Judas exposed: Labor spies in the United States

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JUDAS EXPOSED:
LABOR SPIES IN THE UNITED STATES

A Dissertation
Presented to
The Faculty of the American Studies Program
The College of William and Mary in Virginia

In Partial Fulfillment
Of the Requirements for the Degree of

Doctor of Philosophy

by

Jennifer D. Luff
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APPROVAL SHEET

This dissertation is submitted in partial fulfillment of
the requirements for the degree of

Doctor of Philosophy

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ACKNOWLEDGEMENTS

On a rainy spring day in 1999, I sneak away from a meeting to visit a library. I was working for the Steelworkers union, which had just raised a remarkable $40 million from its members to launch a massive new organizing program. We held a series of week-long organizing training and planning sessions at Linden Hall, the union’s training center. Linden Hall, a rundown mansion in southwestern Pennsylvania formerly owned by a crotchety coal baron, had been purchased and carefully renovated by the Steelworkers in the 1970s. Union members cackled about reclaiming the spoils of workers’ labor for the union when they first visited Linden Hall, but its remote location in the foothills of the Appalachians, accessible only via a one-lane bridge drove everyone stir-crazy after a few days.

Feeling claustrophic, I slipped out of a session and made for the union’s library, which was housed in a small white cottage on the grounds. The library was fitted out with a little sleeping room, lots of worn armchairs, and a fine collection of old history and social science books. I happily browsed industrial relations and economics books, and stopped at a copy of Leo Huberman’s 1937 *The Labor Spy Racket*. For the next hour I raced through Huberman’s dramatic popularization of the LaFollette Committee hearings, agape at the stories of skulduggery and dirty dealing by labor spies. I knew I had found my dissertation topic.

Cindy Hahamovitch directed the dissertation and steadfastly supported me in all my work, scholarly and political. Cindy finagled paying research jobs for me when I was broke, got me on conference panels, introduced me to other scholars, and demystified academic life. She also helped me get my first job working for the labor movement and applauded my efforts to combine scholarship and praxis. Cindy’s belief in me buoyed my confidence and enlarged my sense of the possible, and her generosity, both spiritual and practical, sustained me and many others at William and Mary. More than anyone else I know, Cindy puts her politics into practice, and teaches the rest of us by her example. Likewise, Scott Nelson gave generously of his time and intellect. Scott’s eclectic knowledge and interdisciplinarity opened up new worlds of scholarship, and with his own remarkable work he demonstrates the value of patient archival research. Scott makes history seem a lot more interesting. Kimberley Philips and James Barrett both offered astute comments and suggestions for new directions on the manuscript, and I am grateful for their help.

William and Mary was a lovely place to study, thanks to the faculty and students who created a warm and congenial community of scholars. Bob Gross helped make it that way; his intense engagement with my work and unstinting encouragement got me through the early years of grad school. Early on, Bob urged me to eschew all forms of careerism and instead do exactly what interested me, and that advice guides me still. All the faculty were a pleasure to work with, especially Arthur Knight, Leisa Meyer, Chandos Brown, and Ken Price. Among an affectionate and engaged group of graduate students, John Dougan, Robin Veder, Emily Mieras, Anthony Destefanis, Brian Geiger, and Tynes...
Several scholars read and commented on drafts or papers from this project; thanks to Alex Lichtenstein, Shannon Jackson, Steve Meyer, and Wythe Holt. Other helpful readers included Sam Luebke, Ben Hensler, Devki Virk, Cary Burnell and Arlus Stephens. Thanks to archivists and librarians at the Library of Congress, the National Archives, the Walter Reuther Library at Wayne State University, the State Historical Society of Wisconsin, and the Bancroft Library.

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My parents taught me to love books and learning. My mother, Diane Luff, insisted that I could accomplish anything, even a Ph.D. My brother Tom’s wisdom and grace carried me through rough spots and gave me hope. My sister Christine shuttled me from apartment to apartment, fed me dinners, and gave me refresher history lessons. Their love sustains me.
ABSTRACT

This dissertation examines the phenomenon of labor espionage from the mid­nineteenth century through the 1930s. Trade unionists coined the term to describe the use of undercover agents posing as workers to collect information for employers about their employees' opinions and activities. Labor spies sometimes identified union supporters and blocked organizing drives; other spies functioned more like surrogate supervisors checking on job performance.

Chapter I explores the origins of labor espionage in “spotting,” undercover surveillance of railway workers by private detectives to catch theft. I argue that spotting began as a management technology to cope with large dispersed railway workforces, but managers soon saw that secret agents could also monitor workers’ behavior and subvert collective action. Rail workers’ unions were hamstrung by shame over worker theft and unable to exploit public sympathy to limit employers’ use of undercover agents. In Chapter 2, I examine the difficulties encountered by the American Federation of Hosiery Workers when they tried to systematically counter labor spies in their industry and find that the Hosiery Workers’ campaign showed that no union could effectively counter labor spies, and that the union was further hampered by its inability to acknowledge that many spies came from its own ranks. Chapter 3 compares labor spies to Communists as undercover agents deploying similar strategies in attempts to infiltrate American unions. Unionists developed narratives of infiltration to denounce both labor spies and Communists but deployed them to different ends in the 1930s; progressives used the labor spy narrative to lobby for federal oversight of labor relations, and conservatives used the Communist narrative to attack progressives and fight expanded federal authority. Labor conservatives helped drive early American anticommunism and the rise of McCarthyism.

Trade unionists and historians have avoided a critical fact about labor espionage, that workers performed most secret surveillance. Labor espionage should be seen not just as a management tool, but as a manifestation of worker antiunionism. Rather than asking how labor espionage impaired the growth of American unions, we should ask why some workers chose to subvert collective action, and integrate worker antiunionism into our understanding of American working-class formation.
INTRODUCTION

In Chicago in 1936, P.C. Spauder applied for a job as a labor spy. He was thirty four years old, "steady and reliable," and he was a skilled operator of "universal turret lathes," he wrote in his application. Spauder also had experience as an undercover factory operative, having "pursued work in writing daily shop reports on the following: Leaks, thievery, loss of production, material waste, agitation, etc." Spauder promised that he could "speak and understand several foreign languages and can produce satisfactory results in dealing with these particular elements," useful skills in an urban factory. He was one of thousands of undercover informants who got paid for reporting to the boss what was happening in union halls and on factory floors.1

From the 1850s through the late 1930s, American employers hired labor spies to watch their employees. Labor spies adopted false identities as employees or customers to gather intelligence about the workforce and report it to the boss. Often spies went beyond simply reporting and tried to alter events by undermining strikes or persuading workers to forgo collective action. Some spies even won election to union office and thus infiltrated central labor councils and national unions. Detective agencies recruited

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1Records of the La Follette Committee, U.S. Senate Committee on Education and Labor, National Archives, RG 46, Box 99. Spauder's letter was one of many found in the files of the National Metal Trades Association by La Follette Committee investigators. Whether the NMTA placed him and where remains unknown.
and placed most of these operatives. Allan Pinkerton, founder of the famous Pinkerton's National Detective Agency, got his start supplying detectives to railroads to watch workers on the job, and in the years of industrial turmoil that began after the 1877 railroad strike, employer demand for undercover operatives grew fast. New detective agencies organized quickly, and by the early twentieth century labor spies could be found in factories, department stores, and hard-rock mines.

Undercover operatives played a role in many notorious labor conflicts. Evidence collected by a labor spy helped condemn Molly Maguires to the gallows, and Big Bill Haywood barely avoided the same fate when a Pinkerton operative infiltrated the team defending him against charges that he murdered the former governor of Idaho. Labor spies reported on railroad workers striking the Chicago, Burlington, & Quincy in 1888, and worked among steelworkers during the steel strike of 1919. In 1934 and 1935, the vice president of the auto workers union in the Detroit Dodge plant doubled as a labor spy.2

Trade unionists and progressives denounced the "labor spy racket" as inhumane and intolerable, "a system based on the negation of honor and good faith in human relationships."3 But moral outrage hardly swayed employers, who enjoyed enormous leeway in employee relations. The passage of the federal Wagner Act in 1935 changed

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3Huberman, The Labor Spy Racket; Current Opinion, September 1921.
the ground rules, by obliging employers to recognize and bargain with unionized workers and by making it illegal to "interfere" with workers' collective action. Dramatic public hearings held by Senator Robert M. La Follette in 1936 and 1937 demonstrated just how labor espionage interfered when workers organized. La Follette subpoenaed company presidents and labor spies before his committee and explored the hidden underworld of labor espionage. The labor spy industry never recovered. Employers wary of more bad publicity stopped hiring the detective agencies, and the practice withered.

The secret nature of labor espionage made it hard for unionists to track. Most surviving information about labor spying comes from exposés written by contemporaries and from government investigations into the practice. Progressive journalists produced exposés based on extensive research; writers like Sidney Howard and Robert Dunn interviewed trade unionists, talked to government officials and police officers and read government documents to piece together the activities of detectives. Lapsed detectives occasionally published insider accounts of their activities. Morris Friedman printed a detailed overview of Pinkerton's Colorado operations in 1907, and Charlie Siringo, a Pinkerton "cowboy detective," printed a tell-all book about his assignments investigating bank robberies and the activities of western hardrock miners after a falling-out with the agency. These exposés preserved critical evidence to document the secretive practice of labor espionage.4

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Unionists and progressives also engineered government inquiries to investigate labor spying. Congress first investigated the Pinkertons in 1892, after the Homestead strike. The Commission on Industrial Relations held hearings from 1913 to 1915, and from 1936 to 1939 the Senate convened the La Follette Committee, a special investigative committee to explore “employer violations of free speech and the rights of labor.” These federal investigations produced rich material, since Congress could subpoena detectives otherwise disinclined to talk, and hire professional investigators to dig up dirt. State and local legislatures periodically held hearings as well—Wisconsin in 1924, Pennsylvania in 1930—at the behest of frustrated unionists.5

A uniform portrait of labor espionage emerged from these studies and inquiries. Cunning and dissolute undercover detectives thwarted organizing drives and undermined

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existing unions in many workplaces across the country. Detective agencies advertising their services often presented themselves as "conciliators" who could help identify and resolve workplace conflicts, while also monitoring shopfloor conditions and watching for waste and theft, and when employers admitted using detectives, they generally cited these services as the reason. Investigators rejected such rationales as obfuscations of employers' true intention, which was unionbusting. And labor espionage worked—strikes and solidarity collapsed when spies came on the scene. Detective agencies expanded their industry by creating demand for it; once hired, labor spies caused workplace problems to justify their continued retention, trapping employers and workers in a cycle of unnecessary conflict.

Whether conducted by legislators or journalists, these investigations aimed less to understand labor espionage than to eliminate it. Sidney Howard's often-cited 1924 study neatly expressed this stance: "Briefly, whatever industrial espionage may put forward in defense of itself, it cannot possibly accomplish any really constructive betterment of any situation. It can only complicate and intensify industrial unrest." Since trade unionists or sympathetic progressives organized these inquiries in service to labor's goals, their intrinsic bias is unsurprising. No countervailing force pushed investigators toward a more measured perspective. Detective agencies dodged investigators looking for information, and employers rarely acknowledged using labor spies at all, let alone testified willingly about their reasons for doing so. Thus the books and reports that undergird narratives about labor spies are neither disinterested nor diverse in perspective;

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6 Howard, The Labor Spy, 16.
a single analysis prevails.

Investigators' partisanship hardly invalidates their findings. In his study of midwestern hobo workers, Frank Tobias Higbie revealed how the worldviews of social investigators shaped their reports: their "investigations were both descriptions of real lives and caricatures, grotesque inversions of what middle-class investigators considered normal." Higbie treated this insight not as an indictment of investigators, but rather as a tool to "break down the division between social description and social history so that the sources we use to retell workers' life stories become themselves the subjects of analysis." In this spirit, the sources on which labor spy narratives are based warrant critical scrutiny. We should reconsider, not reiterate, advocates' Manichean morality tales.

Labor historians have tended to pick up the inflections of older narratives. Thus labor espionage is treated solely as a unionbusting device, deployed by employers against workers. Robert Michael Smith's recent study From Blackjacks to Briefcases relies on the mass of labor spy exposés and investigations to produce a cogent synthetic study of labor espionage and strikebreaking. Smith sees labor espionage as a tactic increasingly chosen by employers seeking more surreptitious forms of repression than open assaults by National Guardsmen or strikebreaking armies. Stephen Norwood's Strikebreaking and Intimidation likewise analyzes the origins and growth of labor spying as a tool to suppress union organizing (although his book largely concerns strikebreaking by

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professional mercenaries.)⁸ In their accounts, labor espionage worked—labor spies “succeeded in reducing countless unions to little more than debating societies,” according to Smith.⁹

In rare cases, records survive from companies that employed labor spies. Histories based on those company records present a more nuanced picture. Charles K. Hyde discovered a trove of spy reports in the records of a Michigan copper company, and found “little evidence to support the most extreme portrayal of spies as effective manipulators of workers and employers alike.” Company management hired labor spies to identify union leaders and head off strikes as the firm and its workforce grew larger and harder to manage. Ironically, the spies reported most often on unsafe mine conditions and tyrannical foremen. Since the undercover agents had to actually work in the mines themselves, unknown to foremen, the labor spies took poor air quality and capricious discipline seriously, and in several cases their reports got foremen fired; the company ignored their safety complaints, however. The labor spies got workers fired too, and were far from neutral forces in the mines. But Hyde concluded that while the “spies often acted against the workers' best interests, they did not engage in the more dishonest and abusive practices described by labor leaders and polemicists in the early

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⁹Smith, From Blackjacks to Briefcases, xvi.
decades of this century.”

Conversely, Gary M. Fink found a labor spy engaging in just such dishonest practices during a Georgia strike around the same time. The Fulton Bag Company had a series of spies that reported mainly on favoritism by the foremen and other management problems before they hired an experienced and charismatic operative, Harry Preston, who immediately infiltrated the ranks of strikers and never worked inside the mill. Preston became a leader among the workers, and got himself named a delegate to the United Textile Workers convention where he tried to convince the union to abandon the strikers; when an investigator for the Commission on Industrial Relations came to research the strike, Preston met with him to explain why no investigation was warranted. Despite Preston’s efforts, Fink found that labor spies “clearly did not break the Fulton Bag strike, but they did impose substantial obstacles.” Ultimately, Fink argued, “labor spies were much more effective at imaginatively exploiting compromising situations than in creating them.” At the Fulton Bag mill, a sophisticated labor spy operation hastened but did not determine the strike’s outcome.

These case studies complicate the orthodox scenario outlined by unionists and advocates. Hyde and Fink describe quite different practices by undercover operatives—Hyde viewed the copper spies as essentially honest reporters of shopfloor conditions, while Harry Preston functioned more like an agent provocateur—but similar outcomes. Labor spies were not especially effective in either case, nor did they hold

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11 Fink, Fulton Bag and Cotton Mills Strike, 149.
management in their thrall. And by tattling on foremen and warning management of
dangerous working conditions, labor spies potentially served the interests of workers,
however inadvertently. By showing labor spies as more nuanced figures, providing in
part the "conciliation" services claimed by detective agencies, Hyde's and Fink's studies
point to labor espionage as a management technology, not just a unionbusting tactic.

All of these histories echo the polemics of the past in treating labor espionage as a
conspiracy between employers and detective agencies against workers. The fact that
many informants were also workers remains untheorized. While some labor espionage
was performed by professional operatives who worked full-time for detective agencies,
much intelligence was provided by rank-and-file workers who picked up labor espionage
as a side job, receiving money for regular reports on the activities of their coworkers and
unions. Like the trade unionists and progressives who authored earlier exposés,
historians have glossed this aspect of labor espionage, treating worker-spies as victims of
predatory detectives rather than as rational agents. Thus, reporting that one detective
agency estimated in 1936 that 70% of its operatives were full-time workers, not
professional detectives, Robert Michael Smith described these worker-spies as "duped,"
and argues that "many never suspected that their employers received the reports they
drafted."\(^{12}\) In these accounts, there is no room for a worker like P.C. Spauder; he at least
was fully cognizant of the purposes of plant informing.

This dissertation looks behind the polemics and public investigations by studying
not just what workers and unions said about labor espionage, but also what they did about

\(^{12}\) Smith, *From Blackjacks to Briefcases*, 86-87.
it. In three case studies, I explore workers' strategies to confront the technology of espionage in their workplaces and unions. As the phenomenon of labor espionage spanned many decades and industries, a case study method enables a closer view than a broader synthesis would permit. Thus this dissertation narrates a series of episodes to highlight particular moments in the labor movement's struggle with spies from the 1850s through the 1930s.

I relied on union records and periodicals, oral histories and personal papers left by participants, as well as court cases and the popular press, and used these sources to reread government investigation reports and progressive exposes with a more critical eye. I locate the origins of the spy system in the 1850s on the railways in Chapter 1, a study of undercover detectives on railroads and streetcars that sees the railcar as a theater of labor discipline for workers and passengers, and culminates with the passage of anti-detective state laws in 1913 and 1915. Chapter 2 describes the introduction of labor espionage to the hosiery industry in the 1920s, and the campaign against labor spies mounted by the American Federation of Hosiery Workers—a campaign that foundered until New Deal legislators took up the fight in the 1930s. Progressives used labor's critique of the spy racket as a powerful argument to justify new federal regulation of industrial relations in the 1930s, as Chapter 3 argues, but conservative unionists retaliated in Congress with a parallel critique of Communist attempts to organize inside American unions, and in the process helped fuel the rise of McCarthyism.

This approach yields some fresh insights. Labor espionage originated not as a unionbusting device, but rather as a management tool for railroads, the first very large employers in the United States. In the mid-nineteenth century, railroad managers coping
with a sprawling, interstate workforce could only wonder what their far-flung employees were doing. As it turned out, their employees were often stealing prodigiously, and early labor spying, called "spotting," aimed at catching them. Increasingly, detectives posing as passengers also reported on railroad workers' job performance, and thus functioned as surrogate supervisors for railroad managers. Urban streetcar systems swiftly adopted the technology of labor espionage as well, as their large unruly workforces showed the same propensity to theft. Labor spying, in other words, was a symptom of the industrial revolution's rapid growth and a source of industrial conflict, but a sign that management's control was tenuous.

Employers' right to secretly watch their workers was neither legally secure nor socially legitimate. Widespread public support for workers who endured the gaze of spotters was apparent in jury verdicts and newspaper columns; in 1914 and 1915, several states passed laws limiting the ability of railroads to fire workers based on spotter reports. Interestingly, railway workers' unions had little to do with these laws. Rail unions, anxious to appear respectable and dependent on public support in their strikes, recoiled from confronting the spotter problem publicly because they feared the taint of worker theft. This left rail workers to contend with spotters on their own, and as a result, the spotting system grew unchecked into labor espionage.

While the rail unions avoided the problem of labor espionage, the American Federation of Hosiery Workers attacked it head-on. Unlike other unions, the Hosiery Workers went after labor spies because the union believed that undercover operatives were to blame for their inability to organize the hosiery industry in the 1920s and early 1930s. The Hosiery Workers ran a concerted campaign to eradicate spies from their...
industry, attempting to get anti-spy legislation passed and even hiring its own detectives to work as double agents. The Hosiery Workers' campaign against the spies was no more successful than its organizing campaigns; its failure shows that only state action backed with strong enforcement could curb the detective agencies. But the Hosiery Workers also struggled with a problem of definition. Although the union discovered that its members and officers worked as secret informants, its campaign framed the labor spy problem as one of detectives preying on workers. As they tried to build solidarity among union and nonunion hosiery workers, organizers could not acknowledge the shortage of solidarity within their own ranks.

This artificial opposition between spy and worker, which recurred in unionists' discussion of labor espionage, was mirrored in an opposition between Communist and worker in labor's anticommmunist discourse. I find remarkable similarities in the infiltration narratives trade unionists created to describe the activities of labor spies and Communists seeking influence in unions. These similarities arose in part because labor spies and Communists both used strangely alike tactics of subterfuge and dissimulation. The American Federation of Labor led efforts to identify and expel Communists in the 1920s, often using clandestine spycraft to collect intelligence, and built a critical institutional foundation for the growth of American anticommunism.

When the labor movement fractured in the 1930s, these parallel infiltration narratives suddenly mattered. Progressives worked with New Deal legislators to support expanded federal authority over labor relations, and the Congress of Industrial Organizations and its allies brandished its labor spy narrative as a rationale for the National Labor Relations Act. The La Follette Committee hearings enacted a morality
play starring evil detectives versus beleaguered workers, and the pageantry helped shore up public support for the new law. Outraged at the success of the CIO and unalterably opposed to state oversight of labor, the AFL retaliated with its own hearings and pageantry featuring Communists as the secret agents bedeviling labor. The House Un-American Activities Committee got a jumpstart from the AFL’s voluminous records of Communist organizing in the labor movement. Of the two infiltration narratives, the AFL’s proved most enduring.

Both the CIO and the AFL cast workers as innocents who needed protection from cunning secret agents. We know, thanks to the work of many historians, that American workers were hardly victims of a Moscow conspiracy. Workers embraced Communism or socialism or other radical ideologies for their own reasons, based on their own politics and experiences. Workers who chose to be labor spies deserve the same deference. Rather than viewing them as stooges or villains, we should take them on their own terms. By excluding workers from their analyses of the labor spy problem, advocates turned labor espionage into a scandal that demanded government action, but they also obscured their own understanding of the phenomenon. In this study, I highlight workers who spied and ask how acknowledging their existence changes the meaning of labor espionage. Only then can we make sense of workers like P.C. Spauder and how they helped to shape labor’s fortunes.
Chapter I

Surrogate Supervisors: Railway Spotters and the Origins of Workplace Surveillance

Dear Spotter:
The conductor yearns to yank thee
To his brawny breast and squeeze
Thy palpitating gizzard
Through thy vest.¹

In 1872, Walter Pitt worked as a conductor on the Second Avenue Railroad, a horse-drawn street railway in New York City. As passengers boarded the train, he collected their five-cent fares, and he was responsible for maintaining order on the train. One day in November, a passenger named Stephen Force got on his train at Peck Slip and struck up a conversation. Casually, Force sized Pitt up, and then made his move. Force told Pitt that he was a “spotter,” hired by the railroad to watch Pitt secretly and report whether he turned in all the fares or pocketed any nickels for himself. Force offered Pitt a deal: he would give the conductor a clean report if Pitt agreed to split whatever he skimmed off the fares.

Pitt listened carefully to the spotter’s proposal, questioning him closely to make sure that Force really did work for the railroad. Then he agreed to the swindle, and gave

Force a dollar bill to seal the arrangement. Force rode along with Pitt until they came to
the next stop. When the streetcar stopped, Pitt stepped off the train and called to a
mounted policeman. He reported Force's fraudulent scheme, and the policeman found
Pitt's specially-marked dollar on Force.

The conductor and the spotter went down to the Yorkville Police Court, where
they met the president of the railroad. On the president's complaint, Force was arraigned
and held for a $300 bond. But Pitt was held too, on "a technical charge of conspiracy."
For all Pitt's caution, it appeared the railroad trusted him no more after his proof of
honesty than before.2

Trainmen felt the eyes of spotters upon them on streetcars in Cleveland and
Pullman cars in the Midwest and locomotives in Texas. From at least the 1850s, railways
hired people to board trains as passengers and discreetly watch conductors and motormen
work. Demure matrons and impassive clerks gazing at the conductor collecting fares
doubled as spotters who tracked ridership with tricks like flipping pages in a book each
time a passenger boarded. If a conductor's fare collection fell short of the spotter's tally,
the conductor faced discipline, discharge, and prosecution in civil and criminal courts.
Spotters silently noted the trainmen's demeanor and job performance—did the conductor
spit on the floor? Did he speak roughly to passengers? After dismounting the train and
watching it pull away, these spotters dug out notebooks and recorded the conductor's

2New York Times, September 26, 1874. A few months earlier the newspaper
reported a similar scenario on the Dry Dock line, when conductor Thomas Sheridan
turned in spotter John R. Fiddler for the same spoils-sharing scheme. Likewise, Sheridan
was arrested along with the spotter. New York Times, June 7, 1874. See also New York
Times, August 15, 1882 for a "blackmailing spotter" also arrested in Yorkville.
Detective Allan Pinkerton started his career by marketing the service of spotting to railroads. Burgeoning railway workforces presented unique challenges to managers: how to supervise crews dispersed across long stretches of track? Spotters offered a solution. A corps of undercover operatives watching workers go about their duties could be the manager’s eyes and ears, covering hundreds of cars at once. With a spotter’s report in hand, a manager could see his employees slipping nickels into their pockets or chattering with each other while passengers waited for help. From his desk the manager could judge a conductor to be dishonest or a brakeman lazy. Spotters were like hidden cameras, mercilessly tracking the movements of trainmen. This surveillance system grew along with the railroads and soon migrated onto street railways, where conductors’ fare collection was an even larger part of receipts.

Trainmen were the first to grapple with the problem that soon faced workers in many other industries—how to cope with a shadowy boss who could take the form of a customer or a coworker. Trainmen resented the gaze of railway spotters. But even more maddening were the labor spies working alongside them on the trains, hired as “inside men” to report on what happened after trainmen got off the cars and walked home together. Detective agencies also offered labor spies to discover and thwart collective action. Unlike spotters, instructed to simply record the actions of trainmen, labor spies intervened directly in organizing campaigns or strikes, in the guise of a fellow worker. Whether running their cars or talking at the union hall, trainmen were watched all the time.
Working under the gaze of spotters, workers experienced a new approach to management, a sort of stealthy supervision. A quarter century before Frederick W. Taylor began training foremen to observe and measure workers' productivity, and decades before corporations mounted video cameras in employee break rooms, railroads (and, increasingly, department stores) devoted substantial resources to watching workers' every move.

Because they worked in public, in the view of actual passengers, this dynamic played out in a very public fashion. Passengers could watch the maneuvering of spotters and trainmen in a sort of morality play; at times, passengers stepped into the scene as actors as well. Railway workers and passengers together jockeyed with road management to curb this new regime of supervision by stealth, and juries repeatedly exonerated conductors accused by spotters. Public support for surveilled railroad workers shows the limits of legitimacy for employer supremacy in the Gilded Age.

