, if there is no objection.

Delegate Kleese: Let us hear it read as corrected.

The Chairman: I don't know what you say.

Delegate Kleese: Wouldn't it be best to hear the minutes as corrected?

The Chairman: Will you read this correction, Brother Secretary?

The Secretary (reading): "Morning session, September 23. Correction made: After the motion made by Delegate DeLeon to strike out the name of Hannemann and insert the name of F.

W. Kleese in its place. Motion was seconded. By unanimous consent of convention motion was divided and vote to strike out McDonald and insert W. R. Fox was lost by a vote of 240 yes, 268 no.

"The next correction to be made was to insert the full letter and statement of protestants against McKinnon, of New York, in the minutes, instead of a brief notice."

Delegate McKinnon: That is to put that—
Secretary Trautmann: That the full letter of the protestants be inserted in the minutes.

Delegate McKinnon: But on that date, Tuesday, the 18th, morning session.

Secretary Trautmann: On Tuesday, the 18th, morning session?

Delegate McKinnon: Yes.
The Chairman: Is that satisfactory to the convention?

Delegate McCabe: Mr. Chairman, if I understand correctly—I might be mistaken—I don't see anything in there where there were two or three motions made here yesterday, and I think there were two appeals from the decision of the Chair, and I would like to be clear on that point. I would like to see that those were inserted in the minutes. If we are going to have one thing picked out and picked to pieces let us pick them all. I want to have the minutes read again, to be clear on that point.

The Chairman: Yesterday's minutes?

Delegate Kleese: There were several instances where appeals were taken from the decisions of the Chair. They are not recorded and they were unnecessary, because they do not affect the revolutionary movement of the working class. They are just to take time.

Delegate McCabe: I would like to hear the minutes of yesterday's proceedings read, Mr. Chairman.

The Chairman: The delegate will be accommodated. It will only take a minute.

The following was read from the minutes of the session of September 23:

"Convention was called to order at 2 o'clock. A vote being taken on Delegate Richter's amendment, it was lost. Vote—Yes, 50; no, 543. A vote was then taken on the original motion, and it was carried. Vote—Yes, 386; no, 222.

"Nominations were made for the committee on constitution as follows: Daniel DeLeon, J. J. Kinneally, Vincent St. John, A. Maichele, D. McKinnon, E. J. Foote, L. M. Kohl.

"Delegate Kohl withdrew, and by unanimous consent the following were declared elected as the committee on constitution: Delegates DeLeon, Kinneally, St. John, Maichele, McKinnon and Foote."

Delegate Hannemann: There is something that I think is quite necessary to get down in those minutes. There was a motion made to seat those delegates of the Musical Union with one vote, and there was a substitute made to that motion, made by Brother Sherman, and there was an appeal taken from the Chair and the decision of the Chair was upheld. I do not see that in the minutes.

Secretary Trautmann: That is in there.
Delegate McCabe: That is the point I wanted to bring out.

Secretary Trautmann: The correction will be made.

Delegate McMullen: There was a roll call on that appeal.

Secretary Trautmann: Yes.

Delegate McCabe: Now, if I am in order, I wish to bring out this point at this place, that any time that some prominent delegate makes a motion here and it is duly seconded and not carried, there is a rule that they generally appeal from the Chair, if they want to, make a motion and it is ruled out of order or something of the kind. Now I say whether it is carried or defeated, let us have it on the minutes and in the record, and I am going to insist on that.

The Chairman: The Chair would like to say this: that he is as responsible as any individual delegate here for our not having a full report of all our proceedings. The Chair realizes that it is very hard for the Secretary to take down in long-hand every move during a meeting such as we have had. If there is no objection the Chair will rule that these minutes are endorsed as corrected by unanimous consent.

A LETTER FROM THE METAL AND MACHINERY DEPARTMENT

Chicago, Ill., Dec. 31, 1906.

To the Officers and Members of All Local Unions of the Department of Metal and Machinery.

Dear Sirs and Brothers, Greeting:—This department has waited patiently since Oc-

tober 6 for the decision of the Circuit Court, to whom St. John, Trautmann, et al., applied and received an injunction under false statements, to which our department answered and appeared in court ready for trial within three days after the injunction was served on the officers of our department, viz., C. G. Kirkpatrick and George J. Cannady.

Notwithstanding this fact, Trautmann, Edwards & Co., continuously asking for more time, in order that they might place in evidence more affidavits from the different self-styled "revolutionists" that apparently have not the slightest conception of what a working class, economic organization should be, their object being to revive the corpse of the old S. T. and L. A., which killed itself through the same tactics they were trying to expound in the Industrial Workers of the World, and from the same source the stench has been assailing the working class of this country in the past years, viz., No. 2 and No. 6 New Readé Street, New York, and now that they have been given their choice of time and place of battle-ground and have been squarely beaten at their own game, the injunction is dissolved December 29th.

We ask all local unions of the Metal and Machinery Department not to be carried away from the foundation we have laid in the metal industry by any new, wily tricks or cries of "grafter" and "fakir" in order to draw your attention in another direction, which Trautmann and St. John are trying to do. They have perjured themselves trying to smirch the character of honest men and have absolutely failed, and there may be individual members in some of our local unions that may be tainted with the same disease that has caused all this trouble through which we have just passed, and we earnestly request you to watch the men that are so overflowing with revolution that every one, except those who coincide with them, are "pure and simplers" or "grafters" or "fakirs." Those men are not working for Industrial Unionism, but are the mouth piece of the old S. T. & L. A., which has outlived any usefulness that may have brought it into existence, and such individuals should not be allowed to stand in the way of the progress of the Industrial Workers of the World, and we earnestly ask your local union to renew its energy and co-operate with the Metal and Machinery Department.

The time is here to organize the working class of this country and our duty is especially in the metal industry. This department has been somewhat handicapped in the last three months, being unjustly restrained by the injunction, which the judge acknowledged was erroneous and our department should never have been enjoined had the court known the true facts before issuing the same. But our hands are free now and your local union should take immediate action in getting their monthly reports and renewing their due books, as the latter expire December 31, 1906.

Notwithstanding the inconvenience to which we have been placed, the department shows a healthy growth in some parts of the country and we desire to thank the local unions that have stood so loyally by the department in time of need. We realize that they were placed at a disadvantage, not knowing the true situation of affairs at the convention, which only demonstrates more clearly to the Department of Metal and Machinery the sensitive points the membership has for Industrial Unionism and demonstrates that the foundation of our department cannot be torn apart by any individual or set of individuals that may self constitute themselves to do so without consulting the entire membership of our department.

Election of officers and a new Executive Board should have been held but, owing to the complications already mentioned, officers have not been elected as yet; but nominations will be called for immediately upon the receipt of a reply to the circular letter that has been sent out to all local unions from the Department Office, and election of officers will take place immediately, and in the near future we will be back to our normal condition.

In conclusion we urge all local unions that believe in a true, working class, economic organization to renew their energy and co-operation with the Department of Metal and Machinery.

I remain,
Yours for Industrial Freedom,
CHARLES G. KIRKPATRICK,
President of Department of Metal and Machinery, Industrial Workers of the World.

South Chicago, Ill., November 9, 1906.

Resolutions adopted at regular meeting of South Chicago Local No. 5, of the Transportation Department, Industrial Workers of the World, held November 5, 1906:

WHEREAS, President Chas. O. Sherman is at present engaged in a heroic legal struggle in defense of constitutional methods for the government of our organization, therefore be it

RESOLVED, That South Chicago Local No. 5 unanimously approves the stand taken by President Sherman and pledges its undivided support to him in this effort to establish his legal right to carry out the provisions of the constitution and to act in accordance herewith. Therefore be it further

RESOLVED, That a copy of this resolution, bearing the seal of the local, be delivered to President Sherman.

W. F. O'HERN, Recording Secretary.
F. D. BEANER, President.
GEORGE THORN, Financial Secretary.

Colorado City, Colo., December 1, 1906.

