

Speech delivered before the Kansas Legislature by W. L. Huggins

This is a speech by William L. Huggins, speaking in favor of the proposed bill on industrial legislation before the joint sessions of the legislature. Judge Huggins presided over the Kansas Court of Industrial Relations and authored the bills, House Bill No. 1 and Senate Bill No. 1.

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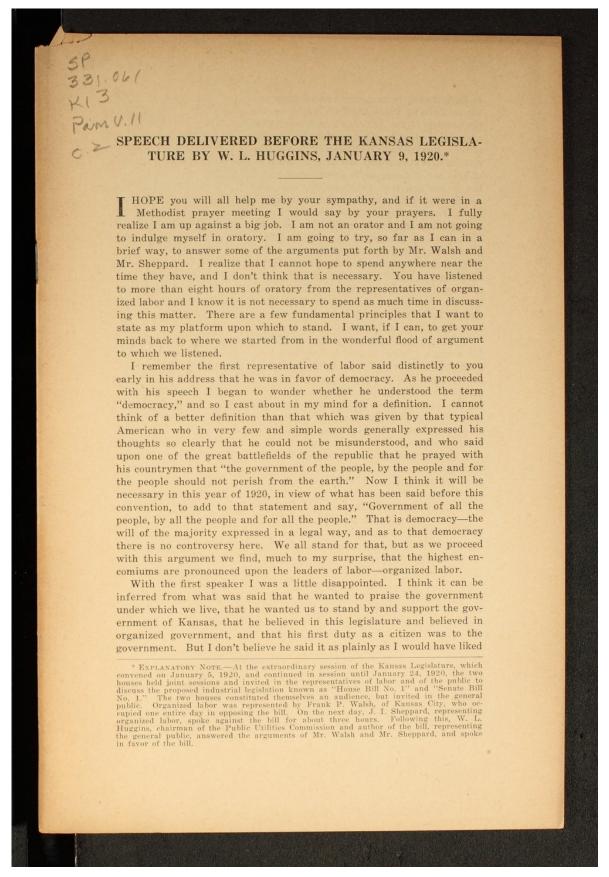
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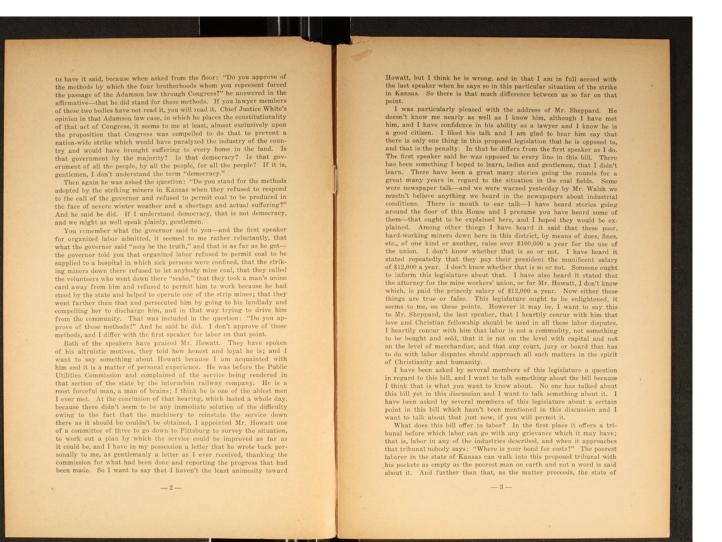
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Kansas, in the exercise of that Christian charity and that humanitarian principle that have been so highly spoken of here, the state of Kansas provides that poor laborer with expert advice and expert assistance, to go wherever it may be necessary that he should go, to take every bit of evidence that he wants to take without his employing an attorney, without his paying out a dollar for traveling expenses, without his employing an expert of any kind. The state of Kansas says to him: "We will get your evidence for you," and they go into the investigation of that dispute, whatever it may be, with well-paid and well-chosen experts to develop his case for him free of cost.

Now they do more than that. When the matter comes on for trial before this proposed tribunal he doesn't have to bring any kind of a lawyer, high or low, into that court. There is the staff paid by the state to develop all the facts, and this bill enjoins upon this tribunal to do all things necessary to ascertain the facts and the truth of the case, and he comes into court protected by the state, under this law, and he develops his testimony and submits his cause.

And another thing is done for him. The bill provides that the evidence shall be taken in shorthand by a reporter paid by the state, and that evidence shall be transcribed in duplicate, one copy of which shall be filed in the permanent records of this tribunal and the other shall be used in the supreme court of the state of Kansas. If the poor laboring man concludes that he has not got justice in the Court of Industrial Relations, his case is prepared for him and he goes up to the supreme court—the best court in the state of Kansas and as good a court as any in the United States of America—without cost and without having to put up security for costs.