Workers could have marshaled their mass support to enact laws limiting employers' power to surveil them. But workers were hamstrung by the problem that spurred the spotter system in the first place. Conductors did steal; they pocketed coins and scalped ticket books and let their friends ride free. Their unions, concerned to establish the respectability of their trades and members, recoiled from even discussing the spotter problem. The reticence of their unions left workers to wrangle with spotters on their own. Spotting functioned as a shoehorn for labor espionage, as employers accustomed to spotters embraced the idea of undercover agents among their workforce.

In two parts, this chapter examines the phenomenon of railway spotting and labor
espionage. Part I explores its origins on railroads as a management technology prompted by a dispersed labor force and worker thefts. Streetcar spotting, discussed in Part II, manifested the same characteristics in magnified form as railroad spotting. Trainmen devised a range of tactics to thwart spotters, from marking their shoes with chalk to beating them up on the platform. Especially on streetcars, passengers and onlookers joined in to help out. But sporadic skirmishes could not eliminate the spotter system, which became more entrenched over time, and labor spies turned out to be even harder to dislodge. Technology gradually obviated the need for passenger spotters, as railways came up with cheaper ways to prevent theft, but railway workers endured labor espionage for far longer.

Part I: Railroad spotting and spying

To manage the problem of fare theft, railroads contracted out supervision of employees to Pinkerton and other detectives, who marketed themselves as disinterested professionals. Quickly spotters expanded their purview from watching out for theft to general surveillance of employees' performance of their job duties and adherence to company rules, and employers deployed this new technology to watch for union organizing as well. Individual conductors turned to the courts to challenge spotter reports, and conductors developed various practices to detect and mark spotters for each other. Railroad unions refused to acknowledge the phenomenon, leaving members on their own to deal with spotters.

Railroad management challenges

As railroad track erupted across the country in the nineteenth century, employee
rolls swelled. Both in total numbers of workers employed and in the geographic spread of their workforces, railroads grew swiftly; national railroad employment shot up from under 10,000 in 1840 to over 400,000 in 1880. Laborers formed the bulk of this workforce, but a thickening layer of managers accreted on the great lines as well. Civil engineers trained at West Point made up a share of the managerial corps, while others worked in manufacturing or banking. With their bureaucratic experience and practical problem-solving, early railroad managers applied themselves to the complex puzzles of mapping new lines and coordinating train schedules and financial arbitrage. Figuring out how to deploy their human capital increasingly occupied their time as well. Early railroad executives created a hybrid structure of labor relations halfway between the old and the new, using traditional modes of recruiting and managing workers while also experimenting with new techniques.

In his study of nineteenth-century railroad workers, historian Walter Licht found that railroad managers developed decentralized hiring systems, permitting local officials to select their own staffs. As the railroads grew, this tendency became more pronounced—road executives delegated hiring decisions in part because recruitment volume was too big to handle centrally. Personal connections to the trainmaster or station master became a prime qualification for jobs; applicants worked through family members and political contacts to secure work, and sometimes paid small bribes to sweeten their

bids. Railroads encouraged this patronage as a disciplinary measure. Personal ties bound workers to their supervisors with loyalties and obligations beyond the employment relationship.\textsuperscript{4}

While patronage continued longstanding traditions of employment relations, railroads developed a highly-centralized system of rule-making to govern their employees' conduct. Railroad rule books, lengthier every year, specified the exact tasks required for each brakeman, conductor, and engineer, from the correct train running speed to a ban on smoking on the job. Workers received these books upon hiring and signed pledges vowing to read and learn the rules thoroughly.\textsuperscript{5} Rule-based codes of conduct aimed to standardize and regularize practices across railroad lines and stations. But local managers enjoyed substantial autonomy in supervising and disciplining workers. This tension between central rulemaking to govern conduct and local management authority to impose discipline meant that in practice, company policy varied from station to station, depending on the disposition of trainmasters and station masters.

In charting workers' duties, railroad managers were largely unencumbered by past practices or craft rigidities. Railroad work was new in the world, and railroads built their workforces from scratch. The first cohort of railroad workers came into their jobs largely without an inheritance of customs and practices to guide their work. Railroads recruited the very first conductors from the ranks of stagecoach drivers, and early engineers often came out of the machine shops that built locomotives. But the limited supply of workers


\textsuperscript{5}Licht, \textit{Working for the Railroad}, 79-89.
from transportation industries, and railroads’ ravenous demand for labor, meant that railroads hired crews from the most populous nineteenth-century workplace: the farm. A majority of railroad workers came from native farm families, and the roads trained workers on the job.6

A hierarchy of labor emerged immediately. Laborers building and repairing track made up the largest group of workers and earned the lowest wages. Brakemen and firemen had dirty and dangerous jobs, mitigated largely by the hope of promotion. Firemen worked under engineers and conductors supervised brakemen in a sort of apprenticeship. At the very pinnacle of railroad labor perched engineers and conductors; they earned more than double the wages of trackmen throughout the nineteenth century. Engineers earned the most money and exercised great autonomy on their trains, no matter what the railroad’s rule book said, answering only to themselves while running the locomotive. Conductors ranked just beneath engineers in pay, and had responsibility for managing both passengers and freight.7

Conductors and engineers rapidly invented their own traditions. Eager to shore up their desirable positions, they developed a craft consciousness and mimicked the exclusionary techniques of longstanding craft unions. In the Brotherhood of Locomotive Engineers and the Order of Railroad Conductors, workers in the running trades built unions dedicated to strict self-interest and unalterably opposed to solidarity with workers

6Licht, Working for the Railroad, 221-222.

of other ranks on the railroads. They abjured strikes, looking instead for a collaborative approach with railroad managers. The BLE considered “the interests of engineers and the railroads they served as identical,” writes historian Shelton Stromquist, and the ORC was “infamous in the circles of organized railroad workers for its identification with the interests of management.”

Elite trainmen aspired to social status commensurate with their workplace rank. Passenger conductors took a particular interest in creating a craft identity of culture and refinement. Conductors wore fine suits and uniforms, carried fancy watches, and pursued literary interests. As workers enjoying some of the best jobs in the nineteenth century, trainmen developed and relished an image as sober and refined gentlemen of standing.

Thieving workers

Conductors’ predilection for theft undermined this cultivated persona. On the Concord Railroad in 1866, widespread theft led the railroad to fire all of its conductors en masse and issue writs against their property totaling $300,000. Two Pennsylvania Railroad conductors were convicted of selling unused railroad tickets for $300 to a traveling salesman, who scalped them in Baltimore, in 1884. Conductors on the New York Central developed an elaborate kickback scheme in 1893. In Syracuse,

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saloonkeepers and businessmen who were in on the scam showed specially-marked business cards to conductors, who honored the cards as tickets and charged them half the regular price, pocketing the fare.\textsuperscript{11} On the Hudson River Railroad the previous year, conductors ran a similar scam, using a newsboy and a saloonkeeper to scalp the tickets.\textsuperscript{12}

Other workers stole from the railroad as well. A train dispatcher and a timekeeper for the New Jersey Central Railroad concocted an elaborate fraud in 1873, submitting schedules for fictitious trains, manned by phantom workers, to road managers, and pocketing the extra wage packets; over two years they may have taken in $50,000.\textsuperscript{13}

Shopmen stole tools and coal. But conductors’ thefts achieved a special notoriety. Appropriations of passenger fares were so widespread that the practice earned its own slang: Americans referred to conductors’ embezzlements as “knocking down.”\textsuperscript{14}

Their role as ticket takers gave conductors opportunity and temptation. Railroads sold tickets at stations, and railroad conductors collected tickets from passengers after they boarded. Most roads also permitted passengers to pay their fares directly to the conductor on the train. Both of these scenarios presented a chance to steal. For passengers who paid aboard the train, no record of the fare existed save what the conductor kept. It was easy enough simply to pocket the money. Tickets could be

\textsuperscript{11}\textit{New York Times}, March 24, 1893.

\textsuperscript{12}\textit{New York Times}, May 8, 1892.

\textsuperscript{13}\textit{New York Times}, August 23, 1873.

appropriated in several ways. Conductors kept books of tickets with them on board for issuance to passengers who paid on the trains. These ticket books could be pilfered and sold. As for tickets purchased from agents, conductors were to punch these tickets with a hole or mark, thus invalidating them for repeat usage, and submit them to road management. If a conductor failed to punch the ticket, it could be resold. With no manager on board the train, conductors were free to choose their course, with brakemen subservient to them being the coworkers most likely to witness their thefts.

Further, a robust secondary market made stolen tickets easy to liquidate. Independent ticket agents, called “scalpers,” began selling passenger tickets in the 1850s. These agents obtained unused tickets from passengers who were unable to use them, and sold them at a small discount. As railroad fare competition escalated, passengers figured out that a long-distance ticket was often cheaper than a shorter trip; by the 1870s, a passenger traveling from New York to small-town Indiana could buy a less-expensive ticket to St. Louis, get off the train at her Indiana destination, and sell the remaining ticket between her small town and St. Louis. Railroads themselves sold batches of tickets to scalpers when fare wars broke out. In addition to professional scalpers, saloon-keepers and merchants casually sold tickets if they got some. Conductors had ample venues for trafficking stolen tickets.\(^{15}\)

For trainmen, no customary right of takings sanctioned their thefts (as, for example, eighteenth-century shipyard workers in England, long permitted to take extra

\(^{15}\)On the phenomenon of scalping, see New York Times, July 28, 1874; ibid, April 14, 1875, March 19, 1882.
Relatively well-paid, trainmen could hardly argue that palmed fares supplemented an inadequate wage. No examples of conductors justifying a theft with an explanation or rationale beyond greed or weakness could be found. Conductors and trainmen likely stole because they could.

Railroads searched endlessly for technologies and ticketing procedures to thwart fare theft. To prevent cash fare theft, roads urged passengers to purchase tickets from agents only. An 1864 American travelogue remarked that “railroad conductors, who formerly collected fare of the passengers who neglected to buy tickets, grew rich on the money they could not be made to account for until the companies were forced to make the purchase of tickets at the offices compulsory on every passenger.” But it was impossible to entirely eliminate on-train ticketing, as some passengers always boarded without a ticket, “because of indifference; others through forgetfulness,” and some “from improper motives.” The Pennsylvania Railroad tried hiring a separate fare-collector on its trains, leaving conductors to attend to passenger needs and train operation. Railroad accountants argued that cash receipts must be issued to all passengers, and tickets were issued with passenger names inscribed on them, not to be transferred to another person.


Elaborate numbering and double-bookkeeping systems to account for tickets aimed to make thefts easier to detect.\textsuperscript{20}

Enter the spotter

Enterprising Allan Pinkerton had another idea. Pinkerton had been picking up work as a freelance investigator around Chicago in the early 1850s, apprehending counterfeiters and working as a postal inspector. In 1855, Pinkerton convinced six Chicago-area railroads to jointly sponsor a railroad-checking business; Pinkerton would supply detectives to report on the "habits and associations of the employees." Within a few months, Pinkerton's agents had caught a conductor on the Chicago & Burlington Railroad with a pocketful of ticket receipts, valued at $36.\textsuperscript{21} Railroad spotting contracts made up a substantial portion of Pinkerton's detective business for decades thereafter.

When Allan Pinkerton pitched his idea of spying on conductors to the Chicago railroads, then, he was offering a new technology to executives looking for fresh ideas. It is unknown whether Pinkerton invented the idea of furtively watching conductors to detect theft, although no earlier examples can be found. An 1861 guide to railroad management suggests that the practice was well-known by then: "the faithful conductor has no power to prove his fidelity, nor the railway managers any exact means to prove the

\textsuperscript{20}See, for example, J.E. White, \textit{White Audit System: Detail of Operation} (n.p, 1914), for an example of the proposed systems that circulated.

truth of any suspicions they may entertain, except by espionage."\(^{22}\) Pinkerton’s innovation was to outsource spotting, from the railroad to a private agency. In an 1870 pamphlet, *Tests on Passenger Conductors*, Pinkerton assured railroad executives that his operatives were disinterested and objective, paid on salary and therefore not encouraged to make false reports. Pinkerton vowed to “guarantee, in every instance, the veracity of my employes and the correctness of their reports,” and promised that “in every case of doubtful character, or where the Operative is not positive and certain, I give the Conductor the benefit of such doubt.” Pinkerton’s written reports on conductors’ activities gave railways “the same knowledge of facts and circumstances, from which to judge of the justice of the charges made,” that his detectives developed.\(^{23}\)

Pinkerton emphasized the benefits of using an outside firm to spot conductors: detectives were disinterested, upright, and professional. Given the patronage-based local hiring practiced by most railroads, Pinkerton’s claim of disinterestedness may have held special attraction to railroad executives. Supervisors entangled in a web of obligation with their employees may have been loath to suspect or investigate theft. More practically, a supervisor riding the train would be instantly recognized by conductors. Detectives unknown to the conductors they watched could observe conductors anonymously. Further, using an agency permitted railroads to claim some distance from the awkward complexities of figuring out whether employees stole. A former spotter


\(^{23}\)Allan Pinkerton, *Tests on Passenger Conductors Made by the National Detective Agency* (Chicago: Beach and Barnard, 1870), 4-5.
thought that railroads contracted the spotting function out "principally because the roads wish to be relieved of all liability and the direct responsibility of dickerings and controversies with their employees and the railroad brotherhoods." Railroad executives using agency spotters could counter protests by local managers and workers alike by invoking the neutrality of an outside observer.

In hiring Pinkerton's detectives, railroads relinquished a key management function to an entity outside the firm. Some railroads experimented with contracting out parts of their businesses before the Civil War. The Pennsylvania Railroad hired all its conductors from a contractor in the 1850s; other roads looked to contract out all their labor. After the war, Walter Licht found, American railroads apparently abandoned the practice, preferring to keep all their operations in house. Railroads' increasing reliance on detective agencies to watch their workers marks a sharp exception to this pattern.

Whatever his skills as a detective, Pinkerton was a genius at marketing. From his first contract in 1855, railroad spotting grew to constitute "a large extent" of his business, with "detection of embezzlements by Railroad Passenger Conductors a specialty." Tests on Passenger Conductors used pages of tables and charts to show the big savings he could offer: Pinkerton claimed that on the Philadelphia and Reading, "in 1863, Conductors in that Railroad embezzled 32 per cent of the collections, or, 18 cents per mile; whereas, in 1866, only 6 per cent of the collections, or less than one cent per mile


was taken by other conductors; thus exhibiting the practical advantages of the tests applied upon that Railroad.’

Pinkerton soon faced competition from a number of other firms that streamed into the business. A major rival emerged in St. Louis: Gus Thiel’s Detective Agency, founded in 1873 by a former Pinkerton detective. As railroad employment grew, so did potential demand for spotters.

**Spotter methods**

Spotters worked in secret, of course, their success dependent on avoiding detection. But a glimpse into the methods and practices of early spotters can be found in an 1889 exposé: *Judas Exposed: or The Spotter Nuisance: An Anti-Secret Book Devoted to the Interests of Railroad Men*, authored by “Sunshine.” Sunshine’s rambling diatribe juxtaposes lengthy confusing anecdotes of spotter perfidy with denunciations of the railroads, menacing doggerel, and a close examination of “Zeal’s Detective Agency,” which specialized in railroad spotting. Sunshine’s autobiography, presumably doctored to disguise his identity, reports that as a youth he got a job as a timekeeper for the Argentine

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28 “Sunshine” [Martin P. Wheeler], *Judas Exposed: or The Spotter Nuisance: An Anti-Secret Book Devoted to the Interests of Railroad Men* (Chicago: Utility Book and Novelty Company, 1889.) Cataloguers at the Library of Congress attributed authorship of *Judas Exposed* to a Martin P. Wheeler, about whom nothing is known. Through the 1940s or so, cataloguers at the Library of Congress doubled as sleuths, ferreting out information about the books and authors they catalogued. For anonymous authors, cataloguers often consulted the copyright documents filed with the book, and judged whether the copyright registrant should be also considered the author. In the case of *Judas Exposed*, the cataloguers attributed authorship to Wheeler; they did the same with another anonymous text discussed later in this chapter, *The Railroad Spotter*. Thanks to librarian Thomas Mann at the Library of Congress for help with this question.

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Railroad (probably a Kansas City road, not one in Argentina) and quickly won a promotion to the General Manager's confidential clerk. After several years with the Argentine, Sunshine took a job with "Messrs Isaac Newton & Co, railway and corporation lawyers." In this job Sunshine learned about the "Secret Service and Inspection" system developing on the railroads, and while working with managers and "employees of all grades" developed a bilious outrage that led him to expose the spotter system.29

Clearly "Zeal's" is wordplay for "Thiel's," the St. Louis-based Thiel's Detective Agency.30 In Judas Exposed, Sunshine reprinted Thiel's rule book for spotters, annotated with his own comments. While the authenticity of this reprint remains in doubt, its numbing detail, bureaucratic language, and niggling rules suggest a bona fide employers' rule book. (For example, its opening directive: "Operatives will please read the Books of Rules and make themselves familiar with the contents. Ignorance will not be taken for an excuse.")31 Sunshine's resume implies that he could have obtained the rule book from the railway lawyers. Indeed, the rule book apparently was distributed by Thiel to drum up business by revealing his rigorous guidelines for operatives. Sunshine reprinted an advertising circular from Thiel with references to the rule book, suggesting that they were distributed together. Taking the reprints at face value, their dicta give some insight into

29 Sunshine, Judas Exposed, 22-23.

30 As J. Anthony Lukas notes in Big Trouble (New York: Simon and Schuster, 1997), 85.

31 Sunshine, Judas Exposed, 33.
nineteenth-century spotter practices.

Anonymity being a necessity of the job, Thiel's rules advised duplicity in basic social intercourse. When chatting with passengers or railroad workers, spotters should be "suave and polite," ready with a "prompt and plausible" story about their business and destination. But conversation could lead the spotter into convoluted lies and difficult situations—a spotter claiming to be from a remote town might find that his new friend hailed from the same place. When possible, "it is best not to volunteer any information."32 The strains of performing a false identity should not be eased by talking to co-workers; fellow spotters must not be acknowledged if met, nor could friendly letters be exchanged.33 No letters could be sent to a spotter's family except through the detective office, which prevented angry workers from discovering a spotter's home address, but also permitted the agency to read personal letters. And whether in letters or in person, the spotter should maintain the mask with family and friends at all times, as "it is hoped that an employe will take every precaution to keep his business from being known, even to his most intimate friends and relatives."34

Feigning nonchalance while scrupulously observing and recording conductors' actions and passenger movements tested spotters' memories and ingenuity. Spotters were admonished to act "naturally" and appear blasé. Simultaneously, they were to count passengers boarding and disembarking, note the names of conductors and other workers.


33 Sunshine, Judas Exposed, 34.

34 Sunshine, Judas Exposed, 34.
watch as conductors punched tickets and collected fares, and note the circumstances of any malfeasances. As making notes on the train would attract the attention of railroad workers, spotters should step into the water closet or the men’s lounge car to record their notes, or wait until they got off the train altogether. Overnight trips on sleeping cars posed extra challenges; spotters should stay up all night if possible to track boardings and departures. 35

The difficulty of their work is apparent. On a crowded train for many hours, a spotter could easily miss important transactions—a conductor winking and bypassing a soldier in uniform, or returning to collect fares from passengers digging in their wallets. Maintaining an air of artless ease while steadily staring at the conductor would have been an impressive achievement. Moreover, delaying note-taking for minutes or hours certainly could impair the accuracy of spotters’ reports.

Thiel’s insistence on factual reporting was likely more than an empty directive. Railroads clearly questioned the veracity of his information and checked up on the spotters from time to time. He warned that railroad managers had at times “put some one on the train to prove the accuracy of the observations,” and firmly instructed operatives that “I desire to report nothing to my patrons excepting what can be substantiated under oath, and operatives failing to comply with the above precaution shall not receive further employment.” 36 Likely, workers drove officials to these demonstrations with outraged

35 Sunshine, Judas Exposed, 45, 63.

36 Sunshine, Judas Exposed, 48, 50. Several other spotter sources mention the use of spotters by steamship companies.
denials, but serious flaws in reports, like misnamed trains or impossible routes recorded by addled spotters, probably have inspired doubt as well. Thiel advised his operatives that he took accuracy seriously, and imposed a harsh rule: "whoever misses a passenger hereafter will be charged with the amount involved and the time consumed in making the trip, deducted from his salary."

If observed, this rule ironically subjected spotters to discipline analogous to that endured by the conductors and embodied by the spotters themselves. Underreporting of ridership led to sanction for conductors and spotters alike. Crucially, however, Thiel warned of no such penalty for overreporting of passengers or other errors. Docking spotters for underreporting implied that excessive faultfinding would protect spotters from discipline while more generous assessments led to reprimand. Here Thiel's rules expose the contradiction at the core of spotter work. Should a spotter detect no thefts, presumably his agency's services would be unneeded. Although detectives pitched their services on the basis of disinterestedness, they had an inherent interest in finding misdeeds that justified their retention. This critique would recur repeatedly in workers' discussions of spotting.

Thiel's instructions, and the advertising circular Sunshine reproduced, acknowledge challenges to spotters' integrity. Thiel's repeated admonitions to his spotters to perform their duties with honesty speak to these doubts. Like Pinkerton, Thiel also advised prospective customers that his agents were paid a flat wage without any cash incentive to discover embezzlements. He promised that "I find no more difficulty in

Sunshine, Judas Exposed, 40.
securing for my business, men of the highest reputation for honesty and integrity, than
does any other vocation or profession.\textsuperscript{38}

Most of Thiel’s rules related to watching conductors for theft of tickets and fares.
But he charged spotters with a broader assignment: watching workers to make sure they
did their jobs properly. He directed spotters to “familiarize yourself with the books of
regulations issued by the Railway, Sleeping Car and Steamship Companies to their
employees and report any violation of the rules.\textsuperscript{39} The “cleanliness and neatness” of
“conductors and porters and trainmen generally” warranted report. Likewise the state of
passenger cars, such as “foul water closets” or the car’s temperature, should be detailed.
Thiel urged agents to “let your reports be so full and explicit about everything you think
needs attention, that the official to whom it goes will understand it as clearly as if he had
seen it with his own eyes.\textsuperscript{40} A blank inspection report lists various items for spotters to
check, including “Were electric bells in working order? Were crew familiar with each
other? Was there any sleeping on watch?”\textsuperscript{41} The spotter’s duties thus expanded beyond
simply checking to see whether conductors stole, into reporting on trainmen’s
performance of all their duties.

\textbf{Surrogate supervisors}

Spotters directed to report on the general conduct of trainmen look like surrogate

\textsuperscript{38}\textit{Sunshine, Judas Exposed}, 74

\textsuperscript{39}\textit{Sunshine, Judas Exposed}, 39.

\textsuperscript{40}\textit{Sunshine, Judas Exposed}, 41, 64.

\textsuperscript{41}\textit{Sunshine, Judas Exposed}, 70-71.
supervisors, performing the disciplinary function of managers. To what extent railroads actually relied on this proffered service is unknown. Certainly it is possible that railroad agencies rejected this sort of intelligence from detective agencies, or that spotters were unable to produce usable information. But it seems logical that railroad executives willing to hire undercover agents to surveil their trains would be interested in all the findings such agents would report. Notably, the instructions make no mention of train operation—the engineer’s driving or the brakeman’s stopping of the train were not subject to scrutiny. Rather, spotters, disguised as passengers, were to check on trainmen’s service to riders.

Nearly thirty years after the appearance of Judas Exposed, a dime novelist named Clarence Everly Ray anonymously published The Railroad Spotter: An Expose of the Methods Employed by Detective Agencies and Bonding Companies.\(^2\) Ray said that he

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Ray’s dime-novel oeuvre raises intriguing questions about the genre of the spy confessional. Ray published books like The James Boys; a complete and accurate account of those famous bandit brothers, Frank and Jesse James and Buffalo Bill, the scout: his boyhood days, life on the prairies, trapper, soldier, hunter and showman. Whether his dime-novel output should cast doubt on the veracity of his account of railroad spotting is worth considering. Surely a railroad spotter may have also authored cowboy and bandit stories; likewise, perhaps a prolific author of sensational novels for working-class readers wrote a fictional autobiography of a spotter. Michael Denning found dime novels to be a semi-autonomous cultural space where working-class readers and sometimes authors “contested” key concerns and ideologies. The Railroad Spotter presents itself as a straightforward and pragmatic advice book for workers as well as an expose; Ray generally eschewed hyperbole and even narrative, instead describing and dissecting the inner workings of the spotter industry. But the connections between labor-spy and spotter confessions and dime novels warrants further study. Denning, Mechanic Accents: Dime Novels and Working-Class Culture in America (London: Verso,
had worked as a spotter for fifteen years, and for several years operated his own small
detective agency. The similarity to Judas Exposed is striking. Thiel’s rules for spotters
and the practices they reveal are echoed in Ray’s discussion of methods then in use. Ray
emphasized the ubiquity of spotting, saying that “practically all railroads use these spies,
or spotters, and outlined common tactics of spotters, such as sitting in the rear of the train
and dressing like a “lumberjack or tramp.” Ray found rogues among conductors and
spotters both; crooked spotters wrote false reports, and thieving conductors knocked
down regularly. In his view, the spotter system needed reform, not eradication. He
recommended that railway companies pay detective agencies a flat fee, to remove
incentives for false reports: this “would prove much more economical for the railway
company, a better and more morally clean class of spotters could be employed, and the
employer of the spotter would not in any way be financially affected by the spotter’s
results. In other words, remove the ‘spotter’ from the influence of graft or the personal
malice of his employer.” Over the years, the basic elements of spotter practice remained
the same.

How extensively spotters penetrated railroads remains unknown, and probably
unknowable. Newspapers periodically reported conductor firings based on spotter
surveillance, including the Susquehanna in 1870; Pullman in 1888; the Southern Pacific

43Anonymous [Clarence Everly Ray], The Railroad Spotter, 12.