WHEREAS, We have read all the statements sent out by the different members and parties to the recent convention of the Industrial Workers of the World held at Chicago, and

WHEREAS, We recognize that wherever there is a controversy there is always a fault on both sides, and wherever there is a wrong there is a wrong to be righted, and that can only be done by abolishing the wrong, and

WHEREAS, We have investigated the matter and come to the conclusion that a number of mistakes were committed, first, by doing away with the office of president, second, by doing away with two regular organized departments without referring those changes to a referendum vote of the membership, and

WHEREAS, The greatest mistake made was that of going into a capitalistic court to carry out the many wrongs done, instead of referring the controversy to the membership for adjustment, and

WHEREAS, Laboring men must have learned long ago that the capitalistic courts are not for the correction of labor's wrongs, but for the oppression of the laborer, nor are capitalistic courts in existence for the purpose of building up labor organizations, but for tearing them down, now, therefore, be it

RESOLVED, By the Industrial Workers of the World No. 182, Colorado City, that we will not recognize any communication as official nor vote on any referendums sent out by the Trautmann faction, and be it

RESOLVED, That we stand by and recognize President Sherman as the legal and official head until his successor is duly elected and installed, or until such time that some vote.

H. HANSEN,
H. F. COURLEY,
FRED DUSTIN,
Committee.

Easton, Pa., October 23, 1906.

Mr. Chas. O. Sherman, General President, Industrial Workers of the World, Chicago, Illinois:


Dear Sir and Brother: Your several circular letters, relative to the existing trouble in the ranks of our organization, have been read in open meeting, and I will say that we stand as one man and will support you in your action on the righteous stand taken against the mob of "rule or ruin" element, as we believe was manifest at the Second Annual Convention of the Industrial Workers of the World. The gullibility of some people is indeed presumptuous, and it is well that you pass them by. We can see no place in the Industrial Workers for Social Anarchism. Better now bury the idea of such principle in the organization than later on bury the carcass of these disruptionists. Self-aggrandizement can only work the destruction of what many have assisted in building up; experience has taught us that lesson long ago. DeLeon and his associates have got a lesson in this controversy along those lines, which should stand them well in hand for all time to come. Their actions only serve to undermine the principles upon which future labor organizations must stand, and such men in the labor movement are as useless as a kite without a tail. Their principle is, "every man for himself, the devil take the hindmost." Sherman, McCabe, and all who have lived within the spirit of the constitution, we, the members of Local No. 29, stand by you and will so long as your cause be just. Understand me that way; let there be no room for disruptionists whatsoever, and all will come out right, harmony being the first stone in the foundation of any institution. 'Tis not well to make a mud ball a substitute for a block of granite; clean them all out and all that will follow. You will always have the support of honest men; the voice of the howlers will only re-echo in their muddled brains.

Wishing you success in your hour of trial; in a few days it will have passed away and you can march serenely on your way to success, and may good luck and prosperity attend you all, is the wish of Local No. 29.

Fraternally yours,
ELMER E. McCORNICK,
Financial Secretary-Treasurer,
S. SASSAMAN, President.

Seal approved.

LABOR IS ENTITLED TO ALL IT PRODUCES



INDUSTRIAL WORKER
Advocate of Industrial Unionism for the Working Class

OFFICIAL PUBLICATION OF THE INDUSTRIAL WORKERS OF THE WORLD, ORGANIZED AT CHICAGO, ILL., JUNE, 1905

PUBLICATION OFFICE, 203-205 WASHINGTON ST., JOLIET, ILL.

President
CHAS. O. SHERMANSecretary
WM. J. F. HANNEMANNEditor
WM. J. F. HANNEMANN

CONTRIBUTORS:

EUGENE V. DEBS. ERNEST UNTERMANN. W. D. HAYWOOD.
JACK LONDON. CHAS. O. SHERMAN.
A. M. SIMONS. JOHN M. O'NEIL.
WM. J. F. HANNEMANN

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The Editor reserves the right to refuse manuscript for publication.

JOLIET, JANUARY, 1907.

To the Membership of the Industrial Workers of the World

After nearly three months' delay the Circuit Court has acted on the injunction and the decision rendered resulted in the dissolution of the same. This permits the General Office to proceed with the business of the organization without any restrictions whatsoever. During the past three months the office of the Industrial Workers of the World has been open. The President and the Secretary have been in full charge, but the restrictions of the court injunction were such that only a limited amount of liberty could be enjoyed by your officers. We feel duty bound to thank all local unions which have supported the President and the Secretary in this contest financially and morally, and we are now pleased to announce that all restrictions hampering the work at headquarters have been removed. We are prepared to go forward with the work of the organization and no time will be lost in renewing the activity that was enjoyed by our organization previous to the issuance of this injunction.

It is now the duty of every local union to become active and assist the General Executive Board in not only reviving activity among the local unions, by securing new members, but by doing everything within their power to increase the interest in Industrial Unionism and help to organize all of the workers in their locality. Everything has been done by those who are responsible for the injunction, and who did secure it, to mislead the membership of The Industrial Workers of the World through false statements and false affidavits which were more or less of a blackmailing character. Many of our members may feel that we will be justifiable in using the same method, now that we are at liberty to do so, in attacking those who, through misrepresentation,

have attacked us, but we feel that our positions demand us to rise above such tactics. We feel that no good can come from a running debate and abuse. We recognize that these people who have tried to blacken the characters of your President and General Executive Board misrepresent the working class and we believe that we have a greater mission to perform than to try to belittle them in the eyes of their own class. We feel that even if they do use this weapon we cannot afford to do so, as our time can be devoted to a higher and a nobler purpose by educating the workers and the producers to the necessity of uniting their economic power into an industrial working class organization, such as The Industrial Workers of the World. If anything that has been said by those who have opposed the members of the Executive Board has caused some of our members or friends to feel that we are duty bound to answer our accusers in the same language with which we have been charged, we would ask them to relieve their minds of such a disposition and take into consideration that nothing is to be gained by the same.

The General President and the members of the Executive Board who took charge of the property of the organization and the general headquarters on the 4th day of October, 1906, did so, believing that it was their duty to protect the interests of the rank and file, and we wish to say to the rank and file that we accomplished all that we expected to. Headquarters have been kept open for business and we have tried to carry on correspondence with our local unions and keep them furnished with supplies to the very best of our ability, under the strained circumstances, so much so that we feel that no one has any reason to complain. We further wish to say to the rank and file that all of the property of the organization is at headquarters. Nothing has been destroyed or misplaced, but is intact just the same as when we took charge of the premises, and there will be no change until such changes are made by a referendum vote.

The Executive Board and the General President now feel that they have been vindicated from all wrong and are satisfied that they did that which the rank and file, as a majority, endorsed, as the records of this office show that the local unions passed resolutions in favor of the action of the Executive Board, and the Mining Department, through a referendum vote, has declared the action of the convention illegal and void and that the Executive Board did right in not permitting the machinery of the organization and its property to fall into the hands of a few unscrupulous men and women who sought, through force of power in the last so-called convention, for an opportunity to compel the rank and file to accept their deliberations without sanction. Your General President, Secretary and Executive Board will continue to do business for the organization until such time as their successors are nominated, elected and installed by the initiative and referendum. In the month of January there will be a call sent out to all local unions in good standing, requesting that they make nominations for President, Secretary-treasurer and members of the Executive Board. After such nominations have been received they will be printed on a ballot and the same will be furnished to each local union, giving them an opportunity to nominate and elect their representatives for the ensuing term.

The convention having been declared null and void by the majority of our members, through resolutions, passed by our local unions and the Mining Department, our

constitution will stand as the organic law of the organization until the same is changed by a referendum vote. In the month of January there will be a call sent out to all local unions in good standing, giving them an opportunity of offering amendments to the general constitution. After such amendments have been sent to headquarters by such local unions they will be printed under the name and the number of the local unions offering such amendments and the same will be compiled in pamphlet form and sent to each local union for them to vote on. By so doing the rank and file of The Industrial Workers of the World will endorse and put in force a real initiative and referendum. By this method new officers can be elected and the constitution amended and in force by April 1, 1907. This is the best that can be done at this time, under the circumstances.