Now the question is asked: Why do they do that? In every other Kansas, in the exercise of that Christian charity and that humanitarian

in the United States of America—without cost and without having to put up security for costs.

Now the question is asked: Why do they do that? In every other court the rule is the other way—the litigant pays the cost or secures the cost or puts up a poverty affidavit. I will tell you how that happens to be in the bill. We have all talked a little about ourselves in this discussion. I am not going to talk of myself. I will tell you a story of the man who made the first draft of this bill. As a youth and a young man he worked as a common laborer, a farm laborer, where they worked sixteen hours a day and milked the cows by lantern light at night, and he walked from farm to farm in search of employment when employment wasn't as plentiful as it is now, and he knows the pinch of poverty. Afterwards as a practicing lawyer in the courts of this state he became thoroughly convinced that the penniless man, even as generous as our laws are, don't stand quite the same show in the courts of this country as the man with money does. And so in making the first draft of this bill he put these provisions in it because he believed the people of the state of Kansas, in deference to labor, ought to provide a court that was fair, a poor man's court, if you please, in which justice would be administered to the penniless man at the same price as it should be administered to the millionaire.

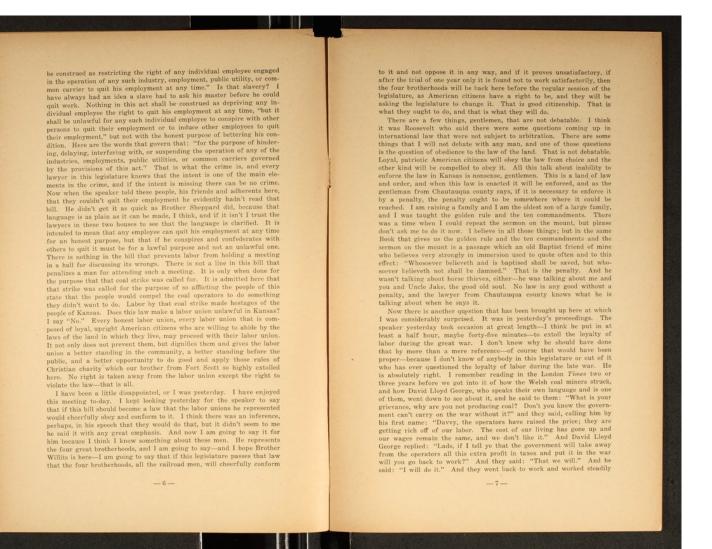
Now, why hasn't somebody mentioned that? Isn't that a good provision? Isn't that fair to labor, and why does the man who comes here—a man of international reputation, who talks for a whole day—say, as he holds this bill aloft, that he is opposed to every line in it.

Now that is my answer to Mr. Sheppard's argument.

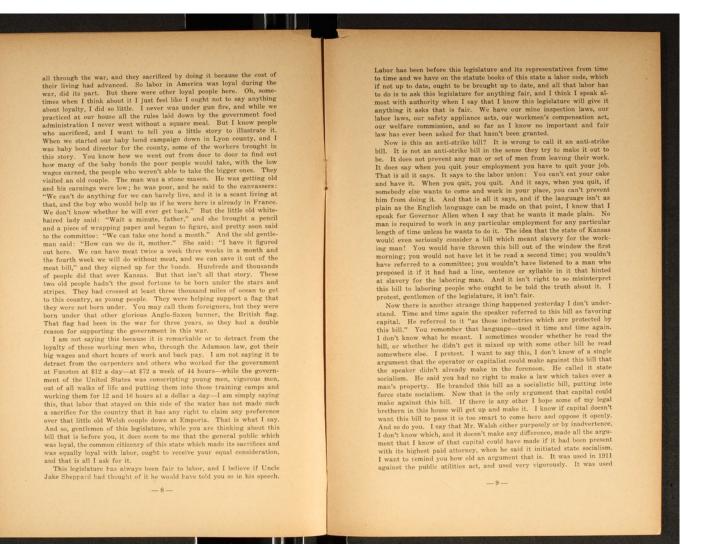
I agree with him on everything but one point. I will come to that a little later. We are absolutely together except on one point he makes. That is part of my answer to the first speaker on labor when he says he is opposed to every line in this bill. I don't know why he is opposed to that feature of it. I can't imagine any good reason why he should be, if he represents labor and labor only. But he said that this is an anti-union bill. He says by the passage of this bill you make an iron ring around the state of Kansas and serve notice, "No unions allowed here." Where do we say that? Where is there any penalty on the labor unions? I want to say to you that the man who prepared the first draft of this bill is as much in favor of labor unions as any man on the floor of this house or any man in that gallery, and he can prove it, too, if he is called on for the proof. What is in the bill that prohibits the union? Why didn't he show us the line or paragraph or page in which such a provision is made? What does it all amount to? It all comes down to the point where it says we prohibit the strike. Is there nothing in union labor except the right to strike down its opponents by force? I say that is not a fair statement of labor's position. If this bill is passed it will give an opportunity for a fair adjudication of all such wrongs. If labor is paying these princely salaries, if labor in the mines is raising this \$100,000 a year, or half that much, I am not a statistician but it seems to me that would go a good ways towards making a sick benefit fund for its members as they may need it from time to time. Isn't that a beneficent view for labor to take? Isn't that altruistic? There isn't a word or a line in this bill from start to finish, anywhere in it, that prevents union labor from proceeding right along as it always has, save and except only one thing, and I will eadly our attention to that now, and I will read it to you, I will not tell you what it is. You have read it, no doubt, but to refresh your memory I will read starts right out by making them equal—"to do or perform any act for-bidden, or to fail or refuse to perform any act or duty enjoined by the provisions of this act, or to conspire or confederate with others to do or perform any act forbidden"—and I will come down until I get to the main point—"for the purpose or with the intent to hinder, cleay or suspend the operation of any of the industries, employments, utilities or common carriers herein specified or indicated"—the industries upon which the people of this state depend for food, for clothing and for fuel. Is it right to permit anybody who wants to to stop, suspend, hinder or limit the production of the necessaries of life of this state. Is that what they are contending for? Is that the burden that is put upon labor that makes it impossible for labor unions to exist in Kansass?