44Anonymous [Clarence Everly Ray], The Railroad Spotter, 45-46.
in 1894; and the Burlington in 1910, among others. In his 1916 book, Ray reported that in his 15-year career, "I personally have covered the following railways: The Chicago, Rock Island, & Pacific; Missouri, Kansas & Texas; Illinois Central; Erie; Pere Marquette; Wisconsin Central; Minneapolis, St Paul & Sault Ste Marie; Chicago, Burlington & Quincy; Great Northern; Northern Pacific; Chicago & Alton; Chicago & Great Western; Minneapolis & St Louis, and other roads too numerous to mention." Whether spotters rode these roads episodically or regularly, whether railroads increased or reduced their reliance on spotters over time, is unknown. The inherent secrecy of spotting renders it visible only in historical flashes. Lacking systematic information, periodization of the spotter phenomenon is virtually impossible.

Further, over time railroads built internal apparatuses that also performed surveillance functions. Many railroads used their own staff as "auditors" or "checkers" to board trains unexpectedly and seize conductors' fare collections for immediate reconciliation. Ray noted wryly that "it was soon learned that it is as necessary to watch auditors and collectors as it is to watch certain trainmen," and spotters were detailed to surveil these employees as well. Eventually most railroads created their own police forces. The Pennsylvania Railroad received a state commission for a corporate police force in 1865. Most other railroads followed suit, with many receiving similar state

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46 Anonymous [Clarence Everly Ray], The Railroad Spotter, 49.

47 Anonymous [Clarence Everly Ray], The Railroad Spotter, 6.
commissions around the turns of the century. Railroad police patrolled lines looking for bandits, hoboes, and freight-car hoppers; at times, they also reported on workers. And railroads developed their own internal corps of “undercover men” to perform spotting functions. A historian of railroad policing wrote in 1955 that “for some years, however, it has been the practice to use specially trained full-time employees of the railroad” to spot employees, rather than hiring detectives, but when and how this shift occurred remains unknown. Thus railroads developed overlapping systems to accomplish the task of checking on workers, and different roads likely relied on varying combinations of these systems at different times.

**Labor spies**

Railroads also hired undercover men and detectives to work as labor spies. While railroad spotters posed as passengers to ensure that workers performed their assigned tasks—collect fares and follow rules—labor spies posed as workers to collect information about and possibly directly intervene in workers’ grievances and collective activity.

Labor spies are even more shadowy than spotters, but some clues suggest their presence. At Congressional hearings on the Pinkertons in the Homestead steel strike in 1893, Knights of Labor General Master Workman Terence V. Powderly presented Congressmen with a Pinkerton’s advertising circular he had obtained. The Pinkertons circular pitched labor spy services directly to railroads: “We suggest whether it would not be well for

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railroad companies and other corporations, as well as individuals who are extensive employers of labor to keep a close watch for designing men among their own employes, who, in the interest of secret labor societies, are inducing their employes to join these organizations and eventually to cause a strike.\textsuperscript{50}

The relationship between spotting and labor spying seems straightforward: spotting functioned as a kind of shoehorn for labor espionage. The first known example of an employer hiring undercover agents to infiltrate their workforce is the most notorious—the Pinkerton penetration of the Molly Maguires. The Philadelphia and Reading Railroad had retained Pinkerton spotters for its usual services; when violence erupted on the road’s coal mines, the railroad asked Pinkerton to send detectives to investigate. Pinkerton assigned James McParlan, a new spotter working the Chicago streetcars, to the account. McParlan’s two-year stint working among the Pennsylvania coal miners produced dramatic court testimony that helped sentence accused miners to death. The sensational publicity accompanying the Molly Maguire trials aroused corporate interest in the technology of labor espionage, and detective agencies rushed to compete with Pinkerton for the business.\textsuperscript{51} It appears, then, that Pinkerton developed and

\textsuperscript{50}U.S. House of Representatives, Committee on the Judiciary, \textit{Investigation of Homestead Troubles}, 52 nd Congress, 2 nd session, 1892-1893, 223.

marketed a technology enabling managers to secretly surveil their employees, and that once created it could be deployed for multiple uses. Thus detectives posing as railroad passengers could just as easily pose as miners or conductors.

Once alerted to the utility of undercover informants, employers could set up their own operations and bring labor espionage in house. In this spirit railroads developed sophisticated internal labor spy networks. Samuel H. Adams wrote a long article in 1901 describing a "secret service system" on "one of the big Eastern railroads," with informants from "every branch of the road's operating staff." According to Adams, the road president constructed this network ""to prepare, so to speak, a diary of the disposition, character, working efficiency and sentiments toward the road of the men who constitute the vast human machinery of the corporation." In the case of labor trouble, the president could move workers around and head off strikes. Labor spying was general on the railroads, he reported, and "at every meeting of railroad strikers the corporation against which the strike is directed is represented by a spotter."52 Clarence Ray warned workers that their union halls were no safer from surveillance than their trains: "Why not get a few spotters of your own, you union organizations, and keep step with your


employer's spies who make note of the inside workings of your every meeting? I have been present in the back rooms of many detective agencies and observed a goodly number of these union spies come in and write their reports after each union meeting.\textsuperscript{53}

Despite these broad claims by Adams and Ray, specific examples of railroad labor spying are hard to find. A conductor on the Atchison, Topeka & Santa Fe broke into his train's boxcars "many times" to steal their contents, but lost his job when his brakeman turned out to be a detective; whether the brakeman was there to watch for theft or rumblings of unionism is unknown.\textsuperscript{54}

**Workers versus spotters**

Evidence of railroad workers' dealings with spotters is likewise scanty, but some clues hint at their acrimony. Sunshine printed some menacing notes to spotters from railroad workers, such as:

A Conductor's Epistle, Brainerd, April 1, 1889.
Mr. Spotter: I hear you call yourself smart on roads, and others say you are too; if you come back some night and find your barn burned down and house too, I think you'll find you went one road too many. I give you this to chew on. Night Owl.\textsuperscript{55}

Occasionally, workers attacked spotters. In Bakersfield, California in 1905, two Santa Fe railroad workers invited a suspected spotter to the Del Monte Café for a drink; when he

\textsuperscript{53}Anonymous [Clarence Everly Ray], *The Railroad Spotter*, 46-47.

\textsuperscript{54}Atchison, Topeka and Santa Fe Railroad Company v James Smith, No 10737, Supreme Court of Kansas, 1898 Kan Lexis 139, July 1898 decided.

\textsuperscript{55}Sunshine, *Judas Exposed*, 100-101.
arrived, they jumped him, one holding him down while the other kicked him in the ribs.\(^5\) A traveling salesman riding the Rio Grande in the Utah Territory in 1892 was suspected of being a spotter. When he stepped off the train, a railroad worker blindsided him with a shovel, and soon two unidentified men joined in beating Krantz nearly senseless.\(^7\) These assaults underline the urgency of remaining undercover for spotters; if detected, spotters risked loss of life and limb as well as their jobs.

In some cases, conductors discharged based on spotters’ reports turned to the courts for redress. Conductors brought lawsuits for a range of claims, mostly for recovery of lost wages, but in some cases for more creative actions. For example, when a Baltimore & Ohio railroad worker asked why he and his colleagues were being fired in 1881, the station agent replied, “stealing fish, fruit, nuts and breaking up car doors and taking them home, and you have been seen eating nuts and herring.” The railroad worker sued the station agent for slander and asked the court for damages.\(^8\) Public rancor toward the railroads often helped these plaintiffs; the Baltimore & Ohio worker won a $500 jury verdict against the station agent, which was overturned on appeal. In once case, a conductor on the Chicago & Alton had a spotter arrested for “following him about,” and a judge fined the spotter $10.\(^9\)

\(^5\) *Los Angeles Times*, August 10, 1905.

\(^7\) Joseph Krantz, appellant, v. Rio Grande Western Railway Company, respondent, Supreme Court of Utah, 12 Utah 104; 41 717; 1895 Utah Lexis 12, August 31, 1895 decided.

\(^8\) *Louis F. Beeler vs. William Henry Jackson*, 64 Md 589 (1886).

\(^9\) *New York Times*, August 29, 1893. The court cases discussed below are

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Sympathetic juries similarly helped conductors on the Rome, Watertown, & Ogdensburg Railroad in upstate New York. In 1889, the RW&O fired eleven conductors, based on spotter reports. Several conductors had salaries due, but the RW&O held the money back to cover the cost of lost fares. At least five of the fired conductors sued to recover the withheld wages. They also circulated a manifesto within the “Conductors Brotherhood,” arguing that “to permit corporations to retain your salary for months, and upon demand refuse payment upon the flippant excuse that an informer believes you have not done your duty, is unbelievable,” and that “we would be cowards to our manhood if we allowed ourselves and our families to be robbed of our good name and standing.” The newspaper reported that upon the conductors’ vindication the Conductors Brotherhood intended to file defamation suits and “make a test case of the affair.”

Conductors Lory O. Rand and David Francis got their cases before juries. Rand not only lost his wages of $123 for a six-week period when spotters reported him, but the company demanded an additional $150 for fares stolen by Rand between October 1887 and October 1888, the year prior to his dismissal. Several detectives testified that they saw Rand pilfer, and Rand said that he hadn’t. Jurors sided with Rand. Outraged, the Rome

significant for what they reveal about workplace maneuvering between employers and workers. Their relevance to the development of labor law appears slim; these cases seem to have been rarely cited by other courts or treated by appellate courts to develop case law. Workers’ victories in spotter-related lawsuits before judges, though, appears to fit with the broader trend toward liberalization of the common law master-servant doctrine inherited from English courts, as discussed by Karen Orren in Belated Feudalism: Labor, the Law, and Liberal Development in the United States (Cambridge and New York: Cambridge University Press, 1991.)

60 New York Times, 1-28-1889. This article states that such suits are the first filed by conductors. The “Conductors Brotherhood” may have been a militant offshoot of the Order of Railway Conductors; Stromquist, A Generation of Boomers, 109.
and Watertown appealed to the New York Supreme Court, arguing that the jury's verdict flouted the evidence—numerous detectives' eyewitness accounts, versus Rand's simple denial—and a new jury should hear the case. The Supreme Court declined to reverse the jury, affirming Rand's victory. Francis was owed $114.50 in back wages, and five Pinkerton detectives took the stand to describe Francis's fare pocketing. Again, jurors found for Francis, and again the New York Supreme Court did not disturb the jury verdict.

Juries' refusal to credit spotter reports in these cases may reflect a general disaffection for the railroads; in this era of railroad litigation over local ordinances, accidents, and rates, juries may have doubted the credibility of anything the railroads said in court. Finding for conductors who apparently offered weak rejoinders to multiple detectives, though, also indicates public skepticism of spotters. The difficulties of defending spotter reports before juries led agencies to double and triple check their reports, in hopes of burying complaining conductors with testimony, according to Ray: "Owing to the increasing number of civil suits they have had to contend with in recent years, the usual procedure today, when a lone spotter has connected in an irregular transaction with

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61 Rand v. Rome, W. & O. R. Co., 10 N.Y.S. 300 (1890). Note that the Supreme Court's ruling does not mention an employment contract, and thus did not rule on any aspect of employment contracts and their legality.


63 See, for example, David O. Stowell, Streets, Railroads, and the Great Strike of 1877 (Chicago: University of Chicago Press, 1999), 4-10; Dewey Grantham, Hoke Smith and the Politics of the New South (Baton Rouge: Louisiana State University Press, 1958).
some trainman, is not to take action at that time but later have the spotter repeat the
transaction in the presence of one or more other spotters.\textsuperscript{64}

It is worth noting that no known court action by conductors challenged the right of
railways to use spotters. An apparently settled consensus that employers had an
uncontested legal right to hire detectives was expressed by the Nevada Supreme Court in
1880. A railroad worker prosecuted by the Central Pacific Railroad for embezzlement had
sued the Central Pacific for malicious prosecution and won. In overturning his victory, the
Nevada Supreme Court remarked parenthetically on the legality of spotting:

\begin{quote}
[The railroads'] property is so vast, and their business so extended and
complicated; they are so constantly and in so many directions exposed to the
danger of loss by theft, robbery, and embezzlement, that they are compelled, by the
same policy that induces penal legislation on the part of the state, to let it be known
that they will prosecute vigorously and systematically all criminal acts by which
they are directly injured. That they act in conformity with this policy, is notorious.
They have not only their corps of legal advisers and their local attorneys, but they
keep a force of detectives continually employed in ferreting out depredations on
their rights, and assisting the public authorities in bringing them to justice. No law
and no public policy restrains them in this respect.\textsuperscript{65}
\end{quote}

\textbf{Wary railroad unions}

Spotty court archives make it impossible to judge whether a few conductor
lawsuits involving spotters represent a common practice or a creative tactic. The
Conductors Brotherhood apparently helped the RW&O conductors coordinate their suits.

In most cases, though, lawsuits were inherently individual, not collective, strategies to

\textsuperscript{64}The Railroad Spotter, 8-9.

\textsuperscript{65}E. E. Ricord, Mother and Guardian of W. C. Ricord, A Minor, and W.C. Ricord,
Respondents, v. the Central Pacific Railroad Company, Appellant, No 957, Supreme
Court of Nevada (1880).
fight spotters. The Order of Railway Conductors maintained a loud silence about the matter of spotters. When nearly twenty conductors in the Texas Division of the Southern Pacific got fired based on spotter reports, the ORC threatened to “precipitate a strike unless full and fair investigations of formal charges” occurred. Whether the Southern Pacific conductors struck is unknown. But no other examples of ORC solidarity with spotted conductors could be found.

The ORC was notoriously conservative and its members concerned with preserving a self-image of responsibility and refinement. To acknowledge the spotter problem would have required the union to address the fact of conductor theft, which undermined the self-image the ORC treasured. In its journal, the ORC almost never mentioned spotters. It did comment several times on labor spies, in order to dismiss the phenomenon. In March 1901, the *Railway Conductor* took note of Adams’s article “The Spotter.” The journal outlined the system of labor spying that Adams found on “all the big eastern railroads,” and promptly discounted it as “nothing but a vivid piece of imagination,” patently false and “contradictory to all laws governing human nature.” The *Railway Conductor* insisted that there may be a spotter system on some railroads, “but they are not among our Order nor our sister organizations. The principles upon which our organizations rest, and which have lifted us up before the world as men of sterling worth as citizens, are not calculated to make them traitors to their own interests, nor force upon themselves so degrading an occupation as that of a spotter—a Judas among his brethren.”

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*67 The Railway Conductor*, volume 18, no. 3 (March 1901), 188.

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This delicate repugnance for the notion of the labor spy extended to other industries. Two years earlier, the *Railway Conductor* reprinted a newspaper article about a labor spy agency soliciting business from Ohio manufacturers by offering information on the latest American Federation of Labor convention. Confidently, the *Railway Conductor* asserted that “we place no credence in the statement that such infamous institution has a clientage. Its aims and purposes, assuming that such institution does exist, are too base and dishonorable to entertain the thought, that men occupying high stations in life should countenance them in any way, or lend their encouragement by seeking any service whatever at their hands.”68 The ORC’s journal told its membership that the union simply didn’t credit claims that labor spies worked among their members, or that any reputable business would retain spies.

Certainly the ORC was wrong about other industries’ reliance on labor spies; after all, six years earlier Congressional hearings had explored the use of labor spies in the Homestead steel strike of 1892. But it is possible that spotters and spies were less ubiquitous on railroads than they had been. Railroads’ shift to internal undercover agents and police may have lessened use of detective agency spotters by the early twentieth century. Labor peace between conductors and railroads may have affected roads’ use of spotters and spies as well. Historian Shelton Stromquist found that after decades of conflict, railroad workers in the running trades negotiated a peace with the railroads that “created for workers in the running trades an unprecedented level of security and recognition. Most American workers had to wait until the 1930s to enjoy the guarantees

68 *The Railway Conductor*, volume 16, no. 12 (December 1899), 937-938.
that were granted to the railroad brotherhoods and their members at the end of the
nineteenth century. Perhaps the ORC didn’t agitate against spotters and labor spies
because railroads used them less over time.

Part II: Streetcar spotters and spies

As railroad labor relations settled into harmony, streetcar strikes turned cities into
urban war zones. The spotter system that begun on the railroads came into full flower on
streetcars, where low-wage conductors operated a cash fare system. Streetcars operated
like theaters of discipline where commuters watched spotters watch conductors, and riders
sometimes joined the drama by interfering with spotters. Preferring respectability to
militancy, the streetcar workers’ union was unwilling to translate this public support into
public policy. Labor spies increasingly pursued streetcar workers as well, and the union
pursued spies much more vigorously.

Street railway work

Street railways spread across the United States alongside railroads in the nineteenth
century. New York City established the nation’s first street railway, using horse-drawn
cars, in the 1830s, but few cities followed suit until the 1850s. Developers won charters
from cities across the country to operate horse-drawn street railways as private, for-profit
businesses throughout the nineteenth century. Meanwhile, inventors experimented with
designs for electric-powered streetcars, and Richmond, Virginia debuted the first workable
urban model in 1882. Electric railways gradually supplanted horse-drawn cars over the

\footnote{Stromquist, Generation of Boomers, 274.}
next decades, with the balance tipping toward electric in the 1890s.70

While railroads may have reduced their use of spotters, street railways kept detective agencies busy. Like their counterparts on railroads, streetcar conductors collected fares from passengers; on streetcars, however, passengers most often paid in coin. Streetcar conductors generally collected cash fares in small change from constantly shifting large crowds, and often were obliged to make change for customers out of their own pockets. Opportunities for streetcar workers to skim off fares abounded.

Street railway work had none of the cachet of the railroad running trades. Horse railway drivers and conductors endured brutal working conditions, and electric railway workers had it not much better. Street railways operated with a driver to drive the horses, or a motorman to operate an electric car. Conductors rode the cars to collect fares and maintain order on the car. As with railroad workers, most street railway employees came from farm backgrounds. Worker turnover was extremely high. On New York City streetcars in 1904, 99% of employees had been with the company for less than one year; in Spokane, 1904, 40% less than one year, 59% for less than two years.71 A streetcar workers’ union official commented in 1907 that “Most men enter the occupation to tide over a period of idleness, without any idea of making it permanent. Few follow the


71Schmidt, Industrial Relations in Urban Transportation, 84.
vocation through choice.\textsuperscript{72}

Punishing hours of work and physical privation combined with low wages made street railway work undesirable. Drivers and conductors put in fourteen- to seventeen-hour workdays in the 1870s and 1880s. These long days often involved split shifts, in which workers took breaks between runs, meaning that their working hours spread out over more of the day, leaving them scarcely time for catnaps and brief visits home between workdays.\textsuperscript{73} A sympathetic ode to the horse railway conductor in The Saturday Evening Post in 1860 read:

\begin{verbatim}
The midnight has long gone by
The cocks have begun to crow
When weary and worn with faltering step
Home doth the conductor go–
To sleep six hours to refresh his powers,
For the body needs rest, you know.\textsuperscript{74}
\end{verbatim}

Drivers and motormen rode in open vestibules, exposed to sun, rain, or snow. Conductors and motormen were often forbidden to sit while working, leading to painful hernias, varicose veins, and other ailments. The pages of the streetcar workers’ journal were filled with advertisements for special girdles and support hose to relieve the strain on their bodies.

Wages for street railway workers placed them in the lower brackets of earners. Whereas railroad engineers earned an average of $3.35 per day and railroad conductors

\textsuperscript{72}Motorman and Conductor, vol. 15, no. 8 (February 1907), quoted in Schmidt, Industrial Relations in Urban Transportation, 83.

\textsuperscript{73}Schmidt, Industrial Relations in Urban Transportation, 102-105, 74-75.

\textsuperscript{74}“The Horse Railway Conductor,” Saturday Evening Post, October 6, 1860.
$3.13 per day in the late 1870s, streetcar conductors got about $1.50 per day, and drivers slightly less than conductors. This wage put them below most skilled and semi-skilled occupations, but earning a bit more than miners and common laborers. Streetcar workers often had to pay for their own uniforms and badges. Frequently conductors were obliged to carry their own cash, sometimes as much as $10, to make change for passengers, and as “men of small means and large domestic needs,” keeping so much cash on hand every day could be a real hardship.76

Streetcar unionism

Streetcar unionism grew slowly until the turn of the century. Workers organized earliest on New York City streetcars, which were notorious for the “worst labor abuses.” Horse car drivers on the Second Avenue line struck in 1869 when a new superintendent added extra routes and cut their layover time between trips; their colleagues on the Third Avenue line followed suit in March 1875 when they came to work to find a note telling them that everyone’s wages had been cut. Both strikes quickly collapsed as the

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75 Licht, Working for the Railroad, 126; Schmidt, Industrial Relations in Urban Transportation, 103-105.

76 Chicago Daily Tribune, September 11, 1904.

77 Schmidt, Industrial Relations in Urban Transportation, 104.


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companies filled strikers’ spots with replacements and car service continued. A more serious, citywide campaign in the fall of 1878 disrupted New Yorkers’ commutes. Drivers from the Third Avenue railroad convened the Car-drivers’ Association, and organized drivers from the Second, Fourth, and Sixth Avenue lines to join them. Drivers walked out in early September, but only the Third Avenue drivers maintained a credible, albeit brief, stoppage, while the other drivers quickly returned to work. Third Avenue drivers struck again in December of 1878 to demand the reinstatement of two leaders of the Car-drivers’ Association who had been fired after the September walkout. Replacements of the strikers again defeated the union. Heavy police protection for strikebreakers helped the companies hold both strikers and crowds back from vandalizing streetcars. The Car-drivers’ Association apparently lapsed after these losses.

In the mid-1880s, New York workers tried organizing again, this time with the Knights of Labor. A citywide Knights Assembly grew among horsecar drivers across the various streetcar lines from 1883 to 1885, and conductors eventually joined as well. Streetcar workers struck repeatedly in the city throughout 1886, finally winning a citywide agreement in late 1886 that limited split shifts, gave workers more breaks in their 14-hour workday, and limited discharges. This stunning victory found echoes in streetcar strikes and Knights’ Assemblies across the country in the 1880s. But in the assessment of

and Railway Employes; see Mahon, “History of Organization Among the Street Railway Employes of America,” Motorman and Conductor, December 1901, 2-3, and subsequent volumes.

79 New York Times, September 5 and September 6, 1878.

historian Emerson Schmidt, weaknesses of the Knights—its community base, which allowed workers from other trades to manage negotiations for streetcar workers, and its focus on the twelve-hour day—meant that many of these unions faded after a few years. As the Knights' national profile shrunk in the aftermath of the Haymarket massacre, the American Federation of Labor looked to take over its locals.

The AFL held a founding convention for a national street railway workers' union in 1892. Ironically, the newly-formed Amalgamated Association of Street Railway Employes voted against affiliating with the AFL to placate the Knights assemblies in attendance, to the outrage of Samuel Gompers. The following year, Gompers loyalist William Mahon took over the presidency of the Amalgamated and promptly engineered its AFL affiliation. The new union struggled to grow in its first years. Strikes and organizing efforts erupted in cities across the country but quickly collapsed, and the Amalgamated actually shrunk in the 1890s. When the union enjoyed a burst of growth at the turn of the century, Amalgamated officers attributed the increase to an inculcation of "discipline" among sometimes "impulsive" members, but more likely the rising economic tide lifted the Amalgamated along with the rest of the labor movement, which saw explosive membership growth in the same period. The union's membership grew from

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81 This assessment seems to warrant further study. Little research on early streetcar unionism exists, and much of the current work relies heavily on the writings of the Amalgamated Association president, William Mahon. Mahon's history omitted early strikes in New York, and clearly aimed to bolster the reputation of his union. Systematic analysis of the extent and success of early streetcar unionism would help show whether the Knights indeed provided poor representation to streetcar members. It would be worth studying whether the Knights' strong community base helped streetcar workers develop the community outreach strategies that later served them so well.
approximately 3,000 workers in 1900 to 25,000 in 1903, and nearly 60,000 in 1915. Its number of agreements with railway companies tripled from 22 in 1901 to 66 in 1905, and reached 203 in 1915.\textsuperscript{82}

As in many unions, the Amalgamated’s hierarchy was most restive at its base and quite conservative at the top. In its early years, the Amalgamated’s executive council spent many sessions refusing strike benefits and support to locals that failed to consult with the union’s leadership in advance of their walkouts. The Amalgamated embraced the principle of arbitration to settle disputes, and its officers established a policy that no local could strike without first offering to arbitrate.\textsuperscript{83} Frustrated members periodically resisted the arbitration mandate, on the convention floor and by simply flouting the rule, but it remained the policy of the Amalgamated for decades.\textsuperscript{84}

The union concerned itself with bread-and-butter issues, rather than “radicalism, reform, political action, and utopia-building.”\textsuperscript{85} The Amalgamated fought hard for material improvements in the cars, earning loyalty from its members. Priorities included enclosure of the vestibules in which drivers rode, to protect them from wind and cold; seats for conductors; reductions in working hours; and, of course, wages. The Amalgamated also hoped to elevate the status of streetcar work, as a committee told the

\textsuperscript{82}\textit{Schmidt, Industrial Relations in Urban Transportation}, 156-157.

\textsuperscript{83}\textit{Schmidt, Industrial Relations in Urban Transportation}, 133.

\textsuperscript{84}\textit{Schmidt, Industrial Relations in Urban Transportation}, 195-197; Papers of the Amalgamated Association of Street and Electric Railway Workers, Executive Council minutes.

\textsuperscript{85}\textit{Schmidt, Industrial Relations in Urban Transportation}, 254.
union’s convention in 1902: “In past years our organization has been almost without standing and street railway men have been looked upon even by other crafts as being a class of no very great rank in the makeup of this industrial system, but today through the effects of your organization and its membership our craft holds a dignified position commanding the respect of the citizens of our land.”

**Sticky-fingered conductors**

Some conductors chose not to wait for solidarity’s rewards and took steps to boost their wages themselves. Street railway embezzlements appeared in the newspapers regularly. Conductors scalped transfers and tickets; they made counterfeit coins and used them to make change for passengers; sometimes, they were suspected of working with gangs of pickpockets. Slipping nickels into their pockets was the simplest scam.