And now that the smoke and dust of the battle are clearing away, we trust that we will get the undivided support of every member of The Industrial Workers of the World who believes in an economic working class movement, and, if we do, we are confident that within three months The Industrial Workers of the World will be pushing forward with its work of organizing the producers with a pace that it has never enjoyed during its whole history.

Owing to the enormous financial drain on the treasury, which was caused by this unwarranted legal controversy, for which your officers are not responsible, we trust that our local unions will realize the necessity of being prompt with their per capita tax to headquarters, as we desire to put organizers in the field as rapidly as the income will permit. We have in our office at this time demands from several districts for organizers, and it is our intention to furnish the same just as quickly as the finance will permit. The General President will be compelled to remain at headquarters for some weeks to get matters straightened out and assist the General Secretary in opening up a new set of books, as we feel that the books used by the Ex-Secretary should be closed and filed away for future reference. This will necessitate an extra burden upon the office. We feel, however, that it is necessary, under the circumstances, and we sincerely hope we will get the co-operation of every member of our organization.

Fraternally yours,

CHAS. O. SHERMAN,
General President, I. W. W.WM. J. F. HANNEMANN,
General Secretary-Treasurer.

A communication reaches this office from James Kirwan, acting secretary of the Western Federation of Miners, to the effect that the vote of the Western Federation of Miners on the question of the Industrial Workers of the World convention has been overwhelmingly cast condemning the action of the last so-called Industrial Workers of the World convention. The referendum vote not only condemns the convention, but repudiates Vincent St. John, who accepted the position as Executive Board Member in that convention.

It is estimated by the Technical World Magazine that fully 6,000,000 women, or one out of every five, are working for a living in this country. Another authority declares that one-half that number are employed in shops, factories and stores.—Appeal to Reason.

NOTICE.

To the Officers and Members of the Industrial Workers of the World and the Department of Mining, and Organized Labor in General:

Having noticed my name attached to the supposed Executive Board of the Industrial Workers of the World, in Bulletin No. 2 issued on October 15th by those who have been elected unconstitutionally as the officers of the Industrial Workers of the World, I take this means of informing you that I am not a member of that Board, neither do I recognize any of the same as officers of the Industrial Workers of the World.

C. E. MAHONEY,
Acting President W. F. of M.
—Miners' Magazine.

The following is a resolution passed at two meetings of Greenwood Local Union No. 311, Industrial Workers of the World, which sent Heslewood to the last so-called convention, repudiating the convention and repudiating Heslewood for his action. Heslewood is also a member of this so-called new Executive Board. This is evidence to the rank and file of the Industrial Workers of the World that the work done at the last convention has been overwhelmingly condemned by the rank and file and they practically endorse the action of the old Executive Board in taking charge of headquarters and preserving the property of the organization.

Resolutions from Greenwood, British Columbia.

Greenwood, B. C., November 24, 1906.

Editor Miners' Magazine:

Below please find copies of resolutions passed at recent meetings of Greenwood Local No. 311, Industrial Workers of the World:

Meeting of November 7. Moved and seconded that no action be taken regarding our convention recently held in Chicago, and that no remittances be made to either of the contending officials until we have received further information as to who is lawfully in control. Carried.

Meeting of November 21. Moved and seconded that be it Resolved, That the actions of our delegate in the recent convention of the Industrial Workers of the World at Chicago were not in harmony with the wishes of this union and were not to the best interests of organized labor; therefore we repudiate the actions of our delegate at said convention. Carried.

Yours fraternally,
JOHN BARCLAY, EDGAR W. DYNES,
Recording Secretary. President.
—Miners' Magazine.

The referendum vote of the Western Federation of Miners has been counted, relative to the legality of the acts of the convention of the Industrial Workers of the World held at Chicago from September 17th until October 4th. The referendum vote is overwhelmingly in favor of holding the acts of the convention illegal. Many of the local unions went on record protesting against any per capita tax being paid until the acts of the Industrial Workers of the World convention are taken up and discussed in the next annual convention of the Western Federation of Miners. The editor of the Miners' Magazine took the position that the Industrial Workers of the World convention had ignored the constitution and trampled under foot established precedents. The voice of the membership of the Western Federation of Miners has been heard and the position taken by the editor has been sustained.—Miners' Magazine.

REASON.

Reason, thou art supreme,
Thou art our God;
Without thy holy pow'r,
We're dust and sod—
Thou art the fount of truth and right;
Without thee there is night.
J. G. S.

Postmaster General Cortelyou has submitted his annual report which shows receipts for the year to be \$167,932,782.95 and expenditures, \$178,449,778.89. The deficit in the postal department amounts to \$10,516,995.94.

This deficit has caused some of our enterprising moneyed men to come together and submit a proposition that means placing the mail service of the country completely in the hands of a private party. The deficit will be used as a powerful argument against the continuation of "Uncle Samuel" conducting the mail service. But as long as the railroad companies can secure fat contracts with the government, through the political pull which these corporations exercise at Washington, just so long will there be a deficit. The railroad companies, through our "public servants," are able to maintain a hold-up and reap fabulous profits through the carrying of the United States mails. The postal department, as it is now conducted, comes very near being a private graft.—Miners' Magazine.

APPEAL TO ALL MEMBERS AND FRIENDS.

The United States Supreme Court has refused to release President Chas. H. Moyer, Secretary Wm. D. Haywood, and George A. Pettibone, of the Western Federation of Miners, from the Boise, Idaho, jail. This means that, since the above-named brothers, through their attorneys, could not force the prosecutors to give them a trial, there will be a long, tedious, legal struggle, and, without a doubt, an unlimited amount of expense attached to the same.

We, therefore, appeal to the local unions of the Industrial Workers of the World to take up subscriptions for the Defense Fund of the Western Federation of Miners, to assist in defraying the expenses of this legal contest. We request that all contributions be forwarded to James Kirwan, Room 3, Pioneer, Bldg., Denver, Colo.

The following is what the Miners' Magazine has to say on the Supreme Court decision:

Constitutional Rights.

"The Supreme Court of the United States has refused the application for habeas corpus in the case of Haywood and Pettibone, the two labor leaders, accused of complicity in the murder of the governor of the state of Idaho."

The above from the press dispatches of December 3, should remove from the noddle of the working class the last remnant of superstition about their constitutional rights. The mask has now been stripped from this hoary old subterfuge and its true worth may be seen by all men.

Upon the mere presumption of crime based upon the reckless assertion of some irresponsible degenerate, a working man may be dragged from his bed and disposed of to the satisfaction of some capitalist interest against which he may have offended, without any violence being done to his "constitutional rights." He may be denied a trial for such length of time as may suit those at whose instigation he has been seized, without infringing upon any "rights" he possesses, or even knocking a sliver from the moral and ethical code of this most glorious civilization.

The Socialist has dinned into the ears of the workingman the living truth that no man or class has any rights whatsoever if he or they have not the power to defend at any moment and against whatever odds. But his counsel has too often fallen upon deaf ears. In whatever manner the Socialist may fail in his teachings, the ignorant and brutal ruling class may always be relied upon to come to his assistance with uncontrovertible evidence to back up his assertions. The treatment accorded Moyer, Haywood and Pettibone at the hands of the brutal officials of Colorado and Idaho, and now by the Supreme Court of the United States, gives ample proof that the question of rights is, in the last analysis, purely a question of power, and constitutional rights and guarantees mere "Mother Goose" melodies intended to lull ignorant asses and weak-minded nincompoops to sleep. Although they would not accept this version of it from the Socialists, a few more lessons from this august (?) Supreme Court will doubtless enable some of the aforesaid asses and nincompoops to grasp it.

In setting the seal of its approval upon the kidnaping of these men and their incarceration for now almost a year in jail, the Supreme Court has demonstrated beyond the shadow of a doubt that it is just as honorable and august a body as the dirtiest, slikiest, and most contemptible Police Court on top of earth. And not a whit more so either. In stripping the mask from its own ponderous and vulgarly humbug character, it is likewise reducing to nakedness the disgusting hypocrisy, sham and pretense of the entire "constitutional" farce and swindle. Standing naked before him, the workingman may be able to discover his constitutional rights to be but the figment of his own disordered fancy, and his alleged constitutional guarantees falsehoods of the coarsest texture.

