

## CHAPTER IX.

## SOLIDARITY SCORES A SUCCESS

## "I. W. W. Not Guilty!"

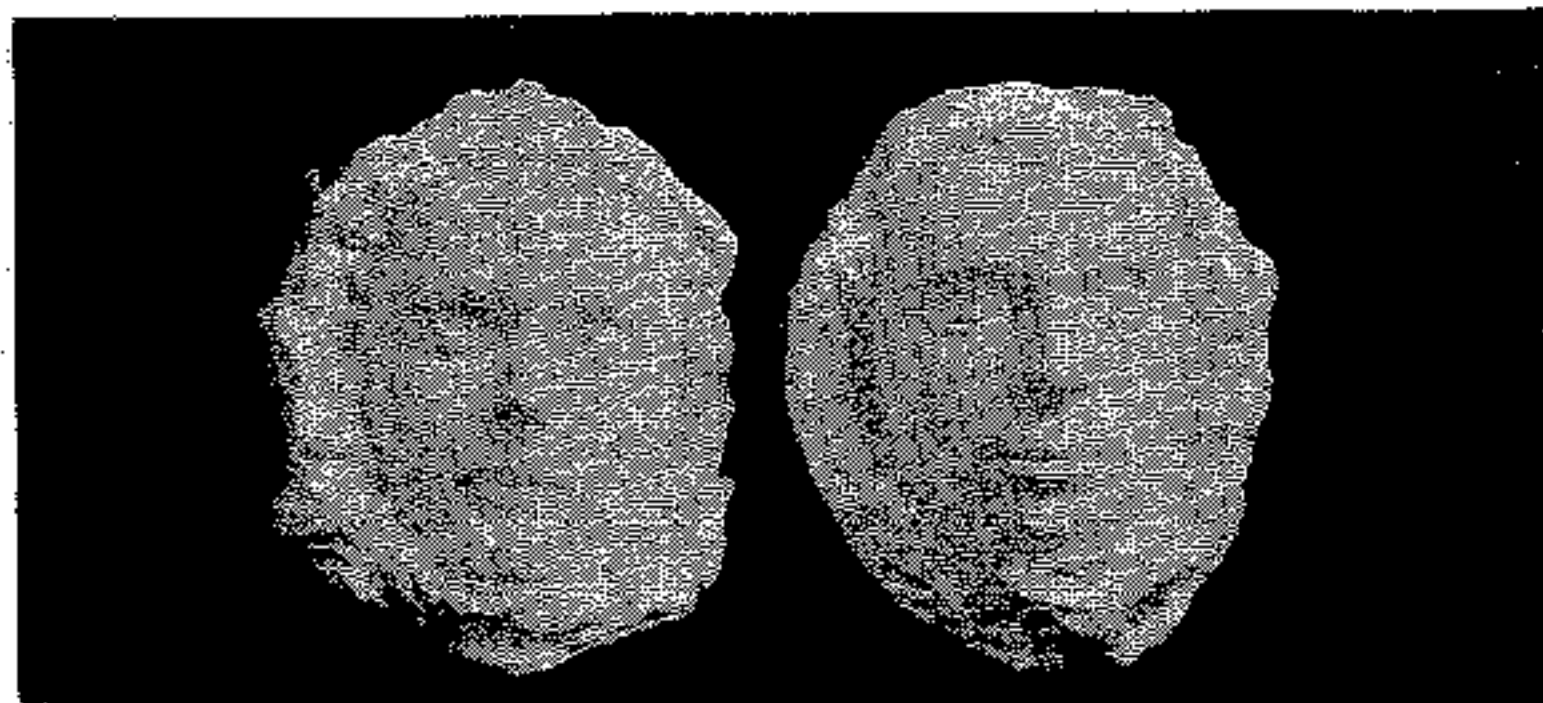
In this headline the daily papers of Seattle, Washington, gave the findings of the jury. With an unbroken series of successful prosecutions of Labor to the credit of the Merchants and Manufacturers Association this, the first great victory for the working class on the Pacific Coast, was a bitter pill for the allied employers and open shop interests to swallow.