Stealing conductors appeared in poems like “Love Sonnets of a Conductor,” which made light of a conductor’s set-up by his sweetheart and two spotters: “Today as I was knocking down a dime,” the conductor lamented, he got arrested by two spotters who turned up at the courthouse with girlfriend Mame, who was “helpin’ him to rope me in!”

Some stories recurred in newspapers like urban legend. One anecdote, frequently reprinted, described a conductor who split his fare collections fifty-fifty, half to his pocket and the rest to the railway. Debating whether to keep the final nickel of his run, the

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86 Papers of the Amalgamated Association of Street, Electric Railway, and Motor Coach Employees of America, State Historical Society of Wisconsin [microfilm], reel 1.


conductor flipped the coin. When the company won the flip, he decided to flip it twice more and award it to the winner of the best of three flips. When the company won the third flip, he kept the nickel anyway. The company superintendent sent him a note firing him, saying “We might have been able to stand for the fifty-fifty arrangement, but when the company won that last nickel twice and you refused to abide by the result it was too much.”89 Another apocryphal story concerned an enterprising conductor who trained a grasshopper to retrieve nickels from a farebox, quit his job, and supported himself by supplying grasshoppers to other conductors and taking a royalty from their embezzlements.90

Street railway companies tested all sorts of devices to reduce conductor theft. The use of tokens and tickets at least inconvenienced conductors by requiring them to traffic the token or ticket to realize a gain. A instrument called a bell punch, invented sometime in the 1860s, proliferated on street railways. The bell punch was a metal device carried by conductors to track fare-paying passengers. Variants of the bell punch abounded to accommodate streetcar systems that used tickets and others that accepted only cash fares, but the bell punch had two key features: a bell and a paper record. When he collected a fare, the conductor squeezed the punch, which rang a bell. The punch marked an internal roll of paper, or for paper tickets, punched a hole from the ticket and collected the holes inside the punch. When the conductor returned the bell punch to railway auditors, the paper record could be compared to fare collections to check the conductor. Equally


important, however, was the bell: passengers giving their fares to conductors could hear whether the conductor registered the fare, and thus passengers were conscripted into disciplinary service.

The bell punch captured popular imagination, as a symbol of moral laxity and machine discipline. A poem in *Appleton's* magazine imagined a “Universal Bell-Punch”:

The world is waxing evil;
'Tis time that we kept vigil
O'er the hydra-headed monster who defies us in his lair;
When a bell-punch universal
Is our safest reimbursal,
With which, on tickets, forms, and contracts, *all* must punch 'with care.\(^9\)

Resourceful street railway workers immediately found ways to thwart the bell punch. By 1873, Boston horsecar conductors were arrested for sounding small gongs, carried hidden in their left hands, while they feigned use of the bell punch in their right hands.\(^2\) An ex-employee of Colt Manufacturing, a major bell punch producer, charged conductors in New York $5 to “pick the combination and regulate the indicator” of Colt bell punches in 1877.\(^3\)

Fareboxes proved more difficult to crack but still susceptible to determined conductors. Fareboxes aimed to eliminate the conductor entirely from the transaction, by providing an impenetrable receptacle for coins. Street railway companies in Chicago and St. Louis tried fareboxes as early as 1875, but they were not widely used until after the turn


\(^2\)*New York Times*, August 8, 1873.

\(^3\)*New York Times*, August 11 1877.
of the century. Improved technology eventually made fareboxes standard on street railways, but in their early days enterprising conductors figured out ways to burgle them.

On the Chicago City Railway, a conductor obtained his own farebox; periodically he swapped his farebox into the official spot, collected fares, and swapped it back out, thus leaving no record for the company of its losses. He got caught when the company noticed a drop in its receipts from the route and placed a spotter on his car, who witnessed the operation.

**Streetcar spotters**

Spotters watched street railway conductors as early as 1860, as evidenced by the *Saturday Evening Post* poem:

> On the monotonous road,  
> Backward and forward he rides,

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94 *New York Times*, September 19, 1875. A curious phenomenon of massive citizen resistance to fareboxes arose in various cities. Some street railway lines in the late nineteenth century introduced fareboxes on “bobtail” cars—which had no conductors, only motormen or drivers. The *New York Times* reported that passengers in Chicago, Cincinnati, and Philadelphia refused to pay fares into their fareboxes, demanding that the railways return conductors, in 1878. In Washington DC in 1887, passengers similarly refused to pay into fareboxes on bobtail cars, insisting they would pay the first railway employee who boarded the car to ask for the fare. When “prominent citizens” in Racine, Wisconsin, organized a bobtail farebox boycott in 1899, the street railway brought in strikebreakers from a Chicago detective agency to ride the cars and force fare payment, but the city mayor ordered the strikebreakers off the cars and thwarted the company. Just what these boycotts signified is unclear. It appears that passengers resisted the conductorless bobtail in part because conductors maintained order and prevented overcrowding on cars; whether passengers also acted out of sympathy for conductors is unknown. It seems likely, though, that passenger resistance prohibited many companies from using fareboxes as a labor-saving device, and probably slowed their adoption altogether until the twentieth century. *New York Times*, February 20, 1878; *Washington Post*, March 17, 1887, *Chicago Daily Tribune*, October 3 1899.

95 *Chicago Daily Tribune*, January 31, 1908.
With curses and growls of a heedless crowd,
And his time to make besides—
For along the walk doth a spotter stalk,
From whom all woe betides.⁹⁶

The basic elements of street railway spotting mirrored the practices used by railroads.
Private detective agencies supplied spotters, although some street railway companies may have retained their own spotter force. Spotters posed as passengers and made stealthy note of conductors’ fare collections, taking care to blend into the crowd and avoid attention. In the estimation of a railroad spotter, the principal difference between working the two systems lay in the relative difficulty of streetcar spotting: the constant boarding of passengers meant that “in checking passengers of street and interurban railway cars even the professional checker is apt to make errors, but when the novice tries it the result is a mess of a report which apparently makes every conductor a grafter of the most flagrant character.”⁹⁷

Much more evidence survives about street railway spotters than railroad spotters, in newspaper stories, books, and union records. Possibly, this means that street railway companies used spotters more frequently and for a longer period of time. The mechanics of street railway fare collection—generally coin payments, on crowded cars—may have led to more thefts, or greater concern by street railway officials that thefts could occur. Street railway workers may have been more vocal about the phenomenon, and riders more aware of spotters in their midst. Whatever the reason, street railway spotters register more

⁹⁶“The Horse Railway Conductor,” Saturday Evening Post, October 6, 1860.
⁹⁷Anonymous [Clarence Everly Ray], The Railroad Spotter, 61.
clearly in the historical record than their railroad counterparts.

A 1910 advice book, *The Spotter: Simplified Instructions*, walked aspiring spotters through the steps of securing work on street railways and carrying out their duties. Author William J. Lee promised to teach readers "all of the secret and practical methods in the art of detection commonly called Spotting." Lee's detailed advice offers a window into the world of spotting, from practical considerations like inconspicuous clothing—"You should never wear the latest cut of clothes, or a hat like a freak"—to relations with conductors and passengers: "Keep away from lonesome districts at night-riding, as you are in more danger in such districts than in the more busy sections when riding in cities." His sober instructions emphasized professional detachment, advising students to perform their job with dispassion and integrity. Lee encouraged readers to "remember that the conductor's life is not a very pleasant one," and that "truthfulness, honesty, sobriety, and carefulness make a good spotter."

A repentant spotter named Leroy H. Wagar showed readers the seamier side of spotting in his memoir, *Confessions of a Spotter*. Originally serialized in the *San Francisco Bulletin* in May 1913, Wagar's account aimed at "reform—some call it muckraking." His rambling story described his descent into spotting after losing jobs as

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a cub reporter and a railroad patrolman; Wagar characterized himself as lazy, amoral, and looking for easy money, and spotting offered a perfect career. Wagar rode streetcars for a series of detective agencies, perfectly willing to manufacture reports for a chief demanding a quota of infractions: "I always managed to make the number, but quite frequently was forced to draw on my imagination to do so."\(^{102}\) Wagar bumbled through seven years of work as spotter, sometimes cheating the company as well by taking bribes from conductors since "it didn’t make much difference whether I beat the office or the men."\(^{103}\) After a series of picaresque adventures, Wagar found his brother working for a carnival, and he began work as a Barker for him. With this new line of work, Wagar repented his years as a spotter: "I felt that I was free; and, strangely, there appeared in the twinkling of an eye the desire to try and undo to the best of my humble ability, some of the wrongs I had done."\(^{104}\) He wrote his memoirs to that end. Wagar’s incoherent and eccentric account, taken together with Lee’s straightlaced dispassion, form a spectrum of evidence about the social relations and practices of spotting.

Conductors on street railways and railroad alike contended with spotters from another agency: bonding companies. Beginning in the late nineteenth century, some railroads and street railways obliged their employees to buy security bonds from insurance companies that indemnified the roads from losses incurred by workers. Bonding

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\(^{103}\) Wagar, *Confessions of a Spotter*, 13.

companies then dispatched their own corps of spotters to investigate when a road discovered shortfalls on its routes. If they found a thieving conductor, the bonding company cancelled the bond, and "without a bond the employe can no longer work for that railway company nor for any other employer who requires a bonded employe. Virtually this practically constitutes a blacklist."\textsuperscript{105} Furthermore, the bonding company then pursued repayment for its losses from the insured worker.

Street railway conductors in Connecticut protested the introduction of bonding on their roads in 1906, arguing that "it is nothing more nor less than a 'spotting' system trap, and is very cunningly designed."\textsuperscript{106} Railroad conductors on the Atchison, Topeka, & Santa Fe challenged a bonding requirement in 1892 because the insurer, Canadian Guaranty, was a Canadian firm and in the case of disputes, conductors would have to sue in the Canadian court system.\textsuperscript{107} Bonding companies apparently hired their own spotters, rather than rely on detective agencies, and their agents relied on the same tactics used by agency spotters.\textsuperscript{108}

\textbf{Surrogate supervisors}

Street railway spotters watched for malfeasances well beyond theft. All aspects of job performance, from conductors' manners to the condition of their cars, fell within the

\textsuperscript{105}Anonymous [Clarence Everly Ray], \textit{The Railroad Spotter}, 7.

\textsuperscript{106}\textit{Motorman & Conductor}, November 1906, 21.

\textsuperscript{107}\textit{New York Times}, March 4 1892.

\textsuperscript{108}The origins and development of bonding and insurance for workers warrant further study. No secondary literature on the practice could be found.
spotter’s purview: “nowadays he is expected to have an eye to the behavior of the conductor and motorman toward the public, and to report explicitly upon any event of the trip which may affect the company,” wrote Samuel Adams in 1901. Lee’s spotter instructions advised that “on boarding car you should notice all destination signs and in fact all signs on car, and see if same are in working order. Also note if conductor gives signal to go ahead without having taken all the passengers waiting to board; or if he gives starting signal before female passengers are safely landed on board of car.” Killjoy spotters reported Chicago conductors for bringing their girlfriends along the route with them: “Cupid Banished from Streetcars,” reported the *Chicago Daily Tribune*. Spotters thus functioned as a disciplinary force to patrol the workplace and police workers’ job performance—acting as surrogate supervisors.

The clearest evidence of spotters filling this surrogate role is their continued use after the adoption of fareboxes. On these cars, conductors had no opportunity to pocket coins. In his memoir, Wagar described riding cars equipped with fareboxes and watching to make sure that conductors did not “miss” any passenger who avoided paying the fare. “After satisfying myself that I could not get anything on the conductor in the way of ‘missed’ or ‘stolen’ fares, which, of course, are the greatest crimes of all, I would settle down to pick flaws in the conduct of my victim.” Wagar reported conductors for keeping windows open or closed on the car, for talking too much with passengers, or making

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110 *Chicago Daily Tribune*, June 16 1907.
Conductors thus had to consider their entire job performance under review when a spotter rode their cars.

Clearly, many spotters performed their own jobs with a less than exemplary work ethic. Wagar’s memoir described his own cavalier approach to the job, confirming the suspicions voiced by rail workers. He and his colleagues claimed they paid nickels for each trip, when in fact they used transfers, and falsified their expense reports for their bosses. When multiple spotters were assigned to a single car, they took turns riding the car while the rest slept through the shift, and submitted identical reports. Indeed, Wagar’s account reads like an indictment prepared by a railway worker. Most egregiously, some spotters blackmailed conductors, threatening to report them for theft unless conductors paid them, either with a flat sum or by splitting the fares. Walter Pitt, the honest conductor on the Second Avenue line, refused to collude with his spotter but surely other conductors did. Passengers could try this scam; a cigar dealer named Thomas H. Neil collected $2 from various conductors in New York by falsely claiming to be a spotter and threatening blackmail.

Helpful passengers

More often, passengers sympathized with conductors beset with spotters.

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111 Wagar, Confessions of a Spotter, 14-15.

112 Certainly it is possible that Wagar’s account is fake in some or all of its particulars, although its very oddness lends it an air of authenticity. Wagar himself was a real person whose photograph appeared in newspapers and who testified at legislative hearings.

113 New York Times, August 19 1874.
Newspapers editorialized that conductors stole because they were underpaid and overworked: “By reducing their requirements of these men, the companies would, not improbably, increase their own receipts, and at the same time diminish their expenses by the wages of some of their spies and ‘spotters,’ whose services would become superfluous.”\textsuperscript{114} Street railways’ greedy takings from the public induced a corresponding suspicion of their own workers, another wrote: “It is evident that the car companies are collecting such enormous sums of money that the managers are distracted by the constant thought that they are exposed to robbery.”\textsuperscript{115} One conductor, commenting on congenial relations with passengers, said that “sometimes they carry their friendliness too far. I have known passengers, when they got a fair opportunity, to insist that the conductor should take their fare without registering it, and to get angry if the request was refused.”\textsuperscript{116} Thus while some passengers secretly spotted conductors, looking for theft, others pressed conductors to commit theft.

This dynamic combined both sympathy for conductors and animus toward street railway companies. In cities across the country, citizens tended a glowing coal of resentment in their hearts for the companies operating horse and electric railways. Complaints ranged from the prosaic to the political. Passengers deplored the filthy, crowded cars and promiscuous mingling of rich and poor on the seats. Heaving, struggling horses (who often collapsed and died in the streets) and humming electric

\textsuperscript{114}\textit{New York Times}, April 14, 1874.

\textsuperscript{115}\textit{New York Times}, January 19, 1876.

\textsuperscript{116}\textit{Lippincott’s Magazine}, June 1886, 633.
motors annoyed them. Despite the unsatisfactory service, riders wanted more of it—lines could not be extended fast enough to satisfy riders. More maddening was the graft and profiteering of the street railway companies. Cities issued franchises to private companies to operate the lines, generally requiring little disclosure or accountability from tycoons who enjoyed great fortunes from their exclusive contracts. City officials receiving kickbacks were loath to challenge their patrons.117

Regulating streetcars became a perennial hot-button issue for progressives in the late nineteenth and early twentieth centuries. Aiming to improve service and limit profits, reformers campaigned to shorten the duration of franchise grants, hold franchisees’ profits to a set rate, and require services from operators like snow removal and street maintenance. Progressives also advocated public ownership of the roads, but while many cities studied the idea, few implemented it before World War I; only Monroe, Louisiana, and San Francisco operated their own roads in 1912. After the war, several large cities including Boston, New York, and Philadelphia moved toward public ownership of the lines with contracts with private companies. But in general, efforts to regulate street railways offered a lesson in unintended consequences; franchisees found creative ways to evade profit caps and avoid onerous laws by using complex corporate structures and payoffs.118

Passengers thus shared a sociable hostility toward street railways, and a corresponding sympathy for the workers who toiled for them. Vigorous denunciations of

117 Jackson, Crabgrass Frontier, 109-110; Schmidt, 63-69.

the street railways’ treatment of their workers ran in newspapers in New York and other cities. For example, a *New York Times* story about horse railways in 1874 remarked, “As to the companies, they are mere monopolizing corporations for money-making, ‘without souls to be saved or bodies to be kicked.’ We all have our grievances at their hands, and one of those very grievances is the way in which they treat the conductors and drivers.”

Editorials inveighed against punishing working conditions and especially low wages: *Scientific American* commented, also in 1874, that “upon our city omnibus and car lines, it is perfectly well known that the pay of the employees is far below that to which their arduous labor would seem justly to entitle them.”

The depth of public feeling for streetcar workers was manifest in overwhelming public support for street railway strikes. Across the country, huge mobs boycotted the streetcars when workers struck in city after city. Crowds dynamited tracks, pelted strikebreaking workers with bricks, and blocked cars with their bodies. In Houston, Cleveland, and Brooklyn, massive outpourings of public support emboldened street railway workers to demand union recognition and higher wages. This support translated into disproportionate victories for streetcar workers, compared to strikers in other industries. As Robert Babcock notes, from 1893 to 1914, streetcar strikers won 60% of their strikes as reported by the Amalgamated, a higher proportion than the 46% victory rate for strikers across the economy from 1881-1905.

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120 *Scientific American*, October 24, 1874, 256.

121 Robert H. Babcock, “‘Will You Walk? Yes, We’ll Walk!’: Popular Support for
Scholars of streetcar strikes have found confirmation for Herbert Gutman's hypothesis that nineteenth-century workers built cross-class solidarity in their communities, and that this solidarity often proved determinative in strikes and labor conflict. To explain the ardor of streetcar strike sympathizers, historians have pointed to the depredations of the streetcar companies, social dislocations from rapid urbanization and industrialization, and accidents caused by streetcars. Another explanation may be a finely-honed sense of outrage against the labor discipline to which streetcar workers were subjected.

**Theaters of discipline**

Passengers riding streetcars watched conductors endure the gaze of spotters and the various mechanisms used by companies to check their honesty. In this light, streetcars may have functioned as “moving theaters” of labor discipline. Robin D.G. Kelley's study of black passengers' frontal assault on Jim Crow on Birmingham buses and streetcars in the 1940s found that armed drivers and conductors battled defiant riders refusing to sit...
behind the color line or stand when seats were available. Kelley sees the buses and streetcars as performance spaces in which passengers seated in theater-style rows "witness, or participate in, a wide variety of 'skirmishes' that shape their collective memory, illustrate the limitations as well as possibilities of resistance to domination, and draw more passengers into the 'performance.'"\footnote{Robin D.G. Kelley, *Race Rebels: Culture, Politics, and the Black Working Class* (New York: Free Press, 1994), 57.} For nineteenth- and early twentieth-century passengers, streetcars offered a similar stage for the drama of workplace surveillance.

Passengers joined the performance by trying to thwart spotters on the cars. Lee's advice book warned that "a large number of passengers try to make other passengers and the conductor think that they are spotters," by staring at conductors and taking notes conspicuously, to trick a real spotter into thinking that the car was already covered. Or conductors could ask friendly passengers to watch a suspected spotter.\footnote{Lee, *The Spotter: Simplified Instructions*, 14, 24.} Spotters and conductors alike noticed the warm sentiments passengers felt toward conductors, as one conductor reflected: "Passengers very seldom report conductors for failing to register fares. Hundreds of people must notice conductors 'knock down' the nickels, but the spirit against informers is so general that practically no one will report a conductor for cheating his employers."\footnote{Washington Post, July 28, 1901.} The bell punch aroused indignation among some passengers, who considered it degrading to rider and conductor alike, reported the *Washington Post* in 1888: "It is not right for corporations to depend on the public to watch their employees. It
is wrong for corporations to maintain the peculiarly mortifying and humiliating relation
between employees and patrons that the bell punch implies. There are gentlemen and ladies
whose feelings are outraged whenever they see a car conductor carrying a bell punch. You
can see them looking out of the window in order that they may seem not to notice the
conductor when he rings his bell.\textsuperscript{127}

\begin{center}
\textbf{Sympathetic juries}
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Public sympathy for conductors and hostility to spotters played out in the
courtroom as well. Conductors fired on the basis of spotter reports sued their employers in
court, mostly for recovery of wages. Like railroad conductors, streetcar conductors
received the benefit of the doubt when spotters testified about their findings. In reaction,
streetcar companies tried to preclude recourse to the courts at all, by obliging conductors
to sign extraordinary contracts forgoing their right to sue.

In January 1876, conductors on the Second Avenue Railroad arrived at work to
find managers waiting for them with a new contract and orders to sign it or be fired.
Conductors had to deposit \$25 with the railroad—about two weeks’ wages. In the event of
“any loss or damage” to the company resulting from “any neglect, carelessness,
dishonesty, dishonesty, misconduct, disobedience, unfaithfulness, incompetency, or
dereliction of duty of any kind,” the company would retain the \$25 as “liquidated
damages,” in addition to a week’s wages. Spotters would notify the railroad of any
malfeasance, and the contract stipulated that any spotter report “shall be final and
conclusive evidence of any fact stated in the report.” Conductors gave up “the right, under

\textsuperscript{127}\textit{Washington Post}, July 29, 1888.
any circumstances, to call for the name of any detective nor for the production of said report.” Conductors could, however, pay fifty cents for an affidavit sworn by a railroad officer or clerk that a spotter had indeed filed a report. Losing his job, his week’s wages, and his $25 deposit did not indemnify the conductor against criminal prosecution; the company retained the right to sue him. Moreover, by his signature the conductor conceded in advance the truth of any misdeed resulting in the retention of the deposit “as binding and conclusive evidence between the parties in all courts of justice, civil or criminal, and before all Magistrates, or Justices of Peace.” And finally, the conductor swore by his signature that he would not “pay any starter or driver, or any other person in the employ of the railroad company any money, fee, or reward;” that he would not “use intoxicating liquors;” and that he “had never been employed on this or any horse railroad. So help me God.”

In its exhaustive detail, this extraordinary contract suggests extensive battling over spotter discipline on the railroad. Conductors likely had already paid deposits to the railroad, but resisted their seizure on the report of spotters. Demanding to face their accusers and see their reports, conductors must have harassed managers with outraged denials and cross-examinations. In the scope of potential malfeasance described in the contract—carelessness, incompetence, misconduct—a broader scope of scrutiny for spotters appears. Not just fare-palming, but laziness, bad attitudes, or losses resulting from striking appear to fall under the aegis of the contract.

128 *New York Times*, January 17, 1876. The article quotes long passages from the contract.
Of most concern to the railroad, apparently, were lawsuits challenging the retention of wages and deposits. Obliging conductors to confess in advance to crimes yet uncommitted, and to swear these confessions for admission in courts, presumably responded to lawsuits already filed and probably already won by conductors. With these contracts, railway companies held all the cards. Retaining the deposit and the week's wages compensated for alleged thefts, and probably left a good bit over. Even among conductors who stole, their takings in many cases would not amount to the forty or fifty dollars in the combined deposit and wages. The railroad could still pursue criminal prosecution and penalties against the conductor, with an admission of guilt already supplied. And, most important, the railways hoped to prevent conductors from marshaling public support in the courts.

Some, having signed them to keep their jobs, fought the contracts in court once fired. Joseph Riley, an elderly conductor on New York's Broadway, Forty-second Street and Grand-Street Ferry Railroad had signed a contract like the one forced on the Second Avenue conductors. He paid a $25 deposit and agreed to forfeit a week's wages upon a negative spotter report. When he got fired in June 1880, the Broadway and Forty-second seized his deposit but paid up his wages. Riley sued for the deposit. In court, the judge demanded that the spotter take the stand and face Riley with his accusations. The spotter stammered over the details, and could produce no notes to document Riley's theft. The judge held for Riley. He commented that although such contracts had been upheld by English courts, American courts had not decided the matter. Further, the newspaper reported, "he believed that such a contract was wrong, because unjust and dishonest
employers could make it a means of oppressing and robbing persons employed by them.129

Other judges shared his skepticism of spotters. In Chicago, a spotter who “acknowledged that he had induced” an El worker to steal tickets got upbraided by a judge who told him: “A great mistake was made by the grand jury when it failed to indict you. Any man who under the guise of friendship and assumed good-fellowship induces another to commit a crime is more guilty than he who actually does the act.130 Conductor Harry Rozen challenged his contract in an 1894 suit brought a similar suit against New York’s Dry Dock, East Broadway & Battery Railroad. Rozen claimed that he had not read the contract, and was unaware of its provisions. At the trial five detectives testified that Rozen failed to register all his fares. A judge similarly inclined excluded their testimony and ruled that their reports were “not conclusive upon” Rozen. He instructed the jury to assess the evidence themselves and make their own determination of Rozen’s guilt. The jury found for Rozen, and Dry Dock was ordered to pay the lost deposit and wages.

But some judges relied on a strict interpretation of contract law. Dry Dock appealed, and the appellate judge sided with for the railway. Judge J. Bischoff noted that Rozen “was able to read and write, and no claim is made that he was prevented by any act or representation of the defendant from acquainting himself with the terms of the contract before he signed it.” Judge Bischoff ruled simply, “Under the contract of employment the reports of the detectives were conclusive upon the plaintiffs.”131


130*Chicago Daily Tribune*, October 17, 1893.

131Harry Rozen, Respondent, v. The Dry Dock, East Broadway & Battery Railroad
These contracts suggest the extent of public hostility toward the railways and their spotters, and the potency of that support in disputes between railway workers and their employers. They also reveal that, like their railroad counterparts, street railway conductors turned to the courts to combat spotters. Unlike railroad conductors, street railway workers and their union inclined toward more collective, militant tactics, like strikes. Surprisingly, the union proved as chary of taking on spotters as the ORC.

The Amalgamated avoids the spotter system

Street railway workers did not lack rancor for the spotter system. In their journal, conductors regularly spat invective toward “Mr. Spotter,” described variously as a snake, a “slimy monster of greed and blood sucking,” and a “leper masquerading under the foul mantle of an espionage agency.” In a plaintive essay, a conductor described what it was to be watched by spotters:

One of the serious phazes of street railway life is the ‘spotter’ contingent. For a man to enter upon a work over which he learns there is a secret espionage, creates a conscious sensation of distrust which destroys any pleasurable assurance that the employe enjoys the confidence of his employer. Not only does this suspicion of distrust rest with the employer and employed, but a hazy veil of shadowy doubt seems to hang suspended between the employe and the average patron. Nothing is so provokative of discontent; nothing so offensive to the human instinct. The sense of the presence of a spotter is the spark which touches to life the spirit of rebellion.

