

The Kidnapping Case in Congress (March 2, 1907)

Washington, DC, March 2 [1907]

At the opening of congress this morning, the Moyer, Haywood, and Pettibone case was introduced, together with petitions for investigation and the dissenting opinion of Justice McKenna, of the supreme court. Senator Carmack,¹ of Tennessee, presented the case on the floor of the United States Senate, with the request that it be admitted to the records, and this was consented to.

The introduction of the conspiracy was a great surprise to most of the senators, but when the statement was made that the demand for an investigation was backed by 2 million organized workers, the unanimous consent which was necessary, and without which it would have failed, was given by the senate, excepting that Heyburn,² of Idaho requested that the decision of the supreme court be included with the dissenting opinion of Justice McKenna, to which no objection was made on our side.

The foundation is now laid for a congressional investigation and both senators and congressmen agree that in obedience to the demands of organized labor this will certainly be authorized by the next session of congress. Senator Carmack has been particularly helpful in this matter and Senator LaFollette,³ of Wisconsin, has also treated me with great courtesy.

With this impending congressional investigation, which will develop all the facts in the conspiracy and reveal the whole horrible truth to the people, it is now perfectly safe to predict that Moyer, Haywood, and Pettibone will soon have been rescued from the clutches of their kidnapers and would-be murderers and walk forth free men without a blemish upon their honor.

Quick Work in Short Time

When I first arrived and called on Senator Carmack, of Tennessee, whom I had previously met and knew to be a man of fair mind and friendly to organized labor and to the working class in general, he advised that I at once procure as many petitions in the form of protests and demands for

investigation in behalf of organized labor as were obtainable. The time being short I used the telegraph freely in making the requests and within 24 hours the petitions, protests, and demands began to roll in in an amazing volume and within a week I had demands for investigation representing upwards of 2 million organized workers.

These came from officers of international and local unions, central bodies, and other organizations without number, most of them being duly authenticated with official seals and signatures. These made an enormous heap and have been filed with the dissenting opinion of Justice McKenna in the United States Senate by Senator Carmack.

In this connection it should be stated that I was officially commissioned by the Western Federation of Miners through their general officers to represent the organization before the congress in the demand for an investigation of the Moyer and Haywood affair. I was thus in position to act as the special representative of organized labor in its petition to congress, and Senator Carmack was able to say in the petition that the investigation was demanded by 2 million organized wage workers. Nothing less than the expiration of congress could have prevented the measure from going through. As it is, the matter is now of record and by this means will be brought to the attention of great numbers of people who otherwise would never have seen it; and it will especially be the means of getting into wide circulation Justice McKenna's dissenting opinion.

Then, again, the foundation has been laid for future action in the way of congressional investigation, this being contingent, of course, upon the continuance of the prosecution of our comrades in Idaho. It can be safely predicted that unless the case is abandoned there will be an investigation by congress and there will be such developments as will make the mine owners wish they had never resorted to the crime of kidnapping to further their infamous ends.

It should also be said that although there is not a socialist in congress, there are quite a number of men in both branches who speak out boldly in condemnation of the kidnapping of our comrades. While they do not pretend to decide the question of guilt or innocence, they insist that, whatever the circumstances may have been, there could have been no possible justification for the crime of kidnapping on the part of the state authorities, who wee sworn to execute the law and not to trample it underfoot.

The Democratic members of congress declare that if it comes up again they will take hold of the case and make it a political issue. They insist that

every man prominently connected with the kidnapping, without a single exception, is a Republican, and that the responsibility for it therefore rests with the Republican Party and its leaders must show cause why organized labor should not fix the responsibility accordingly. They go further and say that they will make kidnapping a political issue in the national campaign next year, and that they will make the leaders of the Republican Party explain how it is that their party, that professes to be friendly to the working classes, is in league with the mine owners, and not only this, but in conspiracy with them to destroy the labor movement they profess to patronize by kidnapping and conspiring to murder its official leaders.

Appeal Known in Washington

It is quite sure that it is here at Washington that we must converge our efforts if we expect to save our comrades by peaceable means. On the kidnapping proposition we have a large number of outspoken friends in both branches of congress, and if the trial has not been abandoned by the time congress meets again, an investigation is sure to be made; and, in connection with it, there is apt to be a test fight on the floors of congress greater than any seen in many a day. You would be surprised to see how many there are here who know of the *Appeal*, and especially among the men who are high in public life.

They have all heard of it, most of them have read it, and not a few are subscribers. I am not much surprised at this, for I know that special efforts have been made since the *Appeal* has taken hold of the kidnapping cases to have them brought to the attention of men prominent in politics and other affairs. Every senator and every member of the house has been lately reading the *Appeal*, and those I have talked to have read of the Moyer and Haywood case, and are well informed in regard to it. It is this special propaganda of the *Appeal* here in Washington during the last 30 days that has prepared the way for congressional action. President Ruzvlt and his cabinet, the supreme court, members of congress, and other high officials, have been getting the *Appeal* regularly, and are all more or less familiar with the contents, especially with respect to what is doing on the part of the working class with reference to the rescue of our Idaho comrades.

The personal suffering of our comrades is a thing which we all regret, but it is certain that no incident in all the history of organized labor has been fraught with greater benefit to the labor propaganda or contributed

more to the solidarity of the working class. The kidnapers have unwittingly aroused the workers of the whole nation, and have hastened by many days the cause of emancipation.

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¹ Edward W. Carmack (1858-1908) was a former Nashville attorney and journalist who was elected to the US House of Representatives as a Democrat in 1896. In 1900 he was tapped by the Tennessee legislature for the United States Senate, in which he served a single six-year term. He was refused a second term and returned to practice law in Nashville in 1907. In November 1908, just four days after his 50th birthday, Carmack was assassinated in the streets of Nashville by political rival Duncan Brown Cooper, also a Tennessee Democratic politician.

² Weldon B. Heyburn (1852-1912) was a two-term Republican member of the US Senate from Idaho. Heyburn was a conservative attorney with investments in the mining industry and was an opponent of various proposals for conservation and economic reform.

³ Robert M. LaFollette, Sr. (1855-1925) was a progressive Republican who served a five year stint as governor of Wisconsin before being selected for the United States Senate in 1906. LaFollette would remain in the senate for the rest of his life, where he was a champion of the labor movement throughout the progressive era. An anti-militarist, LaFollette was a leading opponent of American entry into World War I, conscription, and the Espionage Act. In 1924 the aging LaFollette made an independent run for president of the United States, which was directly endorsed by the attenuated Socialist Party of America — a race in which he won 16.6% of the vote. LaFollette was publisher of *LaFollette's Magazine*, later renamed *The Progressive*, a social democratic monthly which has survived into the twenty-first century.