With Tracy freed and the I. W. W. exonerated, there was nothing for the Snohomish County officials to do but to release the rest of the free speech prisoners. Yet the same contemptible spirit that had marked their actions from the very start of the trouble led them to hold the prisoners for several days and to try to make a few of the men think that there would be a trial of a second prisoner.

Part of the men were released in Seattle and part in Everett. All went at once to the I. W. W. hall upon gaining their freedom, and from there nearly the whole body of released men went to Mount Pleasant cemetery to visit the graves of their dead fellow workers.

Returning to the hall, those who had previously been delegates, or who had fitted themselves for the work while in jail, immediately took out credentials and started on an organizing campaign of the Northwest, with the uniting of the workers in the lumber industry as their main object.

The dearth of workers due to the war, the tremendous advertisement the I. W. W. had received because of the tragedy and the trial, and the spirit of mingled determination and resentment that had grown up in the jail, made the work easy for these volunteer organizers. Members joined by the dozen, then by the score, and finally by the hundreds.

**Gus Johnson****Felix Baran****John Looney****Hugo Gerlot****Abraham Rabinowitz**

Seattle had but two officials under pay on November 5th—Herbert Mahler, secretary of the I. W. W., and J. A. MacDonald, editor of the Industrial Worker. By July 4th, 1917, one year from the time of the loggers' convention at which there were only half a hundred paid up members, the I. W. W. in Seattle had thirty people under pay, working at top speed to take care of the constantly increasing membership, and preparations were under way to launch the greatest lumber strike ever pulled in the history of the industry with the eight hour day as the main demand. That strike in which thousands of men stood out for week after week in the face of persecution of every character, in the face of raids upon their halls and the illegal detention of hundreds of members by city, county, state and federal agents, and in the face of deportations by mobs of lumber trust hirelings, deserves a volume to itself.

This activity in the lumber industry reflected itself in all other lines, particularly so in construction projects all over the Northwest. Demands for literature, for speakers, for organizers, flooded the offices of the organization and many opportunities to organize had to be passed by simply because there were not enough men capable of taking up the work.

Part of this growth was of those who had interested themselves in the trial. Many of those who had gone on the witness stand for the defense afterwards took out membership cards in the I. W. W. The women of Everett,—considerably more inclined toward revolutionary ideas than the men there, by the way,—were among the first to ask for a "red card."

Too great praise cannot be given to those who voluntarily gave their services to the defense and thus helped to bring about a verdict of acquittal. Thru the work of Mr. A. L. Carpenter a great deal of valuable information was secured and it was thru his efforts that Deputy Joseph Schofield was brought from Oregon to testify for the defense. For his activity on behalf of organized labor Mr. Carpenter received the rebel's reward—he was discharged from

his position as district manager of a large corporation. Scores of Everett citizens gave splendid assistance to the defense, asking only that their names be withheld on account of the Commercial Club blacklist.

All persons directly in the employ of the defense proved their worth. Deserving special mention in their work of investigation were Rev. T. T. Edmunds, W. A. Loomis and John M. Foss. The Reverend Edmunds, being no follower of a "cold statistical Christ" and having more of humanitarianism than theology or current religion in his makeup, was able to gain information where many another investigator might have failed. The expert services of Loomis were of no less value, while the particular merit of the work of John Foss was that he went to Everett immediately after the catastrophe, at a time when chaos still reigned and when the blood-lust of the deputies had not yet completely given way to craven fear, and worked there night and day until a verdict of acquittal for his fellow workers was practically assured. Both as an investigator and as correspondent to the I. W. W. press, C. E. Payne, familiarly known as "Stumpy," proved himself invaluable. Charles Ashleigh handled the publicity for the Everett Prisoners' Defense Committee in an able and efficient manner, while to Herbert Mahler credit is due for the careful and painstaking handling of the large fund raised to fight the case thru the courts.