No living thing possesses rights unless it likewise possesses the power to protect, defend and enforce such rights. That the working class possesses rights under the rule of capital is a lie. The workers possess, at present, a few privileges by grace of the ruling class, but even these may be taken away at the discretion of the rulers. The constitution of no country on earth is worth the paper upon which it is written. Whoever, or whatever, class may be in power will override its provisions whenever the protection of material interests demand that it be done. Just as the ruling class of the United States abrogates the constitution in dealing with its offending slaves, so should the aroused slaves abrogate it in dealing with their brutal masters, when the day of their triumph comes, as come, it will.

That which a ruling class finds necessary to do at any given moment becomes constitutional and lawful irregardless of any previously concocted ponderous and soporific phrases on parchment, provided that ruling class has the power to enforce its decree. The same holds good in regard to the working class. The workers possess no rights, not even the right to life itself, unless they at the same time possess the power to make good. The conduct of the officials of two states against the officers of the W. F. M. has proclaimed it to the world. The action of the Supreme Court has affirmed it. It is now up to the workers to bow in meek submission to the mandate or make up their minds at once that they have got to fight. That fight must be "war to the knife, the knife to the hilt," and no quarter. Let the workers remember that the denial of the supposed constitutional rights possessed by Moyer, Haywood and Pettibone has not been aimed directly at these men. It is a notification to the workers as a class what sort of medicine they may expect to be dealt out to them in the future. It is an absolute denial of the assumption that workers have any rights that a thieving ruling class is bound to respect.

Now you workingmen of the United States that the gauntlet has been thrown down to you, what are you going to do about it? There is but one of two things you can do. Either accept the challenge, sling your defiance into the face of the contemptible thieves that rule over you, Supreme Court and all, and give notice to them that you purpose to break their power to longer rule and robe you, even if it becomes necessary to crack every one of their dirty necks; or bow your slavish necks to the yoke and forever after hold your tongue. In other words, be men or slaves. "Constitutional Rights?" Bah!—Western Clarion.

Eight Hour Day Established in the Black Hills.

The miners of the Black Hills are jubilant over the victory of an eight-hour day. South Dakota has taken her place among the older states and territories, where the Western Federation of Miners has brought about the shorter work day. The Black Hills Daily Register has the following to say editorially:

"There is an old saying that 'good things come in small packages,' but this ancient saw was all shot to pieces yesterday afternoon when Superintendent Grier of the Homestake Company called in the heads of the blacksmith shop, machine

shop, foundry, mills, etc., and after a short conference with them, made the announcement that, commencing January 1, 1907, the employees in all departments of the Homestake would work an eight-hour day.

"This was the greatest and most gratifying surprise party ever headed out in the history of the company, and the men benefited by it are as well pleased as it is possible for mortals to be."

"While this was the all-absorbing topic on the streets last evening, the announcement came that the committee appointed by the Lead and Central City Miners' Union to settle with the superintendent the details of the eight-hour proposition had completed their labors and that everything had been arranged to the satisfaction of all concerned. Thus the inauguration of the eight-hour day in the Black Hills passes into history."

The union committee consisted of T. J. Ryan, Ed. Shiman and Harry Downing of the Lead Union, and Axel Erickson and Pat Girley of Central City Union. They conferred with Mr. Grier at the Homestake office at 7:30, and the settling of minor details required less than thirty minutes' time. The matter of going down the shaft on company's or miner's time was brought up and a compromise effected whereby the miners will start down the shafts ten minutes before actual working time. Under this schedule the day shift will start down at 7:50 a. m., take half an hour for dinner, which will be eaten in the mine, and come up at 4:30 p. m. On the night shift, start down the shaft at 6:50 p. m., and come up at 3:30 a. m. These hours also apply to open-cut men and those about the shafts, top men, crusher men, etc. The hours were selected by the committee and were readily granted by Superintendent Grier. The conference was a most pleasant one and all parties concerned are satisfied.—Miners' Magazine.

GENERAL NOTICE.

Now that the injunction has been dissolved by the Circuit Court and business at headquarters is going forward as usual in order to clear the minds of some of our readers who have been misinformed as to some conditions that exist in the Industrial Workers of the World, I wish to make the following statement:

When I represented the United Metal Workers' International Union as a delegate at the convention of the Industrial Workers of the World, in July, 1905, I represented over 3,000 members; they were installed on the basis of 3,000 members. At the recent so-called convention, where they pretended to dissolve the Metal and Machinery Department, on the grounds that it was illegally installed, the minutes of the convention show that I took the floor and asked the convention to appoint a committee to examine the books of the Department of Metal and Machinery, where they would learn that my statement was correct and that there were over 3,000 members installed in the Industrial Workers of the World at its first convention. The convention did not appoint such committee, nor did not investigate the books of the Department of Metal and Machinery to determine whether my statement was true or not.

I further wish to state that it has been misrepresented to the rank and file that I, as President, had refused the membership of the Department of Transportation the referendum vote. I not only favored the recommendation made by the Executive Board of the Industrial Workers of the World to the Executive Board of the Transportation Department that they put out a referendum vote on the question of dissolving their department, but I personally recommended to the Chairman of the Transportation Department to use his good office with the members of his department and get them to put out a referendum vote. This was as far as my authority reached in the department, and it was all that any one could do.

I make these statements that the rank and file may know the absolute position I occupied in the past.

I beg to inform the readers that the Metal and Machinery Department is intact. They maintain their separate office, set of books and elect their own officers by referendum vote, and the department was never in a better condition than it is now; the prospects for the future are brighter than any time since the formation of the Industrial Workers of the World.

Respectfully submitted,
C. O. SHERMAN.

ORANGE, CALIFORNIA.

Mr. Chas. O. Sherman,
President, I. W. W., Chicago, Ill.,
Orange Mixed Union No. 841.

Dear Comrade and Fellow Worker:
The report for the month of September was withheld for a length of time awaiting the action of the convention, as we anticipated some treacherous action on DeLeon's part, and not caring to contribute to a movement dominated by him, and have held our dues back, awaiting some advice from headquarters.

The Executive Board are congratulated in their wise move and are assured the hearty and undivided support from local No. 841.

Wishing the board the success they deserve in their fight with this band of unscrupulous adventurers, we are,

Yours for the revolution,
(Signed) G. A. WITTEBER,
Secretary Local Union No. 841.

LABOR BRIEFS.

By Teofilo Petriella.

The acts of the second convention of the Industrial Workers of the World are null and void. The convention was unconstitutionally organized and fraudulently conducted. The fake was a little too brazen to be recognized as legal by any good standing member of our organization.

The interests of the capitalist class and those of the working class are irreconcilably opposed. In accepting this principle we give the lie to the principle dominating the trade union which, in spite of the bitter experience of the daily life, still claims that the interests of the two classes are identical and harmonious.

We are always delighted to file in our waste paper basket the explosive epistles addressed to this office by the imported Indian mice of the immortal Chicago convention. The illustrious masticators, once back home, have started to register a kick against us, who, they charge, prevented them from continuing a little longer the pleasant jolting around the free-lunch counters of the Chicago saloons.

When the Chicago consistory canonized Pope Dan, the capitalist lackeys, foraging to fill the pages of the so-called labor journals, shouted to the echo that the Industrial Workers of the World had died in its birth.

The Industrial Workers of the World, we take the pleasure to state, is alive and fighting. The clumsy plots of trained disrupters and the court's injunctions, as well as the base slanders of craft unions' hirelings did not and will not kill our union. Industrial unionism, as it is integrated in the present organization, is bound to march and win, with or without the approval of the hired scribblers of the "friendly journals."

The trial of Cornelius P. Shea, the president of the International Teamsters' Union, has been a deadly blow to "the labor leader." It is coming to light that Mr. Shea, to fatten his own pocket-book, misled the disastrous strike of 1905.