But they go on and say they can't quit. Here is the provision on that, down at the bottom of the page, line 18: "That nothing in this act shall

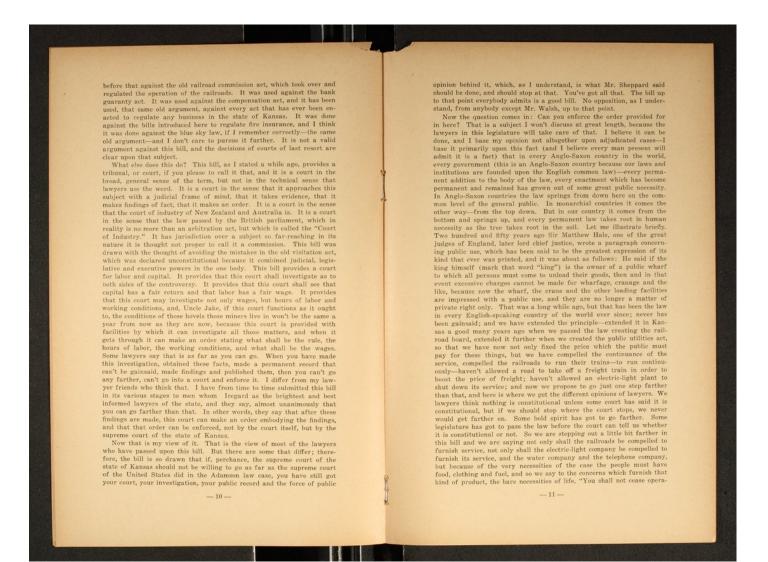




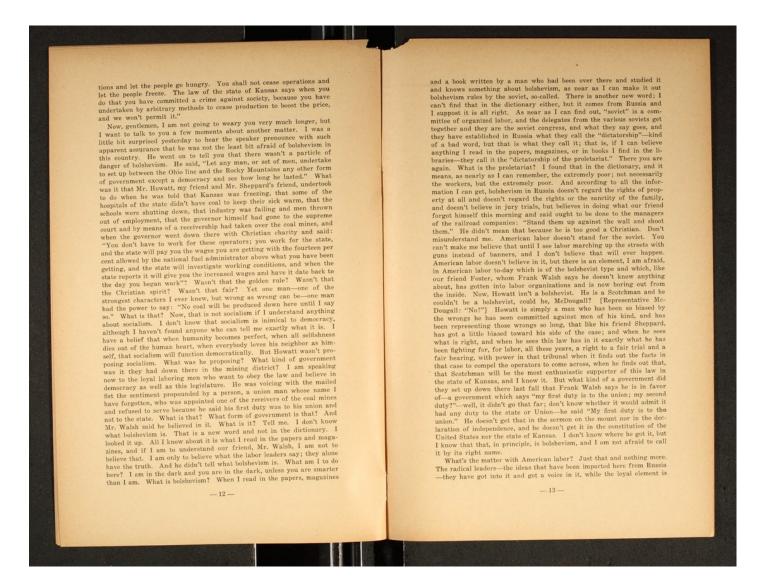




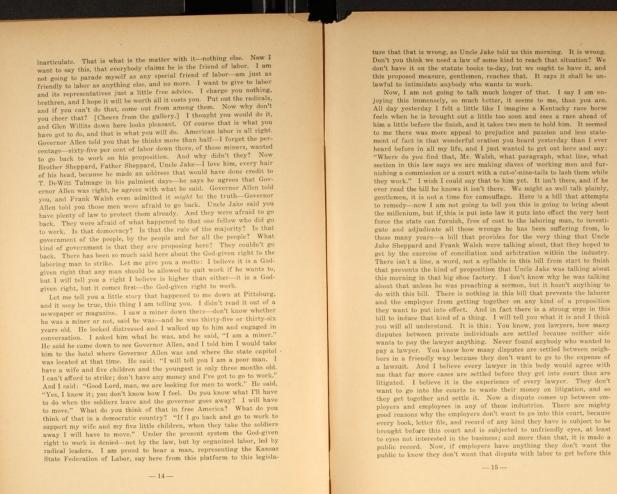














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body, and labor realizes it takes time, and so labor and capital, to avoid litigation, get together and formulate working rules, and they agree on the manner of adjustment of differences, and they appoint their work-ing committees, and so without any litigation labor has got its rights and capital proceeds to produce the things that are necessary for human life, and everything goes on smoothly; while to-day there is no such motive

capital proceeds to produce the things that are necessary for human life, and everything goes on smoothly; while to-day there is no such motive as that.

So I say this bill, while it won't produce the millenium, will encourage all those methods of conciliation and arbitration that Mr. Walsh was talking about, and was talked about by the eloquent speaker this forencon. Mr. Walsh told us his experience with William Howard Taft upon the mediation board, or the war labor board, whatever it was. I remember of one instance I read in the newspaper—a Kansas City newspaper. The war labor board made an order recommending an increase of wages to the employees of the Kansas City Railways Company, men who ran the cars, worked in the shop; and as I remember it, they went farther than that and recommended an increase in fares to meet it. But over in Missouri, as it is in Kansas, the street-car company can't raise its fares whenever it wants to; it is regulated by law—got a little of that state socialism that Frank Walsh talks about over in Missouri, and they can't raise their fares whenever they please. So they can't raise their fares whenever they please. So they can't raise their fares whenever they please. So they can't raise their fares and said they couldn't raise their rates. They had to go before the Missouri commission, but it took a long time. They couldn't get the wages and they had a strike.

Now wouldn't it have been better if the government had had some kind of law like this, when in a crisis like this the board could have acted and gone in there and said: "This is what ought to be done, and now go ahead and do it." The argument Mr. Walsh put forth is an argument in favor of this bill. He admits something like that is necessary. Why not put it into law?