"Justice" is an expensive luxury in the lumber kingdom. Independent of the large amount of money spent directly by individuals and by branches of the I. W. W. the cost of the verdict of acquittal was \$37,835.84. Nearly thirty-eight thousand dollars! Thirty-eight thousand dollars to free innocent workers from the clutches of the law! The victims in jail and the murderers at liberty! But then, the last thing expected of "Justice" is that it be just.

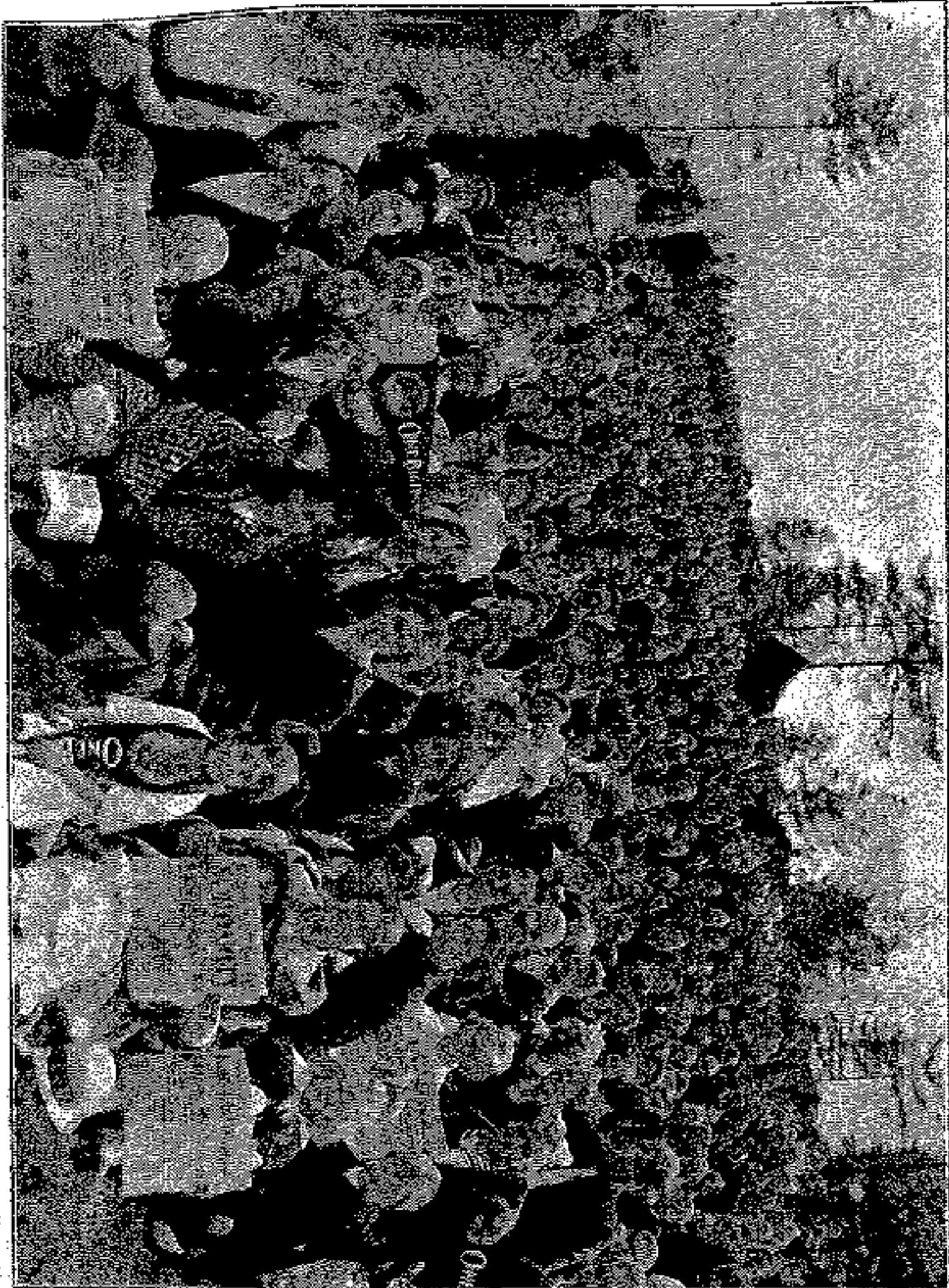
Whence came the fund that, as a token of solidarity, set the free speech prisoners at liberty? In the financial statement of the Everett Prisoners Defense Committee it is set forth in full. Summarized, this