There is something terribly contemptible about a leader who will betray his followers for personal profit. But recent developments have shown that in the world of labor, Shea is not the only one who has done this. The history of the strikes in the last ten years is an eloquent witness of the fact that the labor leaders in most of cases are despicable scoundrels, and the only remedy is for the workers to do away with all of them.

A leader can do more harm to his organization than all the open enemies of organized labor in the land. When this has been understood the workers will realize likewise the danger of so many separate unions and the necessity of one great organization without leaders and without craft divisions.

The passing of "the labor leader" will mean the passing of the selfish organization which he endeavored to keep isolated in order to perpetuate his position and to further his individual interest.

There is not a man in the ranks of labor in this country who is not dominated by a paid agent, but is in hearty accord with this movement; not one member of the rank and file; on the other hand, there is not a salaried officer, president or secretary-treasurer of any of the International organizations, who has a soft snap like I have got, but is opposed to this movement, because he knows that it is going to take away his job, or a number of them will lose their jobs.—W. D. Haywood.

The supreme court of Massachusetts, in a decision, handed down on October 23, has affirmed that "one union may legally combine against another union, even to the point of disaster to the union combined against." The decision comes in a case which grew out of a dispute between the stonecutters and the stonepointers employed by a Boston contractor. The cutters demanded that the employer dismiss the pointers who had refused to join the cutters' union. The pointers thereupon secured an injunction against the cutters, and the latter carried their appeal to the supreme court. An effect of the decision is that a sympathetic strike is not legal, for, the court says, unless there is direct trade dispute between the parties involved in the strike, it cannot be admitted to be lawful.

In other words, the decision of the rotten Massachusetts court is in favor of craft unionism and craft strike, and against industrial unionism and industrial strike. To perpetuate the brutal reign of greed the workers of a craft or trade must fight the workers of another craft or trade

in or out of the same shop or industry, but they are not allowed to unite and fight the common exploiters. When one trade or section of trade goes on strike, the other trades or sections of a trade, in the same industrial department, must remain at work and thus help the employers to defeat the efforts of their brothers out on the street.

Corporate courts understand better than labor leaders the fact that Industrial unionism and united action make stronger those fraternal ties which, binding together the underpaid slaves, will march them to the rescue from the yoke of capitalist exploitations.

The great Napoleon of trade autonomy in this country has proclaimed that the trade union is after "more and more and more." More what? I presume more prosperity like the textile workers got in Massachusetts; more banquets like the Civic Federation tenders to the harmony and identity of interest promoters who are struggling to bring about the brotherhood of labor and capital, and more injunctions from the judicial factories of the federal courts. This is the kind of "more, more and more" that Christ got when craft treachery culminated in his crucifixion on the Calvary.—J. O'Neil.

Industrial unionism seeks to organize the workers into a union which is designed to embrace every industry in the land. What we aim at is not a trade, but a class union; not a loose federation of craft unions, but a single union under a single constitution, and composed of industrial departments, each of which shall include many and closely related grades of labor. Under such form of organization an injury to one would be regarded as an injury to all, and rightly so.—E. S.

GENERAL NOTICE.

The general office of the Industrial Workers of the World is located at No. 148 W. Madison Street, Chicago, Ill. No change has been made in the address. Chas. O. Sherman is general president and Wm. J. F. Hannemann is general secretary-treasurer.

The universal membership book of the Industrial Workers of the World has not been changed in form or color. Any one presenting a membership book in any other form or color than the original universal membership book should not be recognized as a bona fide member of the Industrial Workers of the World.

To All Members of Local Unions and Friends of the Labor Movement:

This is to certify that all organizers' credentials have been called in and all credentials issued previous to January 1, 1907, are null and void and should not be considered as issued from authority. New organizers' credentials shall only be recognized when signed by the President, which are in printed form on red cardboard.

Headquarters is well stocked with all kinds of standard supplies for our local unions and we are prepared to fill orders on demand.

To All Subscribers of the Industrial Worker:

As the Industrial Worker, through force of a court injunction, was compelled to suffer a temporary suspension, no issues were printed for October, November and December, 1906, but every subscriber will receive three months' subscription in excess to their time-limit on "The Industrial Worker."

HISTORY OF AN INJUNCTION

A temporary injunction was issued by Circuit Court Judge Honore, without giving notice to the defendants, upon prayer of St. John, Trautmann Injunction Co., against Sherman, et al., on October 6. Hearing set for October 10 to show

why the injunction should not be made permanent. Attorney Seymour Stedman, for the defendants, Sherman, et al., pointed out how the complainants, St. John, et al., had secured the temporary injunction through misrepresentation by stating that Sherman, et al., had broken into headquarters of the Industrial Workers of the World, whereas it was proven that Sherman, as President, had a key to headquarters and entered in the usual peaceful way and took and held headquarters to safeguard it in the interests of the rank and file of the Industrial Workers of the World. Thereupon, Judge Honore, being in doubt as to whether the injunction was regularly issued, referred the case to Master in Chancery Mason, who was instructed to hear all affidavits and render his report, with any recommendations he may see fit to make, to Judge Honore, as to whether the injunction shall be continued or dissolved.

The first hearing was set for October 17, but postponed by mutual consent of both sides to begin on October 26, on which date the hearing was again postponed by request of Master in Chancery Mason to begin on November 1 on which date session commenced at 10 a. m., took recess from 12 to 2 o'clock noon, adjourned at 5 p. m. to meet on November 5 at 3 p. m., on which date session continued from 3:30 to 6:30 p. m., adjourned to November 6 at 4 p. m., on which date session continued from 4 to 6 p. m., adjourned to November 10 at 3 p. m., on which date session continued from 4 to 5:30 p. m., adjourned for final session to Tuesday, November 13, at 7 p. m., on which date session continued from 7 p. m. and closed the hearing at 9 p. m.

On December 18 the master notified counsel on both sides that his report was ready and would receive objections thereto up to 10 a. m., December 21. The report as finally submitted was delivered to counsel for C. O. Sherman, et al., Seymour Stedman, same recommending that the injunction be dissolved; the following are extracts from the report:

"He describes the form of organization with headquarters at 148 W. Madison Street, Chicago, Ill.; describes the officers and how elected; the Western Federation of Miners having nearly half the membership of the Industrial Workers of the World, adopted the constitution of the Industrial Workers of the World by referendum vote; the attempted abolition by the second convention of the office of General President was void, because unreasonable and attempted abolition of the Department of Metal and Machinery was void, as the doctrine contended for, that the same body which can make by-laws can also amend them has limitations and the amendments must be reasonable and they cannot interfere with or divert established property rights; furthermore, nearly half the membership, to-wit: Department of Mining, adopted the constitution by referendum vote, it may be doubted whether the amendments to the constitution will be in effect before they are also adopted by a referendum vote.

"I believe that the court should not interfere in this matter for the reason that it appears from the affidavits, and I so find the fact to be, that a majority of the membership favor the defendants, Sherman, et al., and support their claims. I find, further, that as the defendants were in possession of the office and property prior to the filing of the bill of complaint, the mandatory injunction prayed for should not have issued; in our practice the writ of injunction is only called into use to afford preventive relief. It is never employed to give affirmative relief or to correct wrongs and injuries already perpetrated or to restore parties to rights of which they have been deprived; he quotes precedents; this is a case in which a court of equity should not intervene, but should let the membership settle the matter in dispute; as to the claim made by the complainants that the injunction has been violated by the refusal of the defendants to give them possession of headquarters. I respectfully recommend that the court take into consideration the fact that said injunction is in effect mandatory, that it should be dissolved and that it was issued without notice. In conclusion, I respectfully recommend that the preliminary injunction heretofore issued herein be dissolved forthwith."

The report was delivered to Judge Honore on Friday, December 28, and after a hearing of three hours and twenty minutes, during which time D. K. Tone, counsel for St. John, Trautmann and DeLeon Injunction Co., used all possible means as misrepresentation and subterfuge to have the injunction continued, while Seymour Stedman, of Soelke & Stedman, counsel for the Industrial Workers of the World, refuted and successfully argued that the injunction should be dissolved, the Judge announced that he would render his decision within twenty-four hours, which was done on Saturday at 2:15 p. m., December 29 at which time the injunction was dissolved.