Now, I want to talk a minute about that penalty. I don't know of any law on the statute books that would fit this case, because there is no law now to prevent men to conspire to bring on a strike that I know of. The President has said the right to strike is inali

didn't have this kind of law on the statute books, but it was a moral crime and one that ought not to be tolerated in this or any other country. Now I am going a little farther and say you have got no right, no moral right, to take away the laboring man's right to strike unless and until you give him a better remedy. You study that over, all of you. I am making a little labor speech now, Uncle Jake. You have no right to take away the laboring man's only weapon unless you give him a better one. Why, I have lived in a community in which it was necessary to carrry a revolver. I didn't like it very well and didn't stay there very long, but it was necessary and I carried one—because the law didn't protect me. It was down in Mexico where they don't have any law of any kind. Now we have passed a statute in which we make it a crime for a man to carry concealed weapons. We have a right to do that as a state because we had surrounded every citizen by the greatest protection that ever was known, the protection of Anglo-Saxon law guaranteeing Anglo-Saxon liberty and justice, and he doesn't need his weapon, and we had a right to say to him, "You can't have it." We had never given labor a weapon of self-defense, so we had to let labor carry a gun, that is, the right to strike; and if you can't give labor a better weapon, for God's sake don't take the only weapon it has away from it. You are offering labor a weapon which makes the old weapon unnecessary. You are offering labor a weapon which makes the old weapon unnecessary. You are offering labor a weapon which makes the dud weapon unnecessary. You are offering labor a weapon which makes the dud weapon unnecessary. You are offering labor a decapon in the same right to take away the weapon of the strike that you have got the same right to take away the weapon of the strike that you have got the same right to take away the weapon of the strike that you have go the same right to take away the weapon of the strike that you have gone farther to insure to labor a fair reward; you