report shows that Labor united in the defense of the prisoners, that, while this case was more largely financed directly thru the I. W. W. than any other trial of the organization, there were many and generous contributions from local unions of the American Federation of Labor, from the Workers' Sick and Death Benefit Fund, from various other working class societies and from sources so numerous as to make special mention impossible. But these receipts varied from a dollar bill sent by "A poor Working Stiff" from North Bend, Oregon, to a donation of \$3.75 from the Benevolent Society for the Propagating of Cremation at Yonkers, New York.

Hundreds of dollars were raised in Seattle by the I. W. W. thru smokers, dances, theatrical benefits, entertainments and collections by speakers who told the story of Bloody Sunday before societies of every kind and character. The Dreamland Rink meetings, attended in every instance by thousands of people, were the means of bringing hundreds of dollars to the defense. A considerable fund was raised directly within the organization by the sale of embossed leatherette membership card cases issued in memoriam to the martyred dead. In Seattle notable service was rendered by the International Workers' Defense League.

The nature of the case demanded heavy expenditures unlike those required in any of the previous trials in which I. W. W. members were involved. Many of the witnesses were men who had beaten their way from long distances thru storms and snow to be in readiness to testify in behalf of their imprisoned fellow workers, and most of these had to be maintained at a relief station until called upon the stand. The care of the wounded was an added item, and there were many necessary expenditures for the big body of prisoners held as defendants. To each of the men who was released at the end of the six months imprisonment there was given a sum of \$10. Owing to the sweeping nature of the conspiracy charges and because of the large number of witnesses endorsed by the State, all of whom re-





May First at Graveside of Gerlot, Baran and Looney.

quired investigation, there was a large sum required for use in taking these necessary legal precautions. Heavy charges were also made for the work of the stenographers who recorded the evidence, this being an item borne by the State in most parts of the country. The totals of these expenditures were as follows:

Counsel fees in full.....	\$8,470.00
Legal investigation.....	8,955.36
Court stenographers.....	3,354.30
Miscellaneous legal expense	1,304.20
Office expense.....	1,942.53
Publicity work.....	4,830.44
Miscellaneous accounts.....	8,457.37
	<hr/>
Total expenditures.....	\$37,314.20

A balance of \$521.64 was sent to the General Headquarters of the I. W. W. and this, with \$581.36 which remained in the General Office from the sale of voluntary assessment stamps, was set aside as a fund to be used for the maintenance of Harry Golden, Joseph Ghilezano and Albert Scribner, three of the boys who were seriously injured on the Verona.

The financial report was audited by E. G. Shorrock and Co., certified accountants, and by a committee composed of Harry Feinberg and J. H. Beyer, representing the prisoners, C. H. Rice, representing the Seattle unions of the I. W. W., and General Executive Board member, Richard Brazier, representing the General Headquarters of the I. W. W. The statement made to contributors to the fund concluded with these expressive words:

"On behalf of the defendants, and the Industrial Workers of the World, we take this opportunity to express our grateful appreciation to all contributors, and to all the brave men and women who assisted us so nobly in this great struggle to save seventy-three workingmen from a living death at the hands of the Lumber Trust and the allied commercial bodies of the Pacific Coast.