TO THE MEMBERS.

In the month of January a circular letter will be sent to all local unions, giving them an opportunity to offer amendments to the constitution. All unions over two months in arrears for capita tax will not be eligible to offer such amendments, and we would recommend that the local unions send in their monthly reports and those who are in arrears square up in order to be able to participate in the amending of our constitution.

SOME INTERESTING CORRESPONDENCE AND RESOLUTIONS

The following copies of a letter and resolutions have been sent to the Miners' Magazine, with the request that both be published:

Mr. Louis Ritch, 1322 N. 21st Street, St. Louis, Mo.:
Dear Sir and Fellow Worker: I beg to inform you that the resolution of Shoe Workers' Local Union No. 90 of St. Louis, was placed before the Executive Board for their consideration. The decision of the Executive Board was that the voluntary collections at the meetings belonged to the defense fund as a whole and that the \$50 advanced to the St. Louis Council must be returned to this office, and should be paid from the funds that were created from other sources other than voluntary contributions of your meeting. With best wishes, I am fraternally yours.
(Seal.) C. O. SHERMAN
General President, I. W. W.

Resolutions.

Whereas, on July 29th the Industrial Workers of the World of St. Louis had a mass meeting with E. V. Debs as principal speaker; and
Whereas, We charged an admission fee of 10 cents to defray the expenses; and
Whereas, A collection for Moyer, Haywood and Pettibone to the amount of \$106 was received from the audience, with assurance that it would be used to help free our imprisoned comrades, where they are held charged with the murder of ex-Governor Steunenberg; and
Whereas, the Central Council of St. Louis asked General Secretary Trautmann to advance them \$50 to pay expenses; and
Whereas, after said meeting said council asked said General Secretary to permit that body to keep said \$50 to be used for organizing purposes, the General Secretary Treasurer through a letter to the Industrial Workers of the World council stated that they could keep the \$50 and he would take same out of the \$106 collected by the Industrial Workers of the World mass meeting July 29, 1906; and
Whereas, the council allowed the sum of \$30 to be paid to W. W. Cox, a member of the council, for past services as organizer, therefore, be it
Resolved, That we, the members of Local No. 90, composed of Shoe Workers, condemn the above action and protest same to the general Executive Board, as we believe that all money collected to defend our comrades should be used for that purpose only; and be it further
Resolved, That a copy of these resolutions be sent to the Miners' Magazine.
(Seal.) LOUIS RITCH, Secretary.
Miners' Magazine.

Editor of "The Industrial Worker":—

I should like to make a brief reply to the falsehoods printed in the September number of "The Industrial Worker." For unblushing effrontery and malicious mendacity this number exceeds everything I have yet seen. I suppose that you will refuse to print this letter, as you prefer to keep the facts from your readers, but if you have any sense of decency or fairness you will not refuse this communication.

The editor of "The Industrial Worker" has lived in Milwaukee and knows the nature of the Social-Democratic movement here, yet he wilfully misrepresents the character of this movement and claims that its organ, The Social-Democratic Herald, "supports capitalist candidates on election day." This he knows to be a slander, yet to gain his ends he calumniates the best Socialist movement in the country. Are these Socialist ethics?

He knows that he is deliberately falsifying facts when he charges that one of the most self-sacrificing comrades in the movement, Victor L. Berger, has lived upon the labor movement and "enjoyed a surfeit of leisure." He is personally aware that this is an outrageous calumny. Comrade Berger has spent on the movement all the earnings that he had laid up, and all that he had received from his parents. He has made more financial sacrifices in proportion to his means than perhaps any other Socialist in America, and no other Socialist in the country has worked harder for the cause than he. This the readers of "The Industrial Worker" do not know, but its editor, A. S. Edwards, knows it, and yet publishes these falsehoods against a true and tried Socialist, who has done as much to build up the Socialist movement as any one man in America.

Just for one example of this shameless falsification of facts, take the legend that Berger owns "a summer cottage" where he "can retire and recuperate." The fact that Comrade Berger and some other Socialists rented an unplastered cottage in the country for one month, and the fact that his mother-in-law left a vacant lot on the lake there to his children, was basis enough, it appears, for you to build this tale upon. This legend which your readers will probably swallow whole, as they have no means of ascertaining the facts from your columns, reminds us of the charge which the S. L. P. organ used to bring against Comrade Debs of

traveling on railway passes. Evidently, consorting with the DeLeonite party has corrupted the methods of the editor of "The Industrial Worker."

The same process you pursue in your comments on Warren's contemptible effusion against Comrade Berger in the Appeal to Reason. You entirely ignore the fact that Warren was shown to have printed FORGED EXTRACTS purporting to have appeared in an editorial by Comrade Berger. Surely nothing so disgraceful ever appeared in the Socialist press of any country as these forgeries foisted upon Comrade Berger by a brother Socialist editor. But you make no allusion to these forgeries in your reply. Why? Because you wish to keep your readers in ignorance of the facts.

Equally contemptible is your charge that Comrade Berger has no visible means of support. Comrade Berger's means of support are a modest and well-earned salary as editor of the Vorwaerts and the Wahrheit. The circulation of these papers is larger than the circulation of any other German paper in the country, except the New York Vorwaerts. But not content with slandering individual Socialists, you take pleasure in knocking the Socialist papers which are doing such valuable propaganda. Is this the way in which you serve the cause of Socialism?

Surely, it is no disgrace to earn one's bread and butter in an honest way, either in or out of the movement. But is it an honest living which a man obtains by changing his opinions in order to get a salaried position? We should like to ask the editor of "The Industrial Worker" a few pertinent questions. Was he not a colonist when in 1898 he came in a van to the Chicago convention of the Social-Democracy of America? Did he not abandon his colonist ideas and the Ruskin colony when offered a salary as editor of the national organ of the Social-Democracy? Again in 1905, was he not opposed to the Industrial Workers of the World up to the time of his becoming editor of "The Industrial Worker"? And did he not whip about with remarkable agility as soon as the salary of that paper was dangled before his nose?

We fear "The Industrial Worker" must be in its last throes when it has to resort to such desperate lies as those which we have indicated above. But in any case, if the cause of the Industrial Workers of the World is a good one, it cannot be advanced by such atrocious calumnies against some of the best and most unselfish men in the Socialist movement. The rank and file of the Industrial Workers of the World should insist upon decent methods and at least some degree of truthfulness on the part of its official organ.

E. H. THOMAS.

Milwaukee, Wis., Sept. 12, 1906.
[The above letter is printed in this issue in justice to its writer; the policy of the Industrial Worker is to omit all reading matter on personal fights between individuals, therefore, all matters of such character will be rejected hereafter, and the above letter will close this controversy.—Editor.]

A short time ago, when wages were increased, the subsidized press paid glowing tributes to the generosity of employers, but since the necessities of life have soared skywards, the wage slave has come to the conclusion that this increase of wages has added but little comfort to the habitations of the working class. An increase of wages will do but little good, as long as the mercenary vultures can take away the "increase" by raising the staple articles which the working people must have in order to work and live.—Miners' Magazine.

New York, October 15, 1906.
Chas. O. Sherman, President.

Dear Sir and Brother:—Everything here is going our way. All the silk workers' locals are with us. I was at meeting of No. 176 Friday night; they endorsed your action and elected five delegates to Industrial Council. We recognize no locals here who voted against constitution; all S. L. P. locals are ignored; we want no more to do with them. All officers elected by referendum of Council are in New Council, with the exception of Augustine; we don't want him after his action in convention. The engineers nominated officers as per communication from General Office. You are nominated for your old office, Hannemann for Secretary-Treasurer, Dumas of silk workers and myself on the Executive Board. They also send on some money, advance of per capita tax. No more DeLeonism for them. The Firemen's Local, the Bridgemen's Local, the Machinists' Local of Brooklyn, the Musicians, the Building Employes' Local, and all locals not S. L. P. are with us in New Council. We are out every night at meetings; we will give you 50,000 members in six months.