Yet it is difficult to find evidence of conductors turning that spirit of rebellion against

Company., Appellant, Common Pleas Court of New York, 7 Misc 130; 1894 Misc. Lexis 120, February 1894 decided.

132 Motorman and Conductor, November 1906, 21; Motorman and Conductor, May 1909, 11.

133 Motorman and Conductor, January 1904, 21.
spotters. Clearly conductors maneuvered with spotters on their cars. But few examples of systematic, collective strategies, like striking over spotters or demanding their elimination in a contract settlement, could be found.

The Amalgamated favored arbitration to settle workplace disputes, including terminations. Some hints suggest that the Amalgamated used the arbitration process to settle terminations based on spotter reports. For example, the union’s 1903 master agreement with the New Orleans streetcar companies included a clause providing that “in the case of discharge on account of irregularity in registering fares or transfers, the properly accredited officers of the Association bringing written authority for the discharged employee shall receive a hearing from the officers of the Railways company as at present.”\(^{134}\) Since the entire contract was arbitrable, presumably the outcome of such a hearing could also go to an impartial arbitrator.

Other evidence indicates that the Amalgamated and some of its locals accepted the spotter system as execrable but inevitable. In 1906, an Amalgamated local in Lowell, Massachusetts, discovered that the town had loaned its police officers to the street railway to work as spotters on the road. The local’s president told the press, “We, the street railway men, were somewhat surprised at the police force being used for such purposes. We do not doubt that the company employs spotters, and believe that they have a perfect right to do so. We do question the idea of police officers being used for that purpose.

\(^{134}\)Amalgamated Association of Street, Electric Railway, and Motor Coach Employees of America [microfilm], “Miscellaneous Labor Pamphlets: AASRE Yearbooks, 1903-1910.”
There are local detective agencies whose business it is to do that kind of work."135 Two years later, in an article about conductors trafficking in transfers, the Motorman and Conductor criticized the conductors and remarked, "The work of conductors is open to inspection at all times and by patrons as well as officials. There is no opportunity in the work for the thief."136 Here the journal appears to suggest that dishonest workers self-selected out of the service, due to the public nature of conductors' work and the possibility of scrutiny by the road. When several spotters working for Thiel's were unexpectedly exposed in Battle Creek, Michigan, in 1911, the journal criticized the use of Thiel's, but emphasized that spotter use "in no way reflects upon the purpose of management, who desire to attain practical knowledge of the peculiarities of their employees."137

Indeed, the union appeared to be more concerned to establish that its members were honest than to attack spotters. At one of its first conventions, in 1897, the union took up the question of conductors' honesty and resolved that "the officers of locals [be] instructed to be severe on any case of dishonesty that might come into their hands for adjustment, for what is wanted by the Association is better conditions for all street railway employes, and the convention was determined that that should not be defeated by the dishonesty of a few... there is no place in the ranks of the Amalgamated Association for dishonesty."138 Several months later, the union reported that a street railway manager had

135 Motorman and Conductor, September 1906, page?

136 Motorman and Conductor, November 1908, 26.

137 Motorman and Conductor, April 1911, 15.

138 Motorman and Conductor, March 1898, 6.
written to ask the union’s policy on “knocking down.” The Amalgamated firmly advised the manager that unionization would mean “the least dishonesty, less accidents, less drunkenness, more honor, self-respect and sobriety.”\textsuperscript{139} Fifteen years later, after the union had achieved remarkable organizing gains, concern about conductors’ honesty remained. When conductors in Cleveland got caught counterfeiting tickets, \textit{Motorman and Conductor} hoped that “any guilty of such work may be found out and punished,” because “we cannot expect to get another increase when there are a few who are dishonest enough to rob the common fund from which such an increase to all of us must come.”\textsuperscript{140}

Whether most of its constituent members and locals shared the fundamental conservatism of the Amalgamated’s leadership remains unknown. Hints suggest that some workers rejected the legitimacy of spotting. In Braddock, Pennsylvania (a suburb of Pittsburgh), the streetcar company suspected that conductors were not reporting all transferring passengers on the Monongahela road. So the company put spotters on the car, but apparently the agents posed not as passengers, but as conductors. The spotting conductors who were “mean, low, and degraded enough to accept the position,” according to the union, had worked as scabs in the past, and one had carried a gun on the barge outside the Homestead mill as a Pinkerton strikebreaker. The Braddock local took action: they “employed six of the shrewdest detectives obtainable in Pittsburgh, and it was a case of the shadower being shadowed.” Just what these detectives did is unclear—possibly they helped the union figure out which conductors were actually spotters, so conductors could

\textsuperscript{139}\textit{Motorman and Conductor}, July 1898, 6.

\textsuperscript{140}\textit{Motorman and Conductor}, July 1911, 23.
clean up their act in their presence. Retaining the detectives was expensive, the Braddock local commented, but "the members got what they expected, namely, protection." How long the Braddock local kept the detectives on and what came of it remains unknown.

But the Braddock workers appear to be an exception to the general silence on strategy to deal with spotters in the union's papers and journal. The union appeared to pin its hopes on eradicating the need for spotters with technology instead. In 1911, Chicago streetcar workers applauded the introduction of a new, improved farebox on their cars, after two years of "agitating the adoption of a register system that would protect the conductor in the honest performance of his duty." The cunning device automatically registered and totaled fares, producing itemized lists of fares paid for the conductor's run, thus relieving conductors of laborious documentation on "trip sheets" of fares and transfers; its "basic principle is the protection of the conductor from the suspicion of dishonesty," the Chicago local said. As farebox technology improved, conductors hoped that the responsibility of collecting and recording fares could be lifted from their shoulders entirely, leaving them to supervise affairs and maintain order inside the cars.142

**Labor spies on streetcars**

The union's reluctance to go after the spotter system stands in contrast to its vigorous reaction to labor spies. From its first organizing campaigns, the Amalgamated contended with labor spies among its members and on its cars. The union sometimes

141 *Motorman and Conductor*, January 1901, 8.

142 *Motorman and Conductor*, April 1911, 8-9. Of course, removing fare collections from their duties could eliminate the need for conductors too.
referred to undercover operatives posing as workers and intending to disrupt union organization as “spotters,” but spotters and labor spies performed quite distinct roles. Spotters posed as passengers, while spies posed as workers; spotters looked for signs of theft and poor job performance, while spies looked for evidence of worker dissatisfaction and militancy. In Confessions of a Spotter, Leroy Wagar wrote at length about the “inside man,” whose chief aims in life is in keeping out all labor union sympathizers and sentiment from among the car men.” According to Wagar, labor spies were assigned to work as relief conductors, so they could spend most of their time in the car barn talking with workers between runs, only going out on cars occasionally; in his assessment, an average road kept six labor spies on duty. One responsibility of the labor spy was checking out spotters, and if he can detect a spotter who isn’t keeping himself properly ‘covered up,’ so much the better for him.” Perhaps this double-checking contributed to the animosity Wagar detected between spotters and spies: Wagar said “there was never a spotter of my acquaintance who didn’t look down upon the ‘inside’ man as several degrees further down the ladder than himself.”

Amalgamated organizers employed creative subterfuge to outwit labor spies in their organizing campaigns. On the Chicago street railways in 1897, “every third man [was] under suspicion of being a ‘company man’ or a ‘spotter,’” and the workers suspected that “spies ha[d] reached high positions in the ranks of the union.” Organizers scheduled a union meeting at a big hall and advertised it in the newspapers and on handbills. Then they secretly arranged to rent a different room. That evening, they posted workers on the

143 Wagar, Confessions of a Spotter, 20-22.
streets near the hall to intercept workers and send them to the real union meeting, a few blocks away. “A large crowd of mysterious men, who hovered around the stairway and across the street,” lingered outside the big hall. The Amalgamated sent conductors who had already been fired by the company for being union supporters to creep into the building and “stand in front of the windows, so as to give the impression that an enthusiastic meeting was being held.”

Railway companies could pull off a ruse just as easily. When Brooklyn streetcar workers organized in 1904, a mass firing of 150 workers “threw a scare into the rest” and stalled their campaign. But a conductor told the newspaper that “this was only a blind.” The fired workers were actually labor spies, discharged ostentatiously and later put back to work quietly. In Los Angeles around 1915, labor spies devised an even simpler trick. They placed an advertisement in the newspaper, purportedly to hire streetcar workers, looking for “‘motormen and conductors having no objection to joining a union.’” Street railway workers “favorable to organization innocently answered the advertisement,” and paid a $5 application fee. Shortly thereafter, many were fired.

*Motorman and Conductor* became a venue for workers to share information about

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144 *Chicago Daily Tribune*, September 28, 1897.


146 *Motorman and Conductor*, April 1915, 11. This anecdote is a bit mysterious, as the supposed labor spies, when confronted by Amalgamated president William Mahon, claimed they were merely organizing for another union. The Amalgamated carefully policed its jurisdictional privileges, and it is possible that in fact these spies were union organizers from some other union. The device of the help wanted ad does suggest otherwise, however, as *Motorman and Conductor* pointed out.
labor spies in their midst. The union's journal functioned like a print bulletin board of “Most Wanted” posters, featuring photographs and descriptions of spies. A man using the name Frank E. Rhoads applied to join the Burlington, Indiana, local in 1906. When the union looked into his background they discovered that “he was reporting to the company upon our members.” Armed with this knowledge, the union apparently played along with Rhoads, giving him false information to ensure that Rhoads's reports were “unreliable,” and the company soon let him go. Motorman and Conductor printed their report, and commented underneath, “[Descriptions of this subject should accompany any such reports as the above. Ed.]”

Thereafter, spy sightings appeared regularly in the journal. Victor Le Boeuf started work on the Muncie, Indiana, streetcars as a strike loomed. When “his conduct excited the suspicion of reliable members” of the union, they held a trial and discovered him to be a detective from Cleveland, and possibly a former member of the Cleveland local. “His duty seems to have been to report upon the meetings of Div No 81, the acts of the members, and any other information that would be of an advantage for the company to know. Another feature of his work was to discourage the members on strike by urging them to desert the union and go back to work.” Le Boeuf's picture accompanied the report. Frederick G. Wacker, alias Golly, won the confidence of streetcar workers in Chester, Pennsylvania, by flashing a membership card from the Brotherhood of Railway Trainmen. He “passed himself off as a union man” while he collected information on the

147 Motorman and Conductor, December 1906, 23.

148 Motorman and Conductor, February 1908, 18.
union and its president for the Pinkertons. His picture appeared in the *Motorman and Conductor* “for the edification of our membership.”

Labor spy Henry Gattel was working on the Oakland street railway in 1915. He got caught when he misplaced a letter from his boss at the Railway Audit and Inspection Company and a union member picked it up. When the union confronted Gattel with the letter, “it was so conclusive that upon assurance against personal injury at the hands of the members, Gattel confessed, was expelled and left town.” Gattel’s boss had written to encourage him during a “dull period”; he was “sorry to note that some trainmen had talked you out of going to the union meeting,” since the road’s superintendent was “always glad to get, any information regarding the union.” Gattel had worked on streetcars in New York, Chicago, New Orleans, St. Louis, and Los Angeles before coming to Oakland. A detailed physical description—“Weight, 180 pounds; height, 5 feet 9 inches, age, 32; stands very straight and erect; light complexion; curly red hair, brown eyes; large gold tooth on right front side of upper jaw; deep scar on forehead caused by mercury treatment; left Germany when 18 years old; fairly well educated, but speaks with a German accent”—accompanied his photograph.

The photographs were especially useful. Tom Flynn of the Quincy, Illinois, local somehow obtained letters written by labor spy W.W. Jeannette in 1914. Jeannette’s chatty letters to a colleague gossiped about other labor spies and referred to his undercover work in Peoria. He complained of his assignments “working over property that our Co. lost

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149 *Motorman and Conductor*, November 1908, 34.

150 *Motorman and Conductor*, November 1915, 35-36.
quite a while ago,” and his frequent travel from town to town. Flynn sent the letters in to *Motorman and Conductor*. A few months later Flynn wrote in again to tell readers that “I made it a point to trail this agent from place to place until I am now able to present his picture to the readers of your magazine.” A photo of an open-faced, smiling man in a conductor’s cap accompanied his note. In November, the New Bedford local sent its thanks for the tip, for “as soon as we received the M & C the jig was up with ‘Jeannette.’ He was working here under the name ‘Wilson.’” His picture was cut from the journal and posted where he saw it. He immediately made himself very microscopic. We haven’t seen him around here since.”

**Workers who spied**

Streetcar workers harbored few illusions about the likelihood that their colleagues could be traitors. The treachery of labor spies particularly rankled, especially when management recruited them from the union’s ranks. In San Francisco, “management became desperate” in 1902 when the Amalgamated built a strong local, and “hired spies from among the boys.” A conductor named Frank E. Cummings who had worked the Cleveland roads as an Amalgamated member took the job and betrayed the union, leading to the discharge of two members. He and a colleague scurried out of town the morning after the union struck the line, and “if they had not the chances are they would have been hurt.”

Workers in Indianapolis struggled to organize despite “an army of spies, labor

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152*Motorman and Conductor*, July 1902, 8.
detectives, road inspectors, and spotters” in 1907. The “parasites” and “suckers” among their ranks who “numbered among the spies” maddened the union. When they demanded an explanation from one exposed spy, he pled poverty, and “upon being asked by an organizer if his conscience didn’t prick at the thought of being a hired tool to help restrain the carmen from organizing so they could get better wages and conditions? he replied that ‘if they hadn’t sense enough to organize in spite of anything he could do that he didn’t consider he was responsible.’” It took another seven years before the Indianapolis lines got organized.

Whether spotters or spies, the people who chose to work as undercover agents on the streetcars earned the contempt and loathing of the union. But the union appears to have viewed spotting as a basically legitimate management tool, while labor spying was thoroughly indefensible. The distinction hinged on the purpose of employers’ surveillance, and their self-image as a workforce. Because the union believed that dishonest conductors and motormen did steal from the railways, and that these thefts undermined their craft dignity, it credited management’s reasons for watching them. To the extent that spotters performed a supervisory function, the union criticized their performance but did not challenge their existence. Labor spying, on the other hand, aimed solely to sow distrust and discord among workers and to frustrate workers’ fundamental right to organize collectively. The union never granted any legitimacy to labor spying.

Anti-spotter laws

Ironically, their concession to management’s use of spotters may have cost the

153 Motorman and Conductor, September 1907, 22-23.
Amalgamated opportunities to marshal public opinion to fight it. Streetcar riders had long helped conductors thwart spotters, and public sympathy for streetcar workers enabled the union to win fight after fight with streetcar companies; as a conductor commented, "passengers, as a rule, are apt to take sides with the conductor in any question between the conductor and the company which employs him." Public antipathy for spotters apparently drove the passage of a rash of anti-spotter laws—with little support from the Amalgamated.

In January 1915, California Assemblyman James Ryan introduced a "spotter's bill" into the California legislature. The bill would have granted conductors on streetcars and trains accused of theft based on spotters' reports the right to a hearing at which the accusing spotter must appear before the company could discharge them. The bill was opposed by the railroads and streetcar companies both. The notoriously anti-union Los Angeles Times editorialized, "Union labor demands the right to steal," opposing the bill, and the companies succeeded in removing the provision granting the right to confront spotters. Once that provision had been removed from the bill, "all its teeth had been drawn," and "union labor lobbyists" professed not to care whether it passed at all. But it did pass, and remains law in California to this day.

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155 Los Angeles Times, January 27, 1915.

156 Los Angeles Times, April 12, 1915.

157 Los Angeles Times, April 9, 1915.

158 See Deering's California Codes Annotated, Public Utilities Code, Division 4,
Identical laws passed legislatures in Nevada in 1915, and Ohio and Michigan in 1917; a Massachusetts bill failed in 1915. Just how these laws came about at all remains mysterious. The Order of Railway Conductors and the Amalgamated would have been the unions most affected by the statutes. But little trace of the measure can be found in the journal of the ORC. While the ORC journal reported at length in the 1910s about its legislative activities, no mention of the spotter bill can be found in the activities of its lobbyists. In 1916, the union reprinted a circular from the federal Department of Labor discussing recent labor legislation which mentioned the California and Nevada spotter bills, but the union did not remark on the laws. In *Confessions of a Spotter*, Leroy Wagar reported learning of the pending bill in Michigan and traveling there to testify before a legislative committee in 1917, where the ORC's lobbyist helped broker his appearance. The ORC had some involvement, then, in the Michigan law's passage at the least. But the short shrift the law received in the union's journal, which discussed other legislative priorities at length, suggests its relative insignificance to the union.

As for the Amalgamated, the union likewise reported monthly on its state legislative activities on issues like enclosed vestibules for motormen and stools for conductors. The spotter legislation was never mentioned. Its member locals may have

Chapter 7, Article 3, "Use of 'Spotter' Reports," Cal Pub Util Code § 8251 (2001), which prohibits "any public service corporation" employing a "'spotter,' for the purpose of investigating, obtaining, and reporting to the employer information concerning its employees, to discipline or discharge any employee" based on a spotter report without a hearing.

159 On the Massachusetts bill, see *Christian Science Monitor*, June 5, 1915. The spotter laws in Ohio, Nevada, and Michigan remain on the books as well.

had more interest than the national union. Its Mount Vernon and New Rochelle, New York, division voted to present a resolution on the matter at the union’s convention in September 1915. At the convention, the union accepted the resolution and recommended “that the International Officers, Local Officers and State Legislative Committees be instructed to make every effort possible to secure the enactment of a law in each state which will make it a misdemeanor for detectives or spotters to falsify in their reports against employees and to compel the employing company in the case in dispute to produce the party who made the report.”161 To what extent the union on the national or local level pursued this directive remains unknown.

But two years later, the Motorman and Conductor delivered a dismissive assessment of the California law. In an aside, the journal remarked, “There is a law in California that accords the right to a dismissed employee of an electric railway company the right to be confronted by any spy or spotted [sic] upon whose statement is based his dismissal. There was never known an application of that law. Where men are organized they find sufficient protection without invoking the law. Where they are unorganized they are unable to invoke it.”162 The Amalgamated’s unfamiliarity with the law is clear in its mischaracterization, as the enacted version of the law stripped out the right to confront spotters. Its comment implies that laws without collective strength to enforce them were useless. As a political stance, this would be more credible if the union had not pursued a broad legislative agenda to compel railways to shorten shifts, provide breaks, employ a

161 Motorman and Conductor, September 1915, 135.

162 Motorman and Conductor, August 1917, 36.
specified number of workers on each car, and a raft of other initiatives that would seem to
intervene just as directly in labor relations without regard to collective activity.

The reasons for the Amalgamated's disinterest in state regulation of spotters can
only be guessed. Their general acceptance of spotting as a supervisory prerogative may be
one explanation; their longstanding discomfort with dishonest conductors may be another.
Lobbying against spotters would have obliged them to confront and respond to
discomfiting claims about the integrity of their members, in full public view. Anxiety
about sustaining public support for their unionization struggles may have underlay their
reluctance to do so. In his study of a 1905 Houston streetcar strike, Robert E. Ziegler
explored the limits of public support for streetcar workers' struggles. The Houston
workers exerted themselves mightily to prevent disorder and maintain a sober, respectable
image with sympathetic riders. But ongoing inconvenience to riders, combined with
continued eruptions of violence and dynamitings, gradually eroded their support. Having
staked their success on the willingness of citizens to boycott and their warm relations with
riders, streetcar workers were "placed on the defensive," and ultimately, "to pursue the
strike required individual strikers to risk the status they enjoyed as accepted members of
the community."163

Similarly, the Amalgamated's reliance on public support in its streetcar struggles
may have hobbled the union in its struggle with spotters and spies. The union may have
feared alienating supporters by dealing frankly with the spotter problem. But popular

163 Robert E. Ziegler, "The Limits of Power: The Amalgamated Association of
anger toward the spotters, as revealed in jury verdicts, spotter instruction books, and the passage of anti-spotter laws, suggests that the union’s timorousness may have foreclosed a frontal assault with real potential to undermine the spotter system. If anti-spotter legislation could be passed with scarce effort from the union, what other opportunities were missed?

Conclusion

Ultimately, spotters disappeared from trains due to fareboxes, not ballot boxes. In 1924, the New York Times proclaimed, “Spotters Obsolete.”:

The spotter has almost disappeared from the scene and his profession is becoming an obsolete one. The adoption of mechanical cash-handling devices by public utility and other large corporations has done away in part with the need for his services. . . . Today the conductors of New York surface cars are rarely ‘spotted.’

As more streetcars shifted to token-based fares, conductors had no reason to collect cash. Token-sellers and turnstiles replaced conductors as fare-collectors.

While the railway spotter slowly faded into extinction, labor spies proliferated. Pinkerton’s, the Railway Audit & Inspection, Thiel’s—the agencies that started out specializing in railway spotting grew their labor spying operations and thrived on fat espionage contracts in industries across the economy. Labor spies persisted on streetcars through at least the 1930s. While spotters undermined relations between workers and their employers, labor spies threatened the fragile bonds of trust between workers. The human toll of the discord they fomented can only be imagined. In a 1936 letter to Senator Robert M. La Follette’s committee investigating labor spies and strikebreaking, a Cincinnati

\[164\] New York Times, November 26, 1924.
streetcar worker pleaded for Congress to step in and clean up his local. He wrote:

Honorable Sirs: I am calling your attention to a company hear in Cincinnati Ohio that Employes man and place them in the Amalgamated Ass'n of Electric Railway of Motorman and Coach Employes of America, Division 627 of Cincinnati Ohio, these spies work in all different divisions and spy on the man not only that they are amongst the man and they can not tell who they are and they report every thing that goes on at the meeting.

There are times that we man suspect some of are own officers of our union but we have no way to tell just who or which one is doing it but we do know it is a body of man that trying to keep the man down and not only that the man are afraid to try to find out because the first one that dares try will be fired out of a job, it is hell to have to be afraid to work like that, I am writing to you in the name of humanity to see if it is possible for your honorable Committee to go in and break this up. I would sincerely sign my name to this letter but should it go astray and fall into the hands of our officers then back to this company and that would mean that I would be discharge with out any kind of a hearing so I trust you will know how to get around to find out how or who is doing this spy work in the union. Yours truly, A member of this Union.165

The Cincinnati streetcar worker described a workplace and a union thoroughly penetrated by surveillance. His plea for federal intervention suggests both how seriously workers took the problem of spying, and a radically enlarged vision of the potential for state action than his union brothers had imagined when they dismissed state spotter laws as useless. His words also reveal the damage that spying workers inflicted on their unions and their coworkers; he feared signing his name because a union officer might get a copy of the letter. To him, labor spies were “a body of man trying to keep the man down,” not distinct from his coworkers but indistinguishable from them, and not just the enemy of the union, but the enemy within the union.

165 Unsigned letter to Senate Civil Liberties Committee, Records of the La Follette Committee, box 86, folder “April 1936 and previous,” National Archives.
Chapter II

“This Canker of Espionage”:

Hosiery Workers Versus Labor Spies

In Philadelphia, a labor spy found a report of industrial unrest lying on a desk in his detective agency in March 1931. A fellow detective had observed growing agitation among hosiery workers in Reading, Pennsylvania. Workers from the Reading Maid mill had been seen at the American Federation of Hosiery Workers’ offices in the city. Union organizers had been mailing out organizing circulars and visiting workers at home to sign them. Hosiery workers were agitated because Reading Maid mill managers planned to double the workload of knitters by assigning them to tend four machines each. The Reading labor spy thought the knitters wouldn’t stand for it, writing, “A very unsettled condition prevails in this shop and it looks as if a strike is pending.”

The Philadelphia spy read his fellow agent’s report carefully, then pocketed it. He carried the report out of the office of the Railway Audit and Inspection Company, and then he submitted it to his other employer: the American Federation of Hosiery Workers. The Philadelphia spy was a double agent, reporting to the Railway Audit and the union simultaneously.

The union’s spy passed on useful information. When the hosiery workers struck

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the big Apex mill in Philadelphia, he warned that "the Railway Audit has still got the undercover men riding each trolley car looking for the evidence to be used in court in case of an injunction or a suit. You want to be very careful." He offered strategic advice on organizing; after the union lost its strike at Apex, the agent commented, "If you people ever intend to get anywhere with this mill it will have to be pulled quickly, as I told you before, Bill." And he kept the union up to date on the Railway Audit's other accounts, reporting when the local spy agency head signed contracts for new business or made sales calls to new employers.

William Smith, national secretary for the American Federation of Hosiery Workers, was the double agent's handler. The spy's identity, and how Smith recruited him, is unknown. "We had to fight fire with fire," Smith told Senator Robert M. La Follette, Jr., the chair of the Senate subcommittee investigating labor spies and other industrial abuses in April 1935. Infiltrating the detective agencies was just one strategy the Hosiery Workers tried in a long fight against the labor spy industry. In courtrooms, in legislatures, in newspapers and on the ground, the Hosiery Workers went after the spies bedeviling them in organizing campaigns and at the bargaining table. By the time Senator La Follette convened his committee, the union had a decade's worth of war stories to tell.¹

The American Federation of Hosiery Workers stood out among American unions in its efforts to combat labor spies. Throughout the 1920s and 1930s, the small, scrappy,

¹U.S. Senate, Committee on Education and Labor, Violations of Free Speech and Rights of Labor: Hearings on S. Res. 266. 74th Congress, 2nd sess, 1936, 180-192.
progressive AFHW took the offense when detective agencies infested its shops and organizing campaigns. The creativity and vigor of their efforts can be traced to the special situation of the AFHW—during the lean years of the 1920s, when most American unions foundered on the open shop movement, the hosiery workers organized thousands of new members into an industrial union and experimented with innovative industry-wide bargaining. But soon the AFHW discovered spies menacing workers in the unorganized mills, whispering in manufacturers’ ears during negotiations. Outraged, the union fought back.