"It was the solidarity of the working class, and that alone, which brought about this great victory for labor, so let us turn fresh from victory, with determined hearts and unquellable spirit to unflinchingly continue the struggle for the liberation of all prisoners of the class war, remembering always that greatest expression of solidarity, 'An injury to one, is an injury to all.'

**"THE EVERETT PRISONERS DEFENSE  
COMMITTEE,**

**THOMAS MURPHY,  
CHARLES ASHLEIGH,  
WM. J. HOUSER,  
RICHARD SMITH,  
HERBERT MAHLER, Sec'y-Treas."**

Seattle, Wash.,  
June 12th, 1917.



## CHAPTER X.

## THE BANKRUPTCY OF "LAW AND ORDER"

The facts in this case speak pretty well for themselves. To draw conclusions at length would be an impertinence. He who runs may read the signs of decay of Capitalism, the crumbling of a social system based upon the slavery and degradation of the vast majority of mankind. And from the lips of the prosecution counsel—the Voice of the State—we have the open and frank acknowledgement of the bankruptcy of law and order, the failure of government as it is now administered.

It is no part of this work to attack The Law. The Law is august, majestic in its impartial findings and the equality of its judgements, always however with due allowance for those subtle distinctions so incomprehensible to the masses which exist between high finance, kleptomania and theft. The Law strips no one of his possessions; under its beneficent reign the rich retain their wealth and the poor keep their poverty. Founded on dogma and moulded by tradition, The Law stands as a mighty monument to Justice. It is ever in this way that we show our respect and reverence for the dead. Being an outgrowth of precedent it gains added sanctity with each fresh proof of antiquity, differing in this regard from automobiles, eggs, women, hats, the six best sellers, and the commoner things of life. Surrounded by mysticism, surcharged with the language of the dead, and sustained by force, who is there would have the temerity to question the sanctity of The Law?

It remained for Attorneys Black and Cooley—and not for the outcast industrial unionists, socialists or anarchists—to charge that The Law is a bankrupt institution, and it was for the citizen-deputies—and not for the despised workers—to

prove the truth of the indictment. Truly Society moves in a mysterious way its blunders to reform!

With the true logic of the counting-house Cooley admitted that the mill owners had formed a mob to protect themselves from the rabble, they had pursued illegal methods to prevent the breaking of The Law, they had jailed men in order to preserve Liberty, they had even blacklisted union men in order to give to every man the right to work where, when and for whom he pleased. There is no escaping such logic if one owns property. Of course those who possess no property are the natural enemies of property, and law being based upon property, they are defiers of The Law, and Society being upheld only by observance of The Law, they are the foes of Society. It is not best to kill them in too large numbers for they are useful in doing the work of the world, but they must be kept in fear and trembling of The Law and made to respect it as sacred and invilable, even if we do not. So argued Black and Cooley.

But the whine of Black, the snarl of Cooley, the moody silence of Veitch, alike served as a confession that "law and order" was a failure. The plea of the State was that all law is the creature of property and when the power of the law proves inadequate in its function of protecting the accumulations of wealth the possessors of property are justified in supplementing The Law with such additional physical or brute force as they can muster, or in casting aside The Law altogether, as it suits their convenience. To the workers The Law must remain sacred while to the leisure class Property is the thing to worship, for however much robbery is to be condemned, the proceeds of robbery are always to be respected.

Their further contention was that the streets are for traffic, for maintaining commerce, in other words to aid in the gathering of property and to enhance the property values already cleared. Out of the graciousness of their hearts the business men and employers allow the pedestrians to use the streets incidental to the purchase of goods or to journey to

and from their tasks in the factories, mines, mills and workshops. That the streets might be used for social, religious, political or educational purposes does not enter their calculations, their ledgers carry no place for such entries on the profit side. Free speech is tolerated at times provided nothing of importance is said.