Well, I suppose you hear how things are going on here. The S. L. P. had a meeting Thursday night back of a bar room; passed all kinds of resolutions, denounced you, and of course myself; we were everything but honest. They did not represent 250 members; they brought in the Jewish Council and installed them with sixteen votes.

They got everyone they could to go with them. When they began to abuse the members of the Industrial Workers of the World most of the people present left the hall; they called it a meeting of Industrial Council; I do not recognize those people as members of the Industrial Workers of the World any longer and will not while President of Industrial Council. All the bona fide locals are with me in this decision; they will not have any more to do with them. We have 90 per cent of the members and they will not stand for the action of last convention. They want constitution lived up to; no fakirs to carry constitution to suit themselves will suit the people here in New York. It must be straight goods and referendum on all important matters.

Go on, Sherman, we are with you to a man. Down S. L. Pism for all time in the Industrial Workers of the World. We can't stand for it.

With best wishes to yourself, Hannemann, and all true workers, I remain,

Yours fraternally,
WM. KEOUGH,
President Industrial Council.

No. 116 Waverly Place.

INDUSTRIAL WORKERS OF THE WORLD HOUSECLEANING

Chicago, Ill., Oct. 27, 1906.

When in July, 1905, the first convention of the Industrial Workers of the World was held, at which time the then defunct S. T. and L. A., claiming to be a union of wage workers was installed as separate locals of the Industrial Workers of the World, the belief of all delegates of the convention was that these people had dropped their crazy, mud-throwing, destructive tactics of the past and would, by contact with true industrial unionists, acquire and apply methods by which the working class will be organized along class-conscious revolutionary lines, without affiliation with any political party or having any political or religious test for admittance, revolutionary by the fact that we turn the old way of organizing by crafts upside-down and organize by the new and successful way on industrial lines; class-conscious by the fact that, having realized that the capitalist class oppresses the working class, we, the workers, forming ourselves into industrial unions so that we can successfully combat our oppressors, thereby becoming conscious that we belong to the great working class; no political affiliation, as we are now in the organizing period of the industrial union movement, our motto being "educate, agitate and organize," which must be done without any political test if we are to be successful as experience has taught us in the past; when thoroughly organized then the time for political action as an organization will be properly considered. In the meantime we can safely leave it to each individual member of an industrial union to find his way to the ballot box on election day and deposit his ballot for men who truly represent the working class; but alas! the grand expectations of those true-hearted working class delegates have not realized but instead, as was predicted by those who knew by sad experience of the treacherous rule and ruin policy of Daniel DeLeon and his followers, it has developed that the real work of Daniel DeLeon was to try and destroy the industrial union movement by a roundabout way, first abolishing two of the three departments and the office of President of the Industrial Workers of the World and the Mining Department outright, and then destroy, by the well-known capitalist method of division through creating dissention in its ranks, the power of the Mining Department, the W. F. of M., that loyal and true working class organization that has successfully fought the capitalist class in many a battle and continues in its grand mission of helping the working class to emancipate themselves from the thralldom of wage slavery, it now being plainly evident that the ultimate aim of these would-be, class-conscious r-e-v-o-l-u-t-i-o-n-a-r-y workers was to gain control of the Industrial Workers of the World by the above-named tactics, and use it as a means to revive the corpse of the Socialist Labor Party, which died by its own hand as it contained the seed of its own destruction, which was the seed of discord and disruption, and then for as long as it would last to use the Industrial Workers of the World as a tail to the S. L. P. kite of D. DeLeon and his Daily People followers, whose minds have been poisoned with the "Mud-hole" Gazette stock in trade, ready-made slandering expressions, grafters, fakirs, reactionists, traitors, etc., to be hurled upon those who do not believe as they do without a thought of truth or reason.

The great majority of the rank and file of the Industrial Workers of the World do not want their organization to become disorganized, disrupted and made useless. Hence, a housecleaning is taking place at this moment, which had to

come, and the S. L. P., class-crazy, disrupting element is preparing to leave the Industrial Workers of the World to go it alone, so as to quicker pass into everlasting oblivion, as the S. L. P.'ists have made their last stand in the labor movement when they, in July, 1905, sneaked into the Industrial Workers of the World band-wagon by falsely stating it had a membership of 1400 dues-paying members, when they had actually at that time within several months prior to the convention gathered together some 800 deluded, class-crazy individuals to make up a strawman membership, and now stand convicted of having attempted to commit the greatest crime ever invented by the human brain of trying to disrupt the Industrial Workers of the World; but their scheming and treacherous attempt has proven a failure, as the watchful eyes of the growing class-conscious rank and file of the Industrial Workers of the World, through its trusted and ever-alert officers, have taken steps to prevent its consummation. Hence, the Industrial Workers of the World will emerge, after the house-cleaning, into a clear atmosphere and continue to carry out its mission of organizing the working class into an industrial organization that will stand like a phalanx against organized capital in our battles for the abolition of wage-slavery and the establishment of the co-operative commonwealth, thereby carrying out the next step in the evolution of society.

W. J. F. HANNEMANN,

Secretary-Treasurer, Industrial Workers of the World.

THE SITUATION IN NEW YORK CITY

To define the situation in New York City so that it may be clearly understood necessitates a little history of the past year. It became evident to the delegates of the New York Industrial Council, who represented bona fide locals with a solid membership that the locals transferred from the S. T. and L. A. and those organized during the past year, having an average membership of twenty-one, as the Cap Makers' No. 177, composed of members of the S. L. P., were endeavoring to do all possible to make the Industrial Workers of the World a means for reviving the corpse of the S. L. P., to-wit: When the word was flashed across the continent that Brothers Moyer, Haywood and Pettibone had been kidnaped in the dead of night and deported to the state of Idaho, the S. L. P. element in the New York Council prevented the carrying out of a movement to organize the working class of the city of New York in one grand demonstration to protest against the capitalist attempt to take the lives of our brothers in the West, to thereby show our oppressors the solidarity of the working class under such trying conditions. But, alas! under the plea that if the Industrial Workers of the World would jointly with other bodies, like the S. P. locals and organizations friendly toward the S. P., arrange mass meetings and demonstrations, we, the Industrial Workers of the World would have to submerge our name Industrial Workers of the World, which the S. P. and the A. F. of L. want to do. On the other hand, those who advocated solidarity of the working class held that this was a time for action and hence no room for open advertising of our name, or any other name, but the essential issue being the liberation of Brothers Moyer, Haywood and Pettibone, under the banner of the United Working Class of New York City. But as the Council was organized with a representation of two delegates for the first 100 members or fraction thereof, an additional delegate for each 100 members or major fraction thereof up to 400 members, and not more than five delegates from any union, the small twenty-one-member S. L. P. locals, each having two delegates, outvoted the large 100 and 500 member locals like the Engineers No. 120, Musicians No. 41 and Silk Workers' No. 176; as the S. L. P. plan was to have many small locals under their control with two delegates each, which plan the bona fide locals would never adopt. In other words the twenty-six S. L. P. locals with a membership of 538, had fifty-two delegates, as against the bona fide industrial unionist locals with a membership of over 1,696 had thirty delegates, therefore the S. L. P. plan of holding united—beg pardon—we mean disunited, separated demonstrations were carried and thereby practically excluding all labor organizations except those directly under S. L. P. or anarchist influence, which led to the S. L. P. controlled New York Industrial Council to issue scurrilous attacks against the S. P. of local New York, and hence making impossible a united demonstration of the working class of New York City, and on the surface making it appear that the Industrial Workers of the World of New York City was an S. L. P. organization. The S. L. P. element in the council circulated leaflets purporting to be Industrial Workers of the World, but also contained advertisements of the S. L. P.