The Hosiery Workers scored hit after hit against the detective agencies. They published photographs of Reading detectives in the union newspaper, forever identifying the operatives and inhibiting their ability to do undercover work. They testified in state legislatures to outlaw labor spying. They got a labor spy arrested and convicted of attempting to bribe a union officer. But the union’s counterespionage efforts accomplished little.

Ultimately, the Hosiery Workers’ campaign against labor spies shows the limits of bilateral industrial warfare. No matter how many spies the union exposed, more agents waited to take their places. Though armed with intelligence about the agencies’ plans, the union could not stop detectives from slipping into mills and fingering union activists. The most potent tactic in the AFHW’s battle against labor spies turned out to be its testimony before the La Follette committee. La Follette’s hearings and the new labor law regime of the Wagner Act destroyed the labor spy industry as the hosiery workers never could.
The union's campaign was hampered further by its definitional limitations. The AFHW targeted undercover detectives and the agencies employing them, framing the labor spy problem as a battle between professional detectives and mill workers. But rank-and-file workers doubled as paid informants, and the union caught its own staffers and officers reporting to bosses. The AFHW shied from the troubling implications of these revelations, preferring to treat labor espionage as an incursion by detectives rather than a betrayal by comrades. By excluding workers and union members from its antispy efforts, however, the AFHW conceded the fight in advance.

This chapter is organized in three parts. Part I describes the early growth of the AFHW and situates the union's culture and development in Philadelphia's profitable specialty textile industry, and details its emergence as a militant force in the early 1920s as national hosiery production boomed. Part II shows the AFHW mobilizing to extend its reach throughout the hosiery industry, but finding labor spies sabotaging its efforts. In Part III, the AFHW launches its campaign against labor spies. As the depression of 1929 flattens the hosiery industry and frustrates the union's organizing drives, the AFHW sees its antispy strategies fail as well.

Part I. Early growth

The American Federation of Hosiery Workers grew up in Philadelphia, the center of American specialty textile production. Shaped by Philadelphia's textile factory culture of "proprietary capitalism," the AFHW developed into a stubbornly militant, ornery organization, intellectually and politically independent. When the hosiery industry suddenly boomed in the mid-1920s, the AFHW faced a unexpected assault on their
organized base and trade prerogatives. The AFHW met the challenge by maturing into a competent, rationalizing force in the industry; their strategic acumen combined with a radical membership marks a bright spot in the otherwise bleak labor landscape of the 1920s.²

The hosiery workers' union drew much of its membership and its identity from its Philadelphia base. The peculiar circumstances of hosiery unionism in Philadelphia helps explain the worldview that later drove them to fight labor spies. Philadelphia knitters were highly-skilled craftsmen accustomed to manly combat with smallish local proprietors in a cyclical industry. Hosiery manufacturers and knitters alike looked to coordinated bargaining to regulate and insulate an industry subject to boom and bust. Scarred by years of rancorous disunity, the hosiery workers emerged in the early 1920s determinedly united, and they proved to be better organizers than the proprietors. When a sudden boom swelled hosiery demand and production in the mid-1920s, the AFHW reaped the fruits of solidarity with victorious strikes and strong contracts. But unorganized mills popped up like mushrooms in the suburbs of Philadelphia and in the

South, flooding the hosiery market and threatening the union’s newfound strength.

**Philadelphia’s hosiery industry**

Originally, hosiery manufacture centered in Philadelphia, a nucleus of specialty weaving and textile production from the nineteenth century. Mills lined the streets in the Germantown neighborhood, and weavers migrated from England and Germany to take up spots at carpet looms and wool spindles. The city’s contingent of skilled weavers moved from sector to sector depending on the relative strength of the market; thus upholsters became hosiery knitters or dyers, as mechanization and Southern migration gradually undermined successive industries in the city.\(^3\) Shifts in Philadelphia’s textile workforce show hosiery’s secular growth and the corresponding decline in other textile sectors: in 1860, hosiery workers comprised 13% of the city’s textile laborers, but by 1925 they made up 28% of the textile workforce.\(^4\)

Philadelphia textile manufacturers were not so flexible. Philip Scranton’s studies of Philadelphia textile manufacturers describe reveal a network of small family-owned firms operating hosiery mills, carpet-weaving operations, and specialty textiles in a “batch” production framework quite different from the “bulk” production model governing other textile centers like Lawrence. While bulk producers adopted vertical integration and created their own distribution networks to manage risk, batch producers


sought predictability by experimenting with a range of tactics such as narrow specialization, low capital expenditures, and variable piece-rate wages. Less agile than other batch industrialists, specialty textile manufacturers struggled with shifts in demand. Their reward came in extraordinarily high profits. Philadelphia enjoyed the highest return on investment and rate of profit of all textile districts in the United States by the turn of the century. In 1890, aggregate return on sales in Philadelphia textiles reached 14% and aggregate return on capital a remarkable 24%—margins any day trader would admire.\(^5\)

Some hosiery manufacture occurred outside of Philadelphia, with clusters of mills in Massachusetts, Indiana, and Wisconsin, but Philadelphia mills dominated the industry. Through 1920, the majority of all productive capacity resided in the Philadelphia metro area.\(^6\)

Like dyeing and carpet weaving, hosiery knitting required expert weavers to operate impossibly complex-looking machinery turning out stockings in fine gauges. Using large mechanized looms, “leggers” knitted and seamed a silk fabric into a stocking shaped like a woman’s leg. Workers known as “footers” then transferred the stocking to a second machine to knit and attach the stocking foot. The delicacy of this operation required training and skill that mechanization could not obviate. Indeed, hosiery knitting was so difficult that knitters rarely could transfer from knitting in other textile industries—one knitter likened the change as “the difference between learning to pilot an

\(^5\) Scra-ton, *Figure Tapestry*, 101-103.

\(^6\) George W. Taylor, *The Full-Fashioned Hosiery Worker*, 27.
airplane after having been able to drive a car." Finishing processes like dyeing, inspecting, and packaging hosiery, required less skill and offered more opportunities for lateral transfer from other textile industries. While men of English ancestry dominated knitting jobs throughout the life of the industry, women filled an increasing number of finishing slots by the 1920s.

Knitters inherited a venerable tradition of radicalism from their London progenitors, the militant weavers who led the liberation of Newgate and ultimately dangled from the gallows during London's turbulent industrial revolution. In Philadelphia, knitters flexed their craft muscle to demand shopfloor concessions from their employers. Paid by the piece, knitters renegotiated prices whenever they were powerful; they obliged employers to bring them cool water and ice in the summer, policed the pace of their work and limited apprentices and helpers, and were not afraid to strike to win their demands. Employers did not 'recognize' the union, nor did the union request recognition. Rather, knitters and manufacturers battled it out daily in a voluntaristic and effective labor relations regime.

Craft solidarity made this system work; mill owners willing to negotiate with knitters did too. On the shop floor, these family firms practiced what Scranton calls "fraternal paternalism." Manager-owners who themselves often started out as knitters felt

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7Quoted in Scranton, Proprietary Capitalism, 422.


9Palmer, Union Tactics and Economic Change, 81-83;
a mutualistic bond with workers, and a manly common regard structured mill
relationships. United by a shared ethnicity–like knitters, proprietors came from English
stock–and working closely together in smallish shops, managers and workers had
contentious but generally respectful relations.¹⁰

In this context, hosiery knitters developed lively and noisy shop structures.
Knitters first experimented with national alliances in the 1880s with the Knights of Labor.
But their dalliance with the Knights collapsed when Terence Powderly’s predilection for
arbitration and statesmanlike distaste for strikes undermined an energetic strike. Knitters
preferred a more elastic approach, presenting price lists or refusing new apprentices when
conditions favored them and hunkering down to wait it out when industry conditions
broke against them. The shop committee remained supreme through the early twentieth
century.¹¹

Shop committees struggled with the tension between workshop autonomy and
coordinating industrial action. Acrimonious breaks and fractured alliances mark early
hosiery worker unionism. But a nagging urge to unify drove the Philadelphia hosiery
workers to push repeatedly for stronger links among hosiery workers in the city and
beyond. Little wonder: as the center of the industry, Philadelphia workers were both the
strongest and the most imperiled by runaway shops. By 1909, Philadelphia knitters

¹⁰On manufacturers’ ethnicity, see Philip Scranton, Proprietary Capitalism: The
Textile Manufacture at Philadelphia, 1800-1885 (Cambridge: Cambridge University

¹¹Palmer, Union Tactics and Economic Change, 81-87; Scranton, Figured
Tapestry, 54-58.
formed a citywide union and affiliated it with the United Textile Workers of America. Their efforts to unite with hosiery unions in Fort Wayne, Brooklyn, and Dover culminated in the formation of a national body in 1913, the American Federation of Hosiery Workers, which itself was affiliated to the United Textile Workers of America, an American Federation of Labor member.12

In its early years the AFHW focused on shoring up craft discipline. In practice, this meant tightening control over Philadelphia, where the union’s density and power converged. Purging the industry of “excess” labor and whittling down the supply of skilled knitters consumed the union. Since the early 1900s, manufacturers had pushed for “doubling” of knitters—requiring knitters to run as many as four legging machines or two footing machines with the assistance of helpers. The system of “helpers” functioned as an alternative to apprenticeship and threatened to infuse the market with enough skilled knitters to tip advantage into proprietors’ hands. Throughout its existence, the union worked to eradicate doubling and reduce entry into the profession. Likewise, establishing and enforcing pay rates, or prices, for knitted pieces occupied the union continuously. In its first few years, the union set prices by impaneling committees to examine pieces and assign prices on a case-by-case basis, and set a minimum price below which no knitters in the city should work. These tactics reveal the extent of the AFHW’s power in Philadelphia—the union set prices unilaterally and relied on craft solidarity to enact its

will, with manufacturers obliged to accept its edicts or fight hard to avoid them.\textsuperscript{13}

For their part, Philadelphia manufacturers longed for uniformity and regularity in the industry. A boom-bust cycle bedeviled manufacturers, and variability of labor costs and shop rules added an extra dimension of uncertainty to their business plans. More fragmented and fractious than their employees, manufacturers struggled to show a united front to the union. Manufacturers most wanted a citywide price list for hosiery. The union determined piece rates based not on a rational valuation of labor or skill required, but instead a rather bald assessment of the union’s power at the moment. The resulting spread across prices in city workshops led unfortunate, high-wage manufacturers to plead for a printed uniform list.\textsuperscript{14}

\textbf{Solidarity born from struggle}

A sour feeling had developed between labor and management in the years just before World War I. An investigator for the U.S. Commission on Industrial Relations visiting Philadelphia in 1914 commented, “A great many of the textile mills are small and in a number of cases are owned by men who have worked their way up from the loom and they have become quite rich. Labor feels that it has not had a fair share of the profits from these mills and constantly speak of this condition. Continuous strife, petty

\textsuperscript{13}Taylor, \textit{The Full Fashioned Hosiery Worker}, 55-58; Palmer, \textit{Union Tactics and Economic Change}, 91-99.

\textsuperscript{14}Scranton, \textit{Figured Tapestry}, 320-321; Palmer, \textit{Union Tactics and Economic Change}, 99-103.
grievances and a constant struggle on the part of labor exists in Philadelphia.”

Manufacturers were spared the full force of the union’s power, however, because the union was divided against itself. Just a year after the successful drive to form the AFHW, the new union splintered again. The conflict hinged in part on divisions among subsectors in the hosiery industry: lower-skill, lower-price ingrain silk knitters chafed at the control wielded by the higher-skill gum silk, cotton, and wool hosiery knitters in the federation. Regional conflicts flared as well; AFHW members outside of Philadelphia joined workers at the three ingrain silk shops pushing for a split. In Philadelphia, knitters split the AFHW up. The small group of Philadelphia ingrain silk knitters stayed in the AFHW but withdrew it from the UTWA, calling themselves Branch 14; the other, more powerful contingent of higher-skill workers formed their own local and retained their UTWA membership as Local 706. Their bitter divorce lasted for five years. Each faction refused to recognize the other’s union cards and they bargained different rates in their shops.

Fortunately for them, World War I government work sheltered the divided hosiery workforce with a boom that insulated them all from ruinous competition. U.S. hosiery mills ran flat out through 1918, producing supplies for the troops in Europe. The UTWA aimed to lock in wartime gains with a nationwide demand for the 48-hour week in late

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1918. Local 706 stipulated a 25% wage increase as well. But along with numerous American employers in other industries, Philadelphia textile manufacturers had decided to push back.\(^7\)

Through their organization, the Full Fashioned Hosiery Manufacturers Association, hosiery employers refused the unions’ demands. Further, the FHMA had hired a new consultant, C. Stanley Hurlbut, to direct their labor relations. While other textile manufacturers settled with their workers right away, as did some large hosiery mills not members of the FHMA, Hurlbut counseled resoluteness. Local 706 walked out in January 1919, and Hurlbut soon unveiled a new labor relations regime—Men and Management, a cooperative scheme that sought to dampen conflict among labor and capital. The hosiery workers scornfully rejected the proposal and the FHMA buckled quickly. By April 1919, Local 706 was back at work with the 48-hour week and wage increases of 18% to 20%.\(^8\)

Still, management’s new disposition to fight the union portended trouble. Hurlbut aspired to unify all Philadelphia textiles into a fighting force and over the next few years he cajoled local manufacturers to hang together in the citywide Philadelphia Textile Manufacturers Association. Under Hurlbut’s leadership, the PTMA opened a free employment bureau. He recruited new leaders for the executive board, among them some hard-nosed manufacturers ready for a fight with the union. Hurlbut and the PTMA were

\(^7\)Taylor, *The Full Fashioned Hosiery Worker*, 73-79.

\(^8\)Scranton, *Figured Tapestry*, 361-369.
laying the groundwork for an open-shop drive in the city.\textsuperscript{19}

Members of Local 706 discovered another sign of the growing antagonism between labor and management in 1919 when it found its first labor spy. A boarder named Minnie Lyons had recently gotten active in the union, assiduously attending meetings and volunteering for committee work. Union secretary William Smith got a phone call at home from Lyons’s husband. He said that Minnie was a labor spy and, moreover, she was having an affair with the detective directing her undercover work. Smith followed her out of union meetings for the next few months and saw her mailing a letter after each meeting. When the local’s executive board confronted Lyons, she admitted that she was working as an undercover operative for the Railway Audit and Inspection Company. The Railway Audit paid her “to report the activities of the individuals [in the union] as they got up and spoke, what mill they were employed by, and, if possible, to try to get something on their character.” Local 706 kicked her out of the union, and after that “she just dropped out of the picture.”\textsuperscript{20} The manufacturers’ rough paternalism of the past had given way to more modern management techniques.

Despite employers’ mobilization, the hosiery workers remained divided, with Branch 14 and Local 706 nursing their grievances. The consequences of division became clear to everyone in 1921. The 1920 depression exposed structural changes in the national hosiery industry that meant trouble for Philadelphia. Reading mills had steadily grown and now captured a much larger market share. Philadelphia manufacturers

\textsuperscript{19}Scranton, \textit{Figured Tapestry}, 353-358.

\textsuperscript{20}U.S. Senate, \textit{Violations of Free Speech and Rights of Labor}, 180.
complained about the cheap nonunion labor that enabled Reading mills to underbid them. They demanded huge price concessions from Philadelphia hosiery workers. When Philadelphia workers refused to budge, most manufacturers simply shut down in June 1920, taking advantage of sagging demand to cut costs and starve out the union.

This stasis lasted for six months, until the FHMA manufacturers in Philadelphia announced their intention to reopen nonunion in January 1921. The FHMA owners demanded wage cuts and, more ominously, a return to doubling. Fourteen association mills held firm and worse, six non-member mills joined them; together, they accounted for 83% of sectoral employment. But Local 706 did not blink. The hosiery workers walked out in January 1921, betting that strong hosiery demand would rebound and force mill owners to negotiate. They bet correctly.

By spring the depression had eased and hosiery demand far outpaced supply, enabling non-FHMA mills to run double shifts to make up the shortfall and seize market share from their struck competitors. Many knitters went to work at the non-struck mills, and the union paid double strike benefits to those still not working. The six mills that were not members of the FHMA rapidly agreed to resume the terms of their former

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23 In his recounting of the strike, George W. Taylor says that only Local 706 struck; Philip Scranton suggests that both Local 706 and Branch 14 walked out. I credit Taylor due to his close association with the union during the 1920s and access to union officials to review his work. Taylor, 77-78; Scranton, 359-361.
agreement with the union but FHMA members held firm. C. Stanley Hurlbut rode herd on these mills, and the association resisted the lure of the strong market until November 1921. Then they collapsed, abandoning their demand for doubling and a wage cut. Soon after, they removed Hurlbut from his role as secretary. But acrimony persisted between the FHMA mills and the union. Several insisted that they would no longer negotiate with the union and declared the open shop in their plants. While industrial relations had long been more de facto than de jure, the union sensed a new obstinacy from the mills. There would be no return to prewar harmony.24

Facing this threat, the divided hosiery workers hastily patched up their differences. Looking back, union president Gustave Geiges thought that "the employers in taking this unfair stand, did something for the workers of our industry that we ourselves could not accomplish. They united both factions into a solid fighting group."25 In May 1922, the American Federation of Hosiery Workers was reborn at a Boston convention. The AFHW emerged from years of infighting and battling as a quite new organization. Union members remained fractious and opinionated, prone to speechifying at conventions and second-guessing each other. But they stayed together and they drove with single-minded purpose to expand their influence in the hosiery industry. Henceforth, the AFHW spent its energy on organizing new members and coordinating bargaining among their existing membership.

24Scranton, Figured Tapestry, 365-366.

Part II: Labor spies as spoilers

While other American unions barely survived the post-war open shop drives and spent the 1920s scrabbling to regain their footing, the AFHW moved confidently to press its advantage. The union pursued two growth strategies: new recruitment drives among unorganized hosiery workers, and coordinated national bargaining among signatory mills. Taken aback when nonunion workers refused to join and AFHW employers resisted the union's proposals, the AFHW saw labor spies engineering their defeats.

Ambitious plans

The AFHW’s timing was propitious as demand for full-fashioned hosiery had suddenly boomed. Flappers showing off their ankles clamored for sheer stockings, and technological advances in knitting machinery whetted their appetites with weaves more delicate than ever before. With manufacturers eagerly paying high wages and overtime and new plants popping up across the country, the resolutely united hosiery workers faced a wide vista of potential growth. As the Hosiery Worker, the union’s newspaper, reflected in early 1926, "We are showing a larger membership, larger treasury, more Branches and have more responsibilities than ever before in our industry... Let us all put our shoulders to the wheel and the year of 1926 will surpass any previous year."26

Few of their counterparts in the American labor movement shared their optimism. While the hosiery workers largely repelled employers bent on the open shop, other unions had been eviscerated by the American Plan and the postwar contraction. American unions experienced a long dreary decline in membership through the 1920s, from

26Hosiery Worker, vol. 4, #3, January 12, 1926, p 1.
representing 19.4% of the workforce in 1920 to 10.2% in 1930.\textsuperscript{27} Industrial unions absorbed the largest shocks, as workers streamed out of organizations like the United Mine Workers and the International Ladies Garment Workers Union. Craft unions concentrated in local or regional industries were harder to dislodge. Conservative craft unionists like William Green of the AFL preached efficiency and cooperation in a desperate effort to disarm employers with collaboration. Organizing new members seemed impossible to many in the labor movement.\textsuperscript{28}

Other textile workers certainly grappled with despair. The United Textile Workers, with which the AFHW affiliated, floundered, unable to organize or hold its membership in large batch production mills in the Northeast or South. Its weakness enabled the hosiery workers to “insist on complete autonomy” from the UTWA, withholding per capita contributions if it pleased them, and generally avoid the disasters suffered by its nominal parent.\textsuperscript{29} Indeed, it is not clear why the union retained its affiliation with the UTWA at all. Its vigor and creativity distinguished the AFHW among the sorry array of enfeebled AFL affiliates in the 1920s. Wharton School researcher Gladys L. Palmer remarked of the AFHW that “a combination of intelligent leadership, a full treasury, and a young, enthusiastic rank-and-file membership has resulted in

\begin{itemize}
\item \textsuperscript{27}Irving Bernstein, \textit{The Lean Years: A History of the American Worker, 1920-1933} (Boston: Houghton Mifflin Company, 1960), 84.
\item \textsuperscript{28}Bernstein, \textit{The Lean Years}, 83-143.
\item \textsuperscript{29}Clete Daniels, \textit{Culture of Misfortune: An Interpretive History of Textile Unionism in the United States} (Cornell: ILR Press, 2001), 24-25.
\end{itemize}
considerable experimentation in trade union tactics."^{30}

In addition to hiring new organizers, the AFHW recruited a research director in late 1926. John W. Edelman was a young English-born newspaper reporter who had worked for the socialist *New York Daily Call* as a labor reporter before getting a job in Pennsylvania working for a coalition of unions to elect Robert La Follette president in 1924. Edelman stayed on in Pennsylvania after the campaign and worked as a reporter for the Reading newspaper. ^{31} When the union approached Edelman, he thought that "they weren't precisely clear as to what they did need, but they needed someone around to give them a few ideas and stimulation."^{32} From the beginning, Edelman worked closely with organizers on campaigns as a "supplementary worker on the organization staff."^{33} Edelman brought modern practices of public relations to the union's campaigns, edited the newspaper, built a large store of data on hosiery industry capacity and, increasingly, focused on lobbying and legislation.

As the union cohered around its new organizing agenda, the AFHW's leaders caught the attention of other progressive laborites. Philadelphia hosiery workers filled the chairs at Brookwood Labor College and they impressed its president, A.J. Muste, with

30 Palmer, *Union Tactics and Economic Change*, 78.


33 AFHW Convention Proceedings, 1927, American Federation of Hosiery Workers Papers, State Historical Society of Wisconsin.
their vigor and energy. AFHW members built alliances with like-minded unionists and intellectuals. James Maurer, socialist president of the Pennsylvania AFL, introduced union officers to the growing faction of unionists chafing against craft organizing and conservative politics.

Progressive unionists created a forum in the new magazine *Labor Age*. The journal operated as a forum for left-wing unionists to debate organizing tactics and share their grievances with the myopic AFL; the editorial board included people like Roger Baldwin of the American Civil Liberties Union, Elizabeth Gurley Flynn of the IWW and David Saposs of the Amalgamated Clothing Workers. Looking back from the 1940s, editor Louis Budenz considered *Labor Age* "the forerunner of that alliance of unions which was to form the Congress of Industrial Organizations—though that had not been its purpose at its birth."34 The magazine promoted a vision of a reborn labor movement that could fight back against fascism and the open shop alike. The hosiery workers built alliances and gained publicity through these relationships that would help them later.

AFHW officers tried to understand the scope and scale of change in the hosiery industry nationally. Research director John Edelman hunted for data and found little, so he recruited George Taylor, a Wharton doctoral student teaching economics in Reading, to study the hosiery industry for his dissertation. George W. Taylor interviewed union insiders and manufacturers to produce a pathbreaking study of industry wages and prices. Taylor’s findings underscored the trends that troubled the union. In 1919, 92 mills

produced full-fashioned hosiery in the United States. A decade later, the number of U.S. mills tripled to 263. All sections of the country, including Philadelphia, saw a dramatic upsurge in the number of hosiery mills. But in the years before 1925, Philadelphia’s hosiery industry steadily increased its market share, from 30% of total U.S. production in 1919 to 40% in 1925. This improvement eroded just as rapidly in the next four years, as the number of Southern mills nearly tripled from 1925 to 1929 and New Jersey mills doubled. By 1929, just ten years later, Philadelphia mills again commanded only about 31% of national hosiery production.\footnote{George William Taylor, \textit{Significant Post-War Changes in the Full-Fashioned Hosiery Industry} (Philadelphia: University of Pennsylvania Press, 1929), 55.} As long as demand grew explosively, union and nonunion mills alike could prosper, and the union could fatten along with its employers. But if industry growth slowed and mills had to compete for a smaller market, the threat to AFHW agreements in Philadelphia was obvious.

Mills in Reading, Pennsylvania, sixty miles northwest of Philadelphia, posed a special threat. Over the decade 1919-1929, Pennsylvania mills outside of Philadelphia more than quadrupled, from 13 to 64, and most of these were in Berkshire County. A fast-growing set of mills flourished in the orbit of Textile Machine Works, the top manufacturer of hosiery knitting machinery and an innovator in tooling and design. The owners of Textile Machine Works had built their own mill in Reading, the Berkshire, in 1910. Reading’s young industry boasted new, efficient machinery and a nonunion workforce willing to work for wages substantially lower than the standard enforced in Philadelphia. Indeed, union militancy helped foster Reading’s hosiery industry: during
the big postwar AFHW strike in Philadelphia, Berkshire county mills cranked up output as fast as they could, expanding productive capacity that lasted long past the strike.  

Thwarted by spies in Reading

Organizing Reading consumed the union, and no one thought it would be an easy job. As union secretary Ray Herflicker reminded convention delegates in 1923, “Reading is producing a large percentage of the full fashioned hosiery produced in America and it is needless for me to mention the lack of organization in this town, and to organize the knitters of Reading is going to require a lot more than instructing an organizer or organizers simply to go into Reading and get busy.” Edward Callaghan, the union’s first paid organizer, was detailed full time to organize in Reading.

But Callaghan got nowhere. He reported in 1924 that “from the beginning of our campaign we have found that the knitters in the various mills were very indifferent, many times we called on these knitters and appealed to their reason, but each time our efforts met with no success.” Callaghan and the union’s growing staff of organizers would repeat variations on this gloomy report at every convention for the next ten years.

This was not for want of trying. The Hosiery Workers tried every strategy they could think of. They stationed a series of organizers permanently in Reading. The union assembled home address lists of unorganized knitters and began “writing personal letters every week or two, calling to the non-members attention the need for organization,” thus

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36 Scranton, Figured Tapestry, 363-64.

37 AFHW Convention Proceedings, 1923, AFHW Papers.

38 AFHW Convention Proceedings, 1924, AFHW Papers.
“prepar[ing] the way for the organizer to interview the non-member.” They held parties and banquets and smokers for Reading workers. They tried hiring organizers from Reading and chartering a local there. Research director Edelman, himself hired in part to help organize Reading, recommended that the union’s entire research and publicity apparatus, as well as its whole organizing staff, be detailed to Reading as far as possible. The union tried “salting,” or sending union activists undercover into the mill to get jobs and attempt to organize from the inside. At the 1927 convention, the Organizing Committee reported that it had “inaugurated a plan of selecting dependable men to carry on secret organization work in unorganized shops. This proved a failure and we were forced to discontinue use of this method.” For years, at every convention the union debated actually moving the headquarters office to Reading as an organizing tool.

AFHW organizers experimented with using its members to reach out to Reading workers in new ways. In 1927, Organizer Earl White urged Philadelphia knitters to come out to Reading to visit Reading workers. In an article in the Hosiery Worker, White said, “I have on file the names of thousands, actually thousands, of full fashioned hosiery workers living in this community. I know of hundreds of people who would join the union just as soon as some intelligent and responsible person visits them.” Some Philadelphia knitters had already come to Reading and “strutted their stuff by digging up

40 AFHW Convention Proceedings, 1927, AFHW Papers.
41 AFHW Convention Proceedings, 1927, AFHW Papers.
42 AFHW Convention Proceedings, 1927 and 1932 particularly, AFHW Papers.
some fine, live prospects for our organization." White’s scheme of using “intelligent and responsible” union members to reach out to nonunion workers in a structured initiative appears to be a significant innovation in the labor movement of the 1920s. A few years later, the AFHW refined this tactic further by simply shipping whole busloads of members off to Reading. Knitters and toppers from Philadelphia union mills signed up as volunteers for weekend recruiting drives in Reading. Piling into rented buses, the Philadelphia unionists traveled to a campground outside Reading and moved into tents. In what the Hosiery Worker called “a method of mass organization unique in the history of organized labor,” the Philadelphia workers visited nonunion workers at mill gates and at home to talk privately with them away from the mill. At night they listened to the radio or to each other playing “guitars, banjos and ukeleles, and the voices—some good and some only good intentioned.” The union figured this method to be economical—about 35 cents per day for a camp of sixty organizers—and to have “opened up a new possibility in mass organization methods, under which the rank and file of active workers in a union can be ably utilized to do work too large for a regular staff of organizers.” This tactic of mobilizing large numbers of union members to visit nonunion workers in an organizing campaign became widespread in the American labor movement by the 1980s and 1990s. The AFHW’s effort is the first such example of a

43 Hosiery Worker, November 15, 1927.


45 Hosiery Worker, 8-15-1931.
member mobilization like this that I know of.

But the Reading workers refused to join the union. Why? Only sixty miles away, the AFHW had demonstrated its power to drive up wages and win better working conditions in union shops. Managers at Reading's largest mill, the Berkshire, maintained that their enlightened labor policies obviated the need for a union. But workers from other Reading mills with less progressive management also declined to join. Gladys Palmer thought that the prosperity and good wages in Reading, in an industry changing quickly made workers chary of antagonizing managers who could easily move or shift production.

Some Reading millworkers interviewed fifty years later remembered the AFHW's seemingly endless organizing campaign as a disruptive threat to a peaceable workplace. Helen, a "rick-rack girl," remembered that Berkshire hosiery workers "were satisfied, and they didn't want any part of the union." Mary, a knitter-helper and seamer, started working at Berkshire Knitting Mills in 1944. She said that organizers "were always handing out pamphlets at the gate. You got called on the phone or something. 'Would you be willing to give them a short time to discuss?' I said, 'Sure, go ahead.' But I knew ahead of time, I did not want any part of the Union." 46 Likely a complex web of reasons convinced Reading workers to avert their eyes when AFHW organizers smiled hopefully from outside the mill gates.

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For the AFHW, however, one explanation prevailed: fear. Reading workers wanted to join up, but a numbing fear of reprisal stopped them cold. John Edelman explained to the union’s convention in 1927, “The men [in Reading] know now definitely that the Union is on the map. They want to join. It is simply fear that is keeping them unorganized.”⁴⁷ Henry Stump, onetime mayor of Reading and a former AFHW member echoed Edelman seven years later: “It was fear of the part of the Reading workers that kept them from organizing.”⁴⁸ Should mill managers learn that someone had joined the union, the worker could expect to be fired promptly. Organizers vowed to keep workers’ identities secret, but workers knew better. As organizer Earl White told AFHW members in 1928, “Occasionally you really meet an individual who is desirous of joining up. He is, of course, confronted with that haunting fear of losing his job. I promise to conceal his identity, the same as everyone else, resulting some time later in his discharge. Explanations are, as a rule, terribly embarrassing and seldom convincing.”⁴⁹

Labor spies denied workers and organizers the secrecy they craved. Spies ran information networks in Reading mills, relying on informants and their own surveillance to track workers tempted to join the AFHW. The Railway Audit and Inspection Company operated a bureau in Reading that placed operatives inside mills like the Berkshire. This was hardly secret: the Railway Audit maintained an office on the main street in Reading, and advertised openly for operatives. Indeed, even the AFHW’s own

⁴⁷ AFHW Convention Proceedings, 1927, AFHW Papers.

⁴⁸ AFHW Convention Proceedings, 1934, AFHW Papers.

⁴⁹ AFHW Convention Proceedings, 1928, AFHW Papers.
members were recruited as special operatives by the Railway Audit to work in Berks County. Walter Newmeyer, a Philadelphia knitter and former member of Local 706, went to work for Railway Audit around 1930. As Operative 89 he was appointed to a union organizing committee, giving him access to plenty of information to share with his handlers. 50

Union organizers feared the labor spies, too. In addition to identifying and reporting on union sympathizers, labor spies surveilled organizers—and reported what they found to the union, or worse, to the organizers’ wives. John Edelman remembered his first experience with labor spies during his 1926 assignment in Reading. The AFHW’s organizer Edward Callaghan was in the middle of a divorce, and traveled up to Philadelphia regularly to meet a girlfriend. Shortly after his departure each week, Edelman got a call from an anonymous voice intoning the room number at the hotel into which Callaghan and his girlfriend had just checked. According to Edelman, union president Geiges looked askance on affairs and, had Geiges received the calls directly, Callaghan could have lost his job. Some years later, Callaghan testified emotionally about the toll that “this vicious system, that strikes worse than the thief in the night would strike, in an attempt to break down the morale not only of the membership of the organization, but to break up homes.” 51 Surely this lesson was not lost on other organizers, who spent long periods on the road away from home and families. For both workers and organizers, the labor spy lurked as a dangerous observer threatening

50 U.S. Senate, Violations of Free Speech and Rights of Labor, 198-201.

51 AFHW Convention Proceedings, 1934, AFHW Papers.
exposure and possibly ruin.

That labor spies worked in Reading mills is established. Whether labor spies were actually responsible for the union’s difficulty in organizing Reading cannot be known. The AFHW acknowledged other factors affecting its success: Reading workers were “queer” and clannish; they were apathetic; they “apparently feel no responsibility to their jobs or their industry.”

Rapid changes in the hosiery industry, and its decline just before and during the Depression, also inhibited workers, in the AFHW’s estimation. It is impossible to gauge the actual effect, if any, of the labor spies on nonunion workers’ motivations. The effect of labor spies on the AFHW is more clear: the union increasingly saw the spies as an intolerable impediment to full unionization of the hosiery industry.

Spies block industry strategy

While organizers struggled to recruit members in Reading, in Philadelphia the AFHW focused on building new industrial structures. Since the reunification of the Philadelphia locals, the union had set an ambitious goal of establishing a national uniform price list. The AFHW viewed the price list as a tool to rationalize wage variation across regions, and thus to prevent ruinous competition between union and nonunion shops—or among union shops in cities like Philadelphia or Milwaukee. The difficulties of such an effort, particularly in the conditions peculiar to the hosiery industry, are apparent. Synchronizing high-wage, organized Philadelphia with small regional industries like Fort Wayne, let alone with virtually unorganized Southern shops, could only disadvantage Philadelphia knitters’ wages.

52AFHW Convention Proceedings, 1931, AFHW Papers.
To make national bargaining work, the union had to expand its reach into unorganized shops across the industry. But union activists could not wait for campaigns in Reading or North Carolina to bear fruit. The Hosiery Workers pushed hard to inaugurate industry bargaining, even as the organized base of the industry eroded beneath their feet. In part, union leaders believed that industry-wide bargaining would attract new members to the union. Particularly in the low-wage South, workers might be drawn to join an organization that promised to bring their mill’s wages in line with their Northern counterparts.

Moreover, the union also hoped that coordinated bargaining might help manufacturers control industry overcapacity. As Edelman explained to a Congressional hearing in 1931: “Our suggestion is therefore that we organize the industry, have all the employees organized and operate a given number of hours, and on the basis of impartial information supplied from competent scientific sources that they should keep their hours of operation in the industry at such a point that they will get their volume of production to conform with consumption.”53 In this effort the AFHW mimicked other unions aspiring to be a disciplinary force in chaotic industries, like the Amalgamated Clothing Workers and the United Mine Workers of America.

Philadelphia’s unique labor relations shaped hosiery workers’ expectations about the possibility of pattern bargaining. Accustomed to “fraternal paternalism” and generally respectful relations between managers and workers, workers felt a strong sense

53 U.S. Senate, Committee on Manufactures, A Bill to Establish A National Economic Council: Hearings on S.Res. 6215. 72nd Congress, 1st session, December 1931, 658.
of entitlement and a right to make decisions about what happened in their mills. Unlike factory operatives who experienced their work as alienating and management as remote, Philadelphia hosiery workers had long enjoyed substantial influence in their industry. For them, national bargaining was an extension of already-existing practices of coordination among workers at shops throughout the city.

But the old rules of mutual respect had always been tenuous and the 1921 open shop fight had permanently undermined established industrial protocols. Numerous mills now pronounced themselves open-shop and refused to deal with the union at all. Mill owners were spooked by rapid industry expansion just like the hosiery workers. Everyone agreed that intemperate industry growth was unsustainable, but few mill owners considered the union as a potential agent of industry rationalization.

A telling sign that employers saw the union as an impediment rather than a partner was the spread of labor spying. Once rare, labor spies now infested Philadelphia. "Because of the size of our Organization, we have more destructive forces at work in this district than most of our members realize. There are at least six detective agencies at work using every means conceivable endeavoring to destroy or weaken this Branch," Geiges warned AFHW members in 1926. The Railway Audit operated in the city, and so did a homegrown firm, the Bell Detective Agency, led by a former Pennsylvania state police detective, C. Marlen Bell. The union saw the detective agencies as an offensive move directed by a cabal of irrationally anti-union mill owners who had taken over the Philadelphia Textile Manufacturers Association. The detectives acted as agent provocateurs, trying to discredit the union and stir up trouble in the city, on behalf of the
antiunion millmen. The AFHW informed its members at its 1926 convention that “a group of employers in our industry, who have been using detective agencies to plan various attacks on our Union, were at all times watching for some technical issue on which to sue us, so that our treasury might be robbed by legal expense.” Nervous, the union spent $4,101 in 1926 to retain a lawyer full-time to defend them from these attacks.\(^5\)

In an urgent bid to rationalize the industry, hosiery workers concentrated on developing a uniform price list. Union members caucused at conventions and on shopfloors to debate the terms of the list. In 1927, the convention appointed a special committee to work out the details and make a formal proposal to the union. But a toxic force interfered. Marlen Bell and the PTMA began their own campaign to undermine the price list and stymie diplomacy between the AFHW and the mills. As union president Geiges told the story, “the employers were in a peculiar state of mind, owing to the fact that many of them were experiencing real competition for the first time.” Their anxiety made them susceptible to whispers from the PTMA that wage cuts and the open shop could temper the effects of competition.

With the acquiescence of nervous mill owners, Bell and the PTMA coordinated a new open-shop offensive across the city. “Undercover men and stool pigeons employed by these vile agencies were placed in every shop in Philadelphia and in the surrounding districts,” Geiges later said. “The plan was to break the morale of the workers and to bring about a stampede. We know that on a number of occasions our people were

\(^5\)AFHW Convention Proceedings, 1927, AFHW Papers.
approached and were asked what their attitude would be if a reduction was demanded by the employers.55 Combined with this provocation on the shop floor, labor spy A.R. MacDonald worked with manufacturers to introduce so-called "yellow-dog" contracts in union mills. In a yellow-dog contract, a worker agreed not to join a union or strike, thus permitting the contract's co-maker to obtain court injunctions and sue him for breach of contract if he did join the union after all. This assault unnerved workers and management alike: "not only were the employees becoming slightly hysterical about this whole thing, but the employers were, too. The constant torrent of lies and near lies told them by their spies and stool pigeons was having its effect."56 Bell and the PTMA hoped to convince both managers and workers that the union had lost its power in the city and the open shop was inevitable. Managers who believed their competitors were shedding the union would rush to do the same; workers demoralized by rumors of the union's weakness would concede without fighting.

In Geiges's account of the incident, his diplomacy and the probity of reasonable men saved the union: "In an effort to halt this wrecking movement and to increase the influence and power of the union in the industry, I got in touch with a number of our fair-minded employers, seeking to have them realize what harm was being done both parties, and I wish to state most emphatically that if it had not been for the friendly attitude of a group of manufacturers, men with some vision and an interest in the human element in industry as well as profits, we could not have avoided a wholesale series of strikes

55 AFHW Convention Proceedings, 1927, AFHW Papers.

56 AFHW Convention Proceedings, 1927, AFHW Papers.
designed to force wages to the level of some of the lower wage anti-union centers."

Notably, Geiges consistently assigned blame for this campaign to the labor spies and to the PTMA. He saw the spies as independent agents with their own interests, not as employees of the hosiery manufacturers that hired them to do dirty work. Geiges and the union wanted to believe that the mill owners were “fair-minded,” and that only the oily guile of the labor spies could induce them to participate in such a scheme. For years, the union clung to this interpretation. In a February 1929 statement, the AFHW’s executive board said, “The canker of espionage will eat into the morals of an industry if it is allowed to spread and will cause bad relations between owners and owners, as well as between men and employers.” Clearly, the use of labor spies showed that bad relations already existed between “men and employers” –the spies were less a cause than a symptom of mistrust and ill will.

Notwithstanding their hopes for peace with their employers, the Hosiery Workers had seen that even their most settled relationships could be easily disrupted. And while the union blamed Bell and the PTMA for disconcerting otherwise ethical employers, the slipping dominance of Philadelphia textiles clearly underlay the panic. For the union to survive, working together with employers was crucial, and labor spies could poison the trust necessary for productive relations. The 1926 open-shop drive convinced the AFHW that labor spies posed a dangerous risk to the union’s organized base. Their failure to recruit new members in Reading suggested that spies would undermine their efforts to

57 AFHW Convention Proceedings, 1928, AFHW Papers.

58 Hosiery Worker, February 15, 1929, 2.
grow. By the mid-1920s, the AFHW saw labor spies as an uncontrollable intermediary that could unexpectedly frustrate carefully-laid plans.

With characteristic boldness, the hosiery workers took action. Over the next ten years, the union pursued a series of strategies to fight back against the spies bedeviling them in Philadelphia, Reading and the South. During the same period, the union struggled against other employer tactics as well. In particular, the yellow-dog contract and its ubiquitous adjunct, the labor injunction, vexed the union. In 1929 and 1930, the union was hit with a barrage of injunctions as the hosiery industry suddenly seemed to wake up to the power of this tool. The AFHW spent large sums to challenge particularly egregious injunctions in court, hoping to make new case law that would help the entire labor movement. Company unions sprung up at numerous mills in the late 1920s and the union bitterly inveighed against them too.

But the union saw labor spy agencies as the deus ex machina orchestrating many of these initiatives. Firms like A.R. MacDonald and the Railway Audit consulted with hosiery mills on how to keep the union out and devised strategies to impose company unions or sign workers up on yellow dog contracts. As Emil Rieve, who became union president in 1929, told the union’s convention in 1931, “our Union must fight not only the employers for every inch of ground we win but also the courts and the police and the private detectives.” For the AFHW, labor spies threatened both their efforts to expand by organizing and their initiatives to reorder the industry through collective bargaining.

Part III: The union strikes out

59 AFHW Convention Proceedings, 1930, AFHW Papers.
Once the AFHW identified labor spies as hindrances to their growth, the union determined to root them out. The counterespionage campaign targeted professional detectives, and proceeded on several fronts. The AFHW tried harnessing state power against detectives, by passing licensure laws and having detectives arrested under obscure local laws; the union also tried to actually infiltrate and spy on the detectives themselves. Its campaign was premised on the idea of exposure: once revealed, particular agents would lose their cloak of secrecy and their ability to continue operating, and workers would shake their fear of these invisible malefactors.

That premise turned out to be faulty. Exposing detectives may have actually frightened workers more, especially when the union could not prevent fresh agents from taking their places. Further, the union’s focus on professional detectives exempted rank-and-file workers and union officials, who formed a large proportion of undercover informants. By defining the labor spy phenomenon as a problem of professional detectives, the union preserved its ideal of solidarity but forestalled the painful acknowledgments that an honest appraisal would require.

Louis Budenz

Louis Budenz, the editor of Labor Age, helped uncover the role of the spy agencies in ramming yellow-dog contracts through mills. Budenz came from Catholic progressive work in St. Louis to work as publicity director for the ACLU in 1920. When progressive labor leaders formed Labor Age in 1922, they hired him as editor. His public relations experience likely attracted the editorial board, as Budenz was responsible for whipping up interest in the magazine among potential subscribers. Budenz toured union
halls along the east coast to solicit subscriptions, and in the course of those visits, Budenz proselytized for industrial unionism: "To anyone who believed in the right of association as a foundation stone of good national life, this period was tragic. To insist upon the organization of the unorganized, when many felt the effort was in vain, and to write burning words was not enough. It was essential that Labor Age go out and 'spread the word.'" Of the unions he visited most often, the "young, vigorous hosiery workers" were among the most enthusiastic. Labor Age and the AFHW shared a focus on employer tactics, particularly the labor spy, and Budenz published several investigations of the labor spy phenomenon in the early 1920s. Budenz knew John Edelman well; they had met in New York City in the early 1920s, and Budenz had recommended Edelman for the job running La Follette's Pennsylvania campaign. Likely their friendship shaped Budenz's developing relationship with the union.

By the mid-1920s, Labor Age editors decided to move further into praxis. Budenz remembered: "Since Labor Age had decided that in order to set a good example it should plunge itself into organization work, we had accordingly written to five unions offering my services as organizer. Of the three who accepted, we selected the American Federation of Full-Fashioned Hosiery Workers." Budenz had visited the picket lines at

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60Buden, This is My Story, 64-65.

61Ibid, 65.


63Ibid, 79.
Real Silk, a hosiery company in Indianapolis, to see a company union and yellow-dog contract campaign in action. After writing a three-part series on the strike and ingratiating himself with workers and the AFHW alike, the union agreed to a contract for “temporary employment of Budenz as special organizer.” Budenz and the AFHW found that labor spy A.R. McDonald was the secret architect of the yellow-dog campaign at Real Silk, consulting with company management on the law and coordinating the process of signing employees up.

Budenz remained in Indianapolis for months, trying to organize workers to throw off the yellow dog contract and company union. This effort went nowhere. Budenz did succeed in getting the Federal Council of Churches in America (a forerunner to the National Federation of Churches) to investigate the company union at Real Silk and issue a report critical of it. Meanwhile, A.R. McDonald wrote up a circular accusing Budenz of being a Communist. McDonald sent it to Geiges, threatening to distribute it among Real Silk workers and discredit the union; he also sent it to AFL president William Green and UTWA president Thomas McMahon. Budenz denied the charge indignantly, insisting that “it is needless to say that these letters grossly misrepresented my ideas and ideals.”

Budenz then filed a libel suit against MacDonald, seeking damages of $25,000. The AFHW stood squarely with Budenz, affirming their “utmost confidence in the honor and integrity of Louis Francis Budenz” and declaring that “the campaign of vilification being carried on by the MacDonald agency is simply another of the contemptible devices of

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64 AFHW Convention Proceedings, 1927, AFHW Papers.

those who would create prejudice against any sincere effort to organize wage earners into legitimate trade unions.\textsuperscript{66} The outcome of Budenz's lawsuit is unknown. But his efforts in Indianapolis prefigured the elements of the AFHW's anti-spy campaigns—naming the spies, using mass media and public relations techniques to publicize the fight, cultivating allies like elected officials or clergy, and marshaling courts and regulators as powerful weapons.

**Limits of licensure**

Early on, the AFHW looked to the time-honored idea of licensure as a tool to inhibit labor spies. Wisconsin trade unionists were among the first to propose state licensure of private detectives, in legislation first introduced in 1907. In 1925, the Wisconsin Federation of Labor finally won passage of a strong law, requiring individual operatives, not just detective agencies, to be licensed by the Wisconsin secretary of state.\textsuperscript{67} Wisconsin was home to one of the AFHW's regional concentrations outside of Philadelphia, and its executive council included representatives from Milwaukee. These Wisconsinites may have helped spur the AFHW to focus on licensure as a tactic to combat labor spies.

Research director Edelman, inclined to lobbying and politics, took an interest in the Wisconsin law. The Socialist Congressman from Milwaukee, Victor Berger, attempted to nationalize the law in 1927 by introducing a bill into Congress requiring the

\textsuperscript{66} *Hosiery Worker*, January 1, 1928.

U.S. Department of Justice to register and license all private detectives. Edelman
considered this a "propagandist" gambit and the legislation doomed because Burger's
Socialism made him "queer and dreadful" to his peers. But Edelman corresponded with
Burger and consulted with him on the bill's particulars. In 1928, Edelman got a similar
bill introduced into the Pennsylvania legislature, and in March 1929 the Pennsylvania
House of Representatives held hearings on it. Sponsored by Representative Henry Boggs,
the bill required detectives and undercover operatives to be licensed, whether they
worked for a detective agency or directly for an employer, and provided for extensive
background checks for applicants.

Edelman testified, along with William Smith, treasurer of the AFHW; James H.
Maurer, formerly president of the Pennsylvania Federation of Labor and now a Socialist
City Councilman in Reading; and Thomas Kennedy, secretary of the United Mine
Workers. The union representatives explained how the industry worked and described
the irreconcilable conflicts of interest that led detectives to foment conflict and fabricate
their reports. Kennedy told of the infestation of spies in mines across the state, and the
drag they exerted on productivity and commodity prices. The union was outraged when a
Pinkerton detective appeared to denounce the bill: "in the most bare-faced manner this
'dick' declared that the Pinkerton outfit had never done a mean or underhanded thing in
its whole career," reported the Hosiery Worker.68 The hearing was timed to coincide with
the convention of the Pennsylvania Federation of Labor, and convention attendees
trooped over en masse to hear the proceedings.

68 All discussion of hearing from Hosiery Worker, March 30, 1929, 1.
But Edelman's efforts met the same fate as Burger's, and the Boggs bill went nowhere. Edelman got a similar bill introduced in the New Jersey legislature about this time, but it likewise died virtually on arrival. Edelman remembered, "We were signally unsuccessful in getting anything done about it or even making a ripple on the surface of the monumental, colossal lack of interest and concern with the issue at that time."69

Meanwhile, a strike in Wisconsin was showing the limits of licensure as a means to fight labor spies. At Allen-A, a hosiery mill in Kenosha, knitters organized with the AFHW had maintained the single-machine system, despite the tendency elsewhere in the industry to double knitters up on machines. Booming sales and high prices tempted Allen-A to increase its output. In early 1928, mill managers spent $1 million for new knitting machines and advised the knitters that henceforth they would double up. The knitters balked and started signing up new members, including the female toppers at the mill. They also asked the national union for help. Louis Budenz and Harold Steele, a vice-president of AFHW and president of his local in Milwaukee, soon arrived to help lead the strike. As at most other mills, the AFHW was not formally recognized by Allen-A management, instead bargaining wages and conditions in an informal relationship Budenz and Steele led a delegation to demand formal recognition from management and to oppose the two-machine system.70

In short order, Allen-A advised its workers that it would not recognize the union;


in fact, it would no longer permit union members to work in the mill at all and anyone wishing to continue working must first turn their union card over to the boss. An Allen-A vice-president commented, "With the growth of the union in the department we saw a showdown coming and decided to have it at this time."\textsuperscript{71} A local judge quickly granted an anti-picketing injunction. Locked-out workers watched as a stream of skilled and armed knitters recruited from Pennsylvania took over their machines. Fights and assaults broke out at the mill gates. With AFHW members determined to get back into the mill, and Allen-A as determined to keep them out, an ugly standoff hardened.

Spies and detectives swarmed Kenosha. A.R. MacDonald, the union's old nemesis, had consulted with the company in crafting the lockout and Philadelphia detective Bell was watching the strikers, according to the union. Railway Audit sent a detective who set off stinkbombs in Budenz's hotel, then planted the bomb materials outside Budenz's door. The AFHW accused detectives of committing crimes made to look as if the union was responsible, like firebombing homes of scabs and fomenting violence at the mill gates. Reasoning that at least some of the strikebreakers were actually professional detectives, and skeptical that all these detectives had registered with the secretary of state, the strikers pressed the state to enforce the new law. Budenz and Steele took the president of the Wisconsin Federation of Labor to meet with Wisconsin's attorney general in April 1928. They demanded that the detectives and spies be evicted from the state for breaking the law by failing to register, and that Allen-A be prosecuted

\textsuperscript{71}Quoted in Applebaum, "Turmoil in Kenosha," 291.
for “being party” to this lawbreaking.\textsuperscript{72} When Kenosha’s district attorney investigated these charges, the strikebreakers denied being detectives: “They told the district attorney in the mill that they were instructors and made a practice of going from mill to mill to break in new help.” To the union’s horror, “this story was accepted by the authorities as an actual fact.”\textsuperscript{73} Later, the union learned that the district attorney had himself hired Pinkerton detectives to surveil grand juries. Worse, Kenosha’s city manager hired a new police chief who had recently established his own detective agency, and he displayed a decided bias toward Allen-A.\textsuperscript{74}

Clearly, licensure meant little without officials willing to enforce the law. The Wisconsin Federation of Labor and the AFHW returned to the Wisconsin legislature in early 1929 to press for amendments to add teeth to the law. In 1931, lawmakers added provisions requiring detectives working inside a workplace to be U.S. citizens and state residents for one year. Wisconsin also passed the nation’s first law banning yellow-dog contracts in 1929, partly in response to the Allen-A strike.\textsuperscript{75} But these legislative initiatives meant little to the course of the Allen-A conflict. Budenz and Steele left town at the end of 1928, signaling their negative assessment of the situation. The Allen-A strikers remained locked-out; a few got back to work by turning over their union cards, but most never went back at all.

\textsuperscript{72}Hosiery Worker, April 16, 1928.

\textsuperscript{73}Hosiery Worker, May 1, 1928.

\textsuperscript{74}Hosiery Worker, January 1, 1929.

\textsuperscript{75}Holter, “Labor Spies and Union-Busting in Wisconsin,” 257.
The entire episode offered a vivid lesson in the limitations of regulatory disclosure. Detective agencies could flout the law by refusing to register their operatives or by classifying them as something other than detectives—trainers, counselors and the like. Or agencies could incorporate outside of Wisconsin and simply send agents into the state from other offices. This apparently occurred in Wisconsin, where the number of agencies incorporated and licensed in the state dropped precipitously after the law was enacted in 1925. As Darryl Holter points out, a Pinkerton agent told Senator Robert La Follette that the Pinkertons had closed their office and lost most of their Wisconsin clients as a result of the law. However, the lack of a Wisconsin office did not appear to hamper detectives jostling for the business of Allen-A as detectives came from as far as Pennsylvania to work in Kenosha.

In choosing not to enforce the law, state and local officials risked angering their constituents. The AFHW seized on every instance where an official sided with Allen-A and the detectives and engineered numerous investigations into the actions of these officials. By unearthing the secret connections between officials and detectives, the AFHW was able to get some of its enemies thrown out of office. The Kenosha district attorney lost his election after the union publicized his use of Pinkertons to investigate the strikers, and the judge who enjoined their picket lines faced censure when he was found to have taken kickbacks from local companies. But this time-consuming political slogging appears to have scarcely affected Allen-A, which was content to watch its allies twist in the wind while management held firm against the strikers. The union was able to

remove the district attorney but not the iron spine of Allen-A management. Licensure could work if it functioned as a sanction for motivated government officials to help the union fight the detectives, but it failed as an obligation for officials who were inclined to ally with management.

Limits of exposure

Despite the problems with the Wisconsin law, its basic premise still appealed to the AFHW: no spy could work when exposed. This idea was old and much-recommended. As anonymous author Sunshine suggested in his 1887 book Judas Exposed, revealing the identities and activities of labor spies would strip them of the secrecy required for their work.77 Workers who had been duped or oppressed by spies would be freed of their baleful influence and join together to fight back.

The union's Philadelphia experience suggested that exposure could be effective. When the AFHW learned what PTMA and the Bell Agency were up to, exposing the spies ultimately helped defang them. Getting the word out to members about the whispering campaign helped union members resist the demoralizing influence of the spies; when an undercover agent alleged that the union was weak and would be obliged to accept wage cuts, union members warned in advance knew otherwise.

Thus, when the union faced a menacing labor spy in Reading, they knew what to do. In early 1928, AFHW organizers had been quietly talking to knitters working in Noe-Equl, a Reading hosiery mill, and that summer the knitters walked out. The jubilant

AFHW celebrated this real breakthrough among Reading workers. Noe-Equl promptly requested that detectives from its labor spy agency, Railway Audit, be deputized to defend the company against strikers. When the Socialist mayor refused, the county sheriff stepped in and deputized them himself. Henry C. Cummings, the local manager of the Railway Audit, and the other deputies swaggered around town, brandishing rifles and smirking. Like many labor spy agencies, Railway Audit supplied both spies and strikebreaking services to its clients. When No-Equl’s workers struck, Railway Audit converted its work from undercover spying to public strikebreaking. As deputy sheriffs, Railway Audit operatives soon got several strikers arrested and convicted of threatening strikebreakers.78

Organizers snapped his photo and ran it in the Hosiery Worker; area labor papers picked up the story. When the story appeared in the Allentown Labor Herald, members of the Amalgamated Association of Street and Railway Employees gaped. Cummings had been a streetcar conductor and a member of their union for years. In fact, they had elected him delegate to the Allentown Central Labor Union. Unable to believe that they had “nurtured a spy in the bosom of their local union,” the Allentown streetcar workers resolved to investigate for themselves. They sent a delegation to Reading, where they found Cummings outside the No-Equl mill. Cummings “could not deny to them his position as a stool pigeon and dick. The committee returned to Allentown sadder and wiser.”79 It turned out that Cummings was a local boy, “from a very good family in

78*Hosiery Worker*, August 16, 1928; *ibid*, August 30, 1928.

79*Hosiery Worker*, August 26, 1932.
Reading. His people had been union people—Pennsylvania Dutch stock—and they were utterly disgraced by his later conduct,” according to Edelman.80

Then the strikers got a break. Two strikebreakers hired by Cummings approached the union and said that they had lied when they testified against the strikers for intimidation. Cummings had ordered them to claim, falsely, that No-Equl strikers had chased them in a car, yelling “Hoo, skunks!” The strikebreakers “were afraid of getting in trouble if we did not do it. After the hearing we began to think things over and we realized that we had made a mistake and we voluntarily quit work at the Noe-Equl plant and went to the defendants and told them” of the perjury.81 In October 1928, Cummings was tried on perjury charges. In their affidavit, the strikebreakers swore that Cummings had told them “if the case went to court he would lie like a son of a ----”; when he took the stand, Cummings denied all their claims. The court apparently credited the detective over the strikebreakers, because Cummings was not convicted of the crime.82

The No-Equl strike dwindled slowly into failure, and the strikers slowly returned to work and quit the union, and Reading remained a nonunion oasis. But the Hosiery Workers kept their eyes trained on Cummings. Some months later, the AFHW again caught Cummings in a lie before a court. This time, Cummings was managing a group of strikebreakers in Allentown. A strikebreaker claimed to have been assaulted by a striker,

80U.S. Senate, Violations of Free Speech and Rights of Labor, 162.

81Hosiery Worker, September 30, 1928.

82Hosiery Worker, October 15, 1928. Exactly how the case unfolded is unknown; the court may have dismissed the charges, or actually found in favor of Cummings.
and Cummings took him to a hearing to swear to this attack in court. The strikebreaker could not identify his alleged assailant in court, however, and pointed to Cummings when the judge questioned his memory loss. The AFHW got a warrant issued for Cummings's arrest, for “subordination [sic] of perjury.” Then “the strikers turn[ed] private dicks themselves” and searched for him all over town with a constable in tow, finally finding him at 10 pm and arresting him. Cummings was jailed for 24 hours before the Railway Audit bailed him out. The AFHW chortled over this coup, remarking that “this outfit is not quite as clever in delivering the goods as they would have [manufacturers] believe them to be.” Again, Cummings ultimately prevailed, as the case was thrown out of court when the alderman who swore out the indictment for perjury “inexplicably switched” his testimony.\(^83\)

Even though Cummings beat his court cases, the union was emboldened. Cummings had been exposed to all the workers of Reading. The veil of secrecy protecting the labor spy had been lifted and workers would know to suspect espionage when a worker urged against collective action or a scab alleged misdeeds by the union. The union hoped that Cummings would be obliged to slink out of town and on to his next victims. President Geiges commented that “a most remarkable light has been thrown upon the whole spy system by this affair, and possibly it will open up a way for us to help combat these gentry.”\(^84\)

But Cummings stayed in Reading. Far from being defanged, he seemed to grow

\(^83\) *Hosiery Worker*, June 1, 1929; ibid, June 29, 1929.

\(^84\) AFHW Convention Proceedings, 1928, AFHW Papers.
more powerful. He maintained his office on the main boulevard in Reading, where he directed mill informants to drop by and report on their coworkers. According to Edelman, “Mr. Cummings did not operate in the dark. He became one of the most prominent members of our community. He joined all the luncheon clubs; he joined the Kiwanis, the Rotary, the country clubs, and became a highly respected citizen.”

Cummings did not shrink from the spotlight—he flourished in it.

Infuriated, the hosiery workers redoubled their efforts. Berks County had a licensing law for detectives on its books. It is unknown when the law was enacted or whether the AFHW had a hand in the law. According to Edelman, “the only advantage of having a license . . . is that it enables [detectives] to make arrests.” In early 1931, the AFHW tried to use the law to deny Cummings a license. The union drew up a petition opposing his license and got the mayor to sign it. Cummings’s petition for a license was signed by “a number of the leading full fashioned hosiery manufacturers in this city, and by almost all the leading bankers and businessmen in this county.” The union’s petition trumped—Cummings did not get his license. The union called the denial “a decided setback to the imposing array of local capitalists who sponsored Cummings’s application.”

Unfortunately, it was not much of a setback for Cummings. He continued on in

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85 U.S. Senate, *Violations of Free Speech and Rights of Labor*, 162.

86 Ibid.

87 *Hosiery Worker*, January 31, 1931.

88 *Hosiery Worker*, February 14, 1931.
his work with no apparent break and no disruption of his relationship with local capitalists. By May 1931, the Hosiery Worker reported that Cummings was distributing a “racket and shakedown sheet” whose purpose is to “slander and vilify the officers of the Hosiery Workers Union,” and continuing to work as before without a license.89

Cummings did want to be licensed—Cummings reapplied the following year, only to be turned down again—although the AFHW wondered why he bothered, since “Cummings has actually been operating his private detective business here without interference.”90 Perhaps the possibility of sanction for working without a license impelled him, or perhaps the mills that sponsored his applications wanted the imprimatur of a license, or perhaps Cummings and his employers wanted the arrest power attached to a license. To the AFHW, the matter had symbolic significance but little practical effect as long as the district attorney was unwilling to prosecute Cummings. The Reading licensing situation was a replay of Wisconsin’s: laws were meaningless without enforcement.

The AFHW continued to spar with Cummings and to monitor his activities. During a 1930 organizing campaign in Reading, the union rented a truck with amplifiers mounted on it to broadcast union meetings at the mill gate. Cummings rented a calliope mounted on a truck and parked it next to the union’s truck, drowning out their meeting with the din.91 In 1931, the Hosiery Worker reported that Cummings had titled his operation “Universal Service” and maintained a new office downtown. When he

89Hosiery Worker, May 15, 1931.

90Hosiery Worker, Marcy 18, 1932.

91Hosiery Worker, October 15, 1930.
addressed the Reading Exchange Club on national security and the need for readiness, the AFHW wrote to Pennsylvania’s U.S. senators and congressmen to complain. The union discovered that Cummings had expanded his work into workers’ compensation investigation, when he testified against a knitter injured at the Berkshire and applying for benefits. But none of the AFHW’s efforts appear to have affected Cummings’s business at all.

Worse, far from dissipating workers’ fear of Cummings, their campaign may have increased it. Cummings paraded around town, dining with city fathers and lecturing at exclusive clubs. It was perfectly clear who was in charge in Reading. Seeing Cummings operate in the open, in the company of local authorities, workers probably assessed him as a dangerous foe. Far from driving Cummings away like a cockroach when the light came on, the AFHW may have forced Cummings out in public where he was even more scary.

Exposing the spy without getting rid of him may have been the worst possible scenario for organizing.

**Arresting a spy**

In New Jersey, the AFHW tried a more direct approach: they got a labor spy arrested. Carl Holderman worked out of Paterson, New Jersey, for the union. Holderman had long been an activist in the union, and by 1929 he had risen to vice-president of the AFHW. That year union elections were particularly heated, with contentious debates about the national agreement and a large slate of candidates competing for the presidency.

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92 *Hosiery Worker*, January 27, 1933.

93 *Hosiery Worker*, March 17, 1933.
In April 1929, a person styling himself Ralph Robinson of the American Bankers Association visited Holderman at home. Robinson explained that he represented banks who lent money to hosiery mills. The bankers hoped to get advance information on potential strikes in the mills, so as to protect their investment, and they would pay Holderman $150 per month. The banks wanted to avoid combative employers likely to fight the union, so supplying this information would help the union out by drying up capital to antiunion employers.

Holderman took the banker’s representative’s card and called his colleagues in the union. This was one of the oldest tricks in the labor spy book—posing as an interested outsider, like a banker or stockholder, and soliciting workers to be honest informants acting in the best interest of the company. The AFHW decided to play the scenario out and see what happened. So Holderman met again with Robinson and accepted the offer. Robinson told him to mail in his reports and gave him a down payment of $25; when he left, AFHW members tailed Robinson back to his offices at the A.R. MacDonald Detective Agency. Unaware that Holderman had withdrawn his candidacy for the presidency of the AFHW, the spy also encouraged Holderman to fight for the job, promising to turn out his operatives in Philadelphia on Holderman’s behalf.

Robinson quickly abandoned his cover as a banker and began issuing directives as though Holderman was an operative on his payroll. He told Holderman that the AFHW should hire Albert Weisbord, a Communist organizer with the National Textile Workers Union, and send him to Reading. Robinson would then notify Reading manufacturers that a big campaign was underway, thus attracting new business. Robinson also
instructed Holderman to stir up agitation at Gotham Hosiery, a manufacturer with union operations in New York City and Dover, New Jersey; Holderman was to arrange demands for higher wages and shorter hours (again, to develop new business opportunities for Robinson.) Holderman agreed but failed to send in his reports. When Robinson called, Holderman pleaded that he didn’t like mailing such sensitive information and suggested that Robinson come down to Paterson to pick them up.

Robinson showed up at their appointed meeting place. So did two police officers who leapt out and arrested Robinson when he yelled at Holderman for failing to produce the reports. Holderman had found a New Jersey law that made it a misdemeanor to bribe a union official. Robinson languished in jail for several days, refusing to disclose his real identity, until he was bailed out. The union circulated his photo until someone identified Robinson as Owen Griswold Williams, of Philadelphia, listed in the city directory as a "detective." His bail had been furnished by Lamar D. Rice of the Railway Audit and Inspection Company. In September, Williams appeared in court and pled guilty; a Paterson judge fined him $500.94

This incident gave the union a good story to use in their public relations campaign, and it also gave the AFHW a lot of satisfaction. But the results for the union’s organizing efforts were basically nil. The arrest had no apparent deterrent effect for other labor spies in New Jersey or elsewhere, and the union was not able to entrap other spies

94The above story comes from reports in the Hosiery Worker, April 30, 1929; ibid, May 15, 1929, and ibid, September 16, 1929; and New York Times, May 13, 1929, 22; and ibid, September 21, 1929. It is unclear why Robinson/Williams was seen entering the offices of A.R. Macdonald's labor spy firm. Perhaps the Railway Audit and MacDonald had some sort of alliance or working relationship.
using the New Jersey law. Williams's arrest was a one-off victory, a clean punch delivered to the nose of their nemesis, but hardly the knockout they craved. The union’s anti-spy campaign, for all its drama, had accomplished little so far.

**Hosiery Workers face the depression**

By 1930, it was clear to the union and to observers that the AFHW’s big organizing initiative had failed. Despite endless expense and a huge number of organizing campaigns, the union had hardly maintained its position in the industry, let alone expanded its influence. Researcher Gladys Palmer thought that the entire labor movement bore some of the blame: “The early failure of the American labor movement to organize on the political front and protect its legal interests eventually resulted in the kind of injunctions, ‘yellow-dog’ contracts, and wholesale arrests of picketers met by the hosiery workers.”

AFHW president Emil Rieve echoed this sentiment in 1930: “We must have a militant and progressive as well as an intelligent and idealistic labor movement on every front, trade union, political, cooperative, and educational. Because we have not had that kind of a general labor movement in recent years, the Hosiery Workers, despite their power, wealth, courage and intelligence have suffered a trying reverse. No union can advance or even in the long run maintain itself if it has to fight almost singlehanded.”

As the hosiery industry developed a national footprint, the union was unable to extend its Philadelphia market strength dominance into a national base.

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95 Palmer, *Union Tactics and Economic Change*, 112.

Although organizing consumed the union, in the late 1920s it was also focused on rationalizing relationships with unionized employers. As John Edelman remembered, “the union at that time had begun to find that one hand was engaged in this desperate, militant effort on the organizing front, where they conducted a number of very violent strikes; and also it was attempting to stabilize and refine collective bargaining techniques with employers.” Despite its difficulties signing people up, the union had been able to make big bargaining advances with employers. The industry had boomed throughout the 1920s. National hosiery production nearly quadrupled from 1919 to 1927; mills were able to demand large forward contracts and high prices in a “seller’s market” for stockings. Productive capacity chased demand. As knitting-machine technology advanced, permitting the production of finer-gauge hosiery, skilled knitters who could scrape up a bit of capital purchased older machines and set themselves up in business at the lower end of the market. The large mills invested heavily when they could in the new machinery and ran as fast as they could. The AFHW relaxed its longstanding vigilance against doubling as employment and wages peaked.

But this new manufacturing capacity soon produced price wars. The brutal whipsaw of price cuts and panicked dumping by leveraged mills began to engulf everyone. “Looking back from 1931,” according to Philip Scranton, “full-fashioned hosiery manufacturers regarded 1928 as the year when things began to go sour.”

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98 Scranton, *Figured Tapestry*, 433.

Sensing the shift, the AFHW redoubled its efforts to gain more control in an industry that seemed unable to govern itself. The AFHW regarded itself as the best agent of discipline for an unruly group of manufacturers ill-disposed to coordinate production and policy; if they wanted to save their jobs, the AFHW reasoned, they would have to help save the entire industry.

Their frantic efforts to organize nonunion mills formed one flank of this campaign, and centralized bargaining the other. The AFHW pushed hard from the mid-1920s on to coordinate bargaining with all union manufacturers. Starting with negotiations for a standardized price list in 1926, the union maintained that increasing national bargaining would help industry and the union both. By 1929, with crisis lapping around everyone’s ankles, the AFHW broke through. In a special convention, the AFHW voted to concede doubling, and adjust piece rates in a way that cost many knitters substantial earnings, in exchange for formal union recognition and a national contract. The union and the industry agreed to appoint an impartial arbitrator to resolve disputes, and to a no-strike clause. The AFHW hardly perceived this as a victory: at the special convention to vote on the agreement, union president Emil Rieve said, “We have lost rather than gained in control of the industry; it is time to try something else besides fighting.”

The AFHW earned accolades as a forward-thinking, progressive union for this groundbreaking national agreement. In the union’s thinking, its most salutary result was the organizing that resulted, not among workers, but among companies: “Due to the

\[100\text{Quoted in Palmer, Union Tactics and Economic Change, 102.}\]
working of our National Agreement, the employers were practically forced to organize. The Full Fashioned Hosiery Manufacturers of America, Inc, which includes manufacturers dealing with our union, was a direct outcome of the National Agreement. These new trade associations are being promoted, we believe, largely as a result of our urging, and are being planned with a view to effecting stabilization in the industry. These associations are being carefully organized and may achieve important results. Your officers wish these new associations all the luck in the world and will do nothing to hamper their formation.”

The AFHW hoped that within these industry organizations, manufacturers could plan and manage production and prices so as to avoid catastrophic price wars and unchecked expansion.

But it was too late. By 1930, the Depression squeezed demand for hosiery and the combination of overcapacity and declining demand proved deadly. Philadelphia mills operated at 40% of capacity by 1931. With their newer equipment, Reading mills held up far better, but the crisis was general. Confirmed in its Cassandra warnings, the union continued to call for stabilization through unionization: by limiting hours, coordinating wages, and managing production, the AFHW urged, the downturn could be managed. Too bad that no one had listened earlier, the Hosiery Worker editorialized: “The profitable full fashioned industry has hit the stage of rapid decline because of lack of foresight among workers and employers alike and because selfishness and ignorance has governed the conduct of both these groups.”

Presumably, the editor was thinking of


102Hosiery Worker, October 15, 1930.
stubborn nonunion Reading knitters as he wrote those words.

When the union's national contract reopened in 1931, members reneged on their concession to permit doubling of machines, arguing that it was foolish to permit doubling at a time of general unemployment. The union agreed to even deeper wage cuts in exchange for dues checkoff and a ban on contracting out work from the mills. Far from stabilizing the industry, the national agreement was becoming a vehicle to coordinate concessions from the union. AFHW organizers continued to shout at mill gates and visit workers' houses in Reading and other nonunion towns, but these organizing campaigns in most cases went nowhere.

**Hosiery Workers try political strategies**

Stalled in their traditional avenues for action, the union turned increasingly to politics, actually running its own members for office. AFHW members and leaders had long been active in lobbying and electoral politics, supporting progressive candidates and legislation. By the late 1920s, the union thought its future rested on politics. The *Hosiery Worker* editorialized: "Full-fashioned hosiery workers should have learned to see quite clearly, that if they are to have a Union which will be able to maintain their economic status that they must engage in politics with all the determination and energy they have in them."\(^{103}\) Hosiery workers buffeted by the bust aspired to a rational economic policy to manage the economy, and to outlaw invidious employer practices like the labor injunction.

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\(^{103}\) *Hosiery Worker*, March 15, 1930; Eleanor Bailenson, "Hosiery Workers in Politics and Social Legislation," Ph.D. dissertation, Bryn Mawr College, 1941, 43.
Seeing the existing national parties as hopelessly corrupted, the AFHW conducted most of its bids for office through the Socialist Party or the Philadelphia-based Independent Labor Party, and concentrated its electoral efforts in its power base of Philadelphia. Edelman remembered, “Our decision to throw ourselves into the Socialist movement at the time was an expression of our terrific exasperation and anger at the failure of any political party.” Their platform included both classic Socialist municipal initiatives like public ownership of the transit system and utilities and a progressive tax system, as well as limitations on police intervention in strikes and legislation outlawing yellow-dog contracts. Numerous members of the AFHW ran for office—Emil Rieve ran for county commissioner, Alex McKeown of Philadelphia ran for Mayor, Edelman ran for Congress—all unsuccessfully. They failed to win their seats in part due to the antipathy in Philadelphia toward third-party politics. The Central Labor Council and the national AFL repeatedly condemned the Socialists as a “class party” and urged loyalty to the Republicans. However, AFHW officials also approached their candidacies with a certain lackadaisical air. None of the candidates appears to have devoted much time or energy to these campaigns. Rather, the AFHW’s efforts were fitful reactions to frustrating losses and hopelessness.

The AFHW took no particular interest in Franklin D. Roosevelt’s campaign for

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president, dedicating themselves instead to winning a strong showing for Socialist candidates Norman Thomas and James Maurer. This made their "sort of repentation of our Socialist views in the period immediately subsequent thereto, and our rapid love affair with the Roosevelt Administration" more striking.107 Having quickly taken the measure of the changes roiling the country, the union dedicated itself to supporting New Deal legislation. The rationalizing, centralizing impulse at the heart of the National Industrial Recovery Administration resonated with the AFHW. John Edelman testified in favor of many of FDR’s proposed programs. In support of a bill creating a National Economic Council in 1931 John Edelman argued that the union preferred unionization to legislation: "We feel that stabilization through unionization is a practical thing. However, the resistance to unionization is so great that it seems impossible to unionize quickly enough to bring about stabilization." He added that manufacturers’ pettiness was the real impediment: "personal jealousies and lack of what seems to us, just simple, ordinary intelligence, the common intelligence needed to come in out of the rain."108 Faced with intransigent employers and industry chaos, the AFHW eagerly supported federal intervention.

The union did not forget about the labor spy. In the past, the AFHW had concentrated its legislative efforts on state registration of labor spies. By 1933, the world had suddenly changed and progressives could now marshal the U.S. government to their


108 Hearings before a subcommittee of the Committee on Manufactures, United States Senate, 72nd Congress, 1st session, on s. 6215 (1st Congress), A Bill to Establish A National Economic Council, December 1, 2, 3, 4, 11, and 19, 1931, 658.
ends rather than fear it. In June 1933, Frank Palmer sent a letter to FDR calling for a ban on labor spying in the industry codes being developed by the National Recovery Administration. Palmer was a journalist and author of a study of labor spying in the steel industry, *Spies in Steel*. John Edelman immediately agreed. He sent a letter as well to FDR in July, referencing Palmer’s suggestion and making his own case for the ban. Edelman wrote that the AFHW “has had particularly bitter experiences with the labor spy during the past ten years. In our files, we have some rather unusual material in our possession which could be compiled if an investigation of the problem should be desired.” Having plenty of experience with toothless regulation, Edelman allowed for the possibility that employers would flout a spying ban. But he ventured, “Even if not a single employer lived up to this undertaking, it would be well worth-while to call public attention to the existence of this evil so that some method could be found to deal with this abuse.”

Edelman’s cynicism is striking. The idea of outlawing labor spying per se, whether in a code or otherwise, through federal or state law was entirely novel. In fifty years of jeremiads and calls to action from the labor movement and the left, almost no one envisioned actually banning the practice of spying. Even as he urged FDR to enact a ban, Edelman planned for its failure.

His doubts notwithstanding, Edelman and the AFHW continued to call for a ban on spying in the codes. In February 1934, Edelman testified at a hearing on the NRA that all industry codes include a ban on labor spying. Edward F. McGrady, a former deputy to William Green at the AFL and now assistant to General Johnson of the NRA, echoed this

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109 John W. Edelman to Franklin D. Roosevelt, July 15 1933, AFHW Papers.
recommendation. McGrady, who had worked with the AFHW on strikes in the South, also declared his support for federal legislation that "would oblige all operatives of private detective agencies to be registered."\textsuperscript{110} In the New Deal regime, longstanding pipe dreams of the AFHW and other progressives were potential law.

\textbf{Counterespionage