Two trials were going on in the court room at the same time; that of Thomas H. Tracy and the I. W. W. before a property-qualified jury, and that of the existing system of law enforcement before the great jury of the working class. And just as surely as was the verdict that of acquittal for Tracy and his union, was there a most decided judgment of Guilty upon "law and order." For Tracy was not freed by the law but by the common sense of the jury who refused to consider him guilty and viewed him as a class rather than as an individual. Under the existing conspiracy laws he might well have been considered technically guilty. But "law and order" technically and otherwise was proven guilty, and the charge that Capitalism is guilty of first degree murder, and a host of other crimes, was clearly proven.

Why? Why all the brutality depicted herein? Why?

The answer is that we are living in an insane social system in which money ranks higher than manhood.

To be more specific the outrages at Everett had their roots in the belief that the men who labor, and especially the migratory and the unskilled element, form an inferior caste or class to those who exploit them. The dominant class viewed any attempt to claim even the same civil rights as an assault upon their supremacy and integrity,—this to them being synonymous with social order and civilization. This is always more evident where a single industry dominates, as evidenced by the occurrences at Ludlow, in the coal district, Mesaba in the iron ore section, and Bisbee where copper is the main product. Eve-

rett controlled by the lumber interests clinches the argument.

A community dominated by an industry, impelled by a desire for high profits; or under the spell of fear or passion, whether justified or not, cannot be restrained by law from a summary satisfaction of its desires or a quieting of its apprehensions. Before such a condition the fabric of local government crumbles and lynch law is substituted for the more orderly processes designed to attain the same end. The Everett outrages were no example of the rough and ready justice of primitive communities. The outlaws were in full possession of local government, legislative, judicial, and executive, yet they fell back upon brute force and personal violence and attempted to protect the lumber trust profits by tactics of terrorism.

Insofar as the law can be wielded for their immediate purpose a capitalistic mob, such as these at Everett, will clothe their violence in the form of ostensible legal process, yet often the letter and the spirit of their own class-influenced laws will be ruthlessly thrust aside. They want law and order, efficacious, impartial, august, in the eyes of the general citizenry, but they want exemption of their class from the rule of the law on certain occasions. Strongly would they deny that all law is class law, made, interpreted and administered in behalf of a privileged property-owning class, yet the facts bear out this contention.

The conception of impersonal and impartial legalism has been generally accepted along with traditional moral opinion and the naive belief in the excellence of competitive, individualistic, and unrestrained business. But this historical case has proven,

as nothing else could prove, that these bonds are relaxing and the faith and formulas underlying the whole legal establishment are the subject of attack by an increasingly large and uncompromising army of dissenters.

From the developments of the Everett situation one can sense the rising tide of industrial solidarity. It was the unity of the workers that won the great case. It will be the unity of Labor that will win the world for the workers, just as the embryonic democracy of the toilers in its blind groupings has already cracked the shell of the industrial autocracy of the present day.

At present we are at the parting of the ways. There is not sufficient faith in the Law to hold the dying wage system together and there is not a sufficiently clear conception of the solidaric ideal of a new society to bind the rebellious elements to a definite program. So chaos reigns in society and events like those at Everett may be expected to arise until the struggle of the exploited takes on a more constructive form and develops the necessary power to overthrow capitalism and all its attendant institutions.

Industrial unionism is the only hope of the disinherited and dispossessed proletariat. It is the voice of the future. It spells at once Evolution and Revolution. Its assured success means an end to classes and class rule and the rearing of a race of free individuals.

The strength of the workers is in industry. Every worker, man, woman or child, has economic power. The control of industry means the control of the world.

He who strives to bring the workers closer to-



gether so that their allied forces in an industrial organization may overthrow the wage system and rear in its place an Industrial Republic in which slavery will be unknown and where joy will form the mainspring of human activity, pays the highest homage to those who, in order that the spirit of Liberty might not perish from the land, gave their lives at Everett, Washington, on Sunday, November 5th, 1917:

FELIX BARAN,  
HUGO GERLOT,  
GUSTAV JOHNSON,  
JOHN LOONEY,  
ABRAHAM RABINOWITZ.



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