Labor News Company and the S. L. P. at the mass meetings held under the auspices of the Industrial Workers of the World, thereby keeping away all those who do not agree with the S. L. P. tactics that disrupt and ruin wherever they are in evidence. The S. L. P. element attempted on March 27 to attach the Industrial Workers of the World Council to the tail of the S. L. P. kite in their annual May 1st demonstration, but by the strong protest of Delegates Keough, Traynor and Smith of Engineers' Local No. 120 and Bickelmann, Baumgartner and Schomber of Musical Union No. 41 and others, the S. L. P. element did not dare to force their position in this case as it meant compromise with the S. L. P. At the present time, the bona fide locals of New York City, representing over 1900 members, holding the charter of the council, are carrying on the work of the New York Industrial Council with the regular officers elected by referendum vote: Wm. Keough, President; Chas. E. Jones, Treasurer, etc., excepting P. Augustine, ex-Financial Secretary, an S. L. P. union disrupter who was expelled from the council which does not recognize any S. L. P. local that voted against the constitution of the Industrial Workers of the World, all S. L. P. locals being ignored as they want nothing to do with them.

The S. L. P. locals had a meeting Thursday night, October 11, in the rear of a bar room, passed all kinds of resolutions, denounced National President Sherman and Council President Keough, branding them everything but with honesty. They did not represent 250 members. They brought in the S. L. P. Jewish sub-council and installed them with sixteen votes. They got everyone they could to go with them. When they began to abuse the members of the Industrial Workers of the World most of the people present left the hall; they called it a meeting of the Industrial Council. Council President Wm. Keough does not recognize these people as members of the Industrial Workers of the World any longer and will not while President of the Industrial Council. All the bona fide locals are with the President in this decision. They will not have any more to do with them. The bona fide locals have 90 per cent of the members in Greater New York and vicinity and they will not stand for the action of the rump convention held in Chicago from September 17 to October 3, 1906, as they want the constitution obeyed until such time as same is changed and submitted to a referendum vote. No fakirs to change constitution to suit themselves will be tolerated by the people in New York. It must be straight goods and referendum vote on all important matters and they urge the general office to continue in their course so far pursued by President Sherman and maintain that S. L. Pism must be downed for all time in the Industrial Workers of the World, as no progress can be made while S. L. Pism is within our ranks.

The Silk Workers' Industrial Union No. 176, at its meeting held Friday night, October 12, at the Labor Temple, New York City, endorsed the action of the General Executive Board in declaring the rump convention illegal; the same was done by Engineers' Local No. 120, Firemen's Local No. 121, Bridge and House Workers' Local No. 370, Musicians' Local No. 41, Building Employes' Local No. 80, and others. Engineers' Local No. 120 have nominated Chas. O. Sherman for General President, Wm. J. F. Hannemann for General Secretary-Treasurer, M. Dumas and Wm. Keough for members of the General Executive Board in answer to the recent call for nominations, same to close on November 10, and then all nominations made to be submitted to a referendum vote of the rank and file of the Industrial Workers of the World.

W. J. F. HANNEMANN.

Denver, Colo., October 13, 1906.

Mr. Chas. O. Sherman, President Industrial Workers of the World, No. 148 W. Madison Street, Chicago, Illinois:

Dear Sir and Brother: Yours of October 11th is at hand. Last week a circular was issued from this office, requesting the local unions to pay no attention to any letter or circulars emanating from Wm. E. Trautmann, or any individual claiming to be an officer of the Industrial Workers of the World. Next week's issue of the magazine will contain a strong editorial by John M. O'Neill, and the reports of Delegates McMullen and McDonald, and the statement issued by Mahoney. With best wishes, I am,

Yours fraternally,

(Signed) JAMES KIRWAN,
Acting Secretary-Treasurer.

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RESOLUTIONS FROM GREENWOOD MINERS' UNION, B. C.

Greenwood, B. C., Dec. 15, 1906.
Whereas, This local passed a resolution condemning C. O. Sherman and indorsing the so-called new executive board of Industrial Workers of the World; and

Whereas, Such resolution was presented and advocated by F. Heslewood one of the members of the so-called new executive board of the Industrial Workers of the World, who also presented a long list of statements in proof of the dishonesty of C. O. Sherman, and otherwise working upon the passion and hasty judgment of the members of this local, and insisted on an immediate vote, and thereby having said resolution indorsed before sufficient time for cool and intelligent judgment could be passed; therefore, be it

Resolved, That we, the members of Local No. 22, W. F. M., do hereby repudiate said resolution as being hasty and inconsistent with the principles of justice, which should secure both sides the right of a hearing; and be it further

Resolved, That we demand of the officers of the W. F. M. that they pay no tax to either faction of the Industrial Workers of the World until such time as the matter is fully investigated and reported upon by the delegates of the next annual convention of the W. F. M., and a proper referendum submitted for final judgment; and be it further

Resolved, That a copy of this resolution be sent to the Miners' Magazine for publication, and also to Acting President Mahoney of the W. F. M.

(Seal)

R. A. MATHIESON, Sec'y.

This Is Our Special Offer

We make it to induce you to send in subscribers to **THE INDUSTRIAL WORKER**; Upton Sinclair's Remarkable Book

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METHOD OF ORGANIZATION.

The general constitution of the Industrial Workers of the World provides for thirteen International Industrial Departments, "subdivided in industrial unions of closely kindred industries." Provision is also made for Local Unions.

A local union of the Industrial Workers of the World is directly subordinate to the General Executive Board, by whom its constitution must be approved.

Ten men wishing to form a local union may do so upon application to the headquarters and remitting \$10.00, which is the fee for a charter and full set of supplies.

Any agreement entered into between the members of a local union and their employer, to be valid and binding, must be approved by the General Executive Board.

Local unions chartered by the general administration shall pay 25 cents per member per month, together with such assessments as are provided for by the constitution.

Members at large on moving within the jurisdiction of a local union must transfer their membership from the union at large to the local union.

Of the 25 cents per month paid by members of local unions direct to headquarters, 5 cents is placed in the "Defense Fund," and 20 cents in the "General Fund."

The constitution provides for one universal label for the entire organization.

All local unions must procure supplies, such as membership books, official buttons, labels, badges and stamps from the General Secretary-Treasurer.

Between all local unions and other organizations of the Industrial Workers of the World there shall be a free interchange of cards, and a paid-up membership card shall be accepted in lieu of initiation fee by all bodies subordinate to the general organization.

Where there are ten local unions with not less than 3,000 members in any one industry, the General Executive Board is empowered to call a convention of that industry and proceed to organize them as an International Industrial Department of the Industrial Workers of the World.

The foregoing gives a general outline of the functions of a local union and the method of organizing the same. Any additional information will be promptly supplied on application to the General Secretary.

Industrial Insurance Agents Attention!

The Industrial Insurance Agents of Boston and vicinity have organized and are working under a charter granted by the Industrial Workers of the World. There is great need for organization in our calling. Now, when the whole country is stirred up over insurance investigations is the proper time to organize. Do it, Fellow Agents, do it now. For particulars address

WM. J. F. HANNEMANN, Gen'l Secy.,

148 W. Madison St. CHICAGO, ILL.

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For 250-300 kinds of Flower Seed in full sized plants. Garden Seed and our newest catalogue FREE. ONION SEED—Large Red Weatherfield true stock, 1905 crop, per lb., 50c; 3 lbs., \$1.25; 6 lbs., \$2.00. Tested Seed Corn Our Specialty.

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THE PREAMBLE

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 of life.

Between these two classes a struggle must go on until all the toilers come together on the political as well as on the industrial field, and take and hold that which they produce by their labor, through an economic organization of the working class, without affiliation with any political party.

The rapid gathering of wealth and the centering of the management of industries into fewer and fewer hands make the trades union unable to cope with the ever-growing power of the employing class, because the trades unions foster a state of things which allows one set of workers to be pitted against another set of workers in the same industry, thereby helping defeat one another in wage wars. The trades unions aid the employing class to mislead the workers into the belief that the working class have interests in common with their employers.

These sad conditions can be changed and the interests of the working class upheld only by an organization formed in such a way that all its members in any one industry, or in all industries, if necessary, cease work whenever a strike or lockout is on in any department thereof, thus making an injury to one an injury to all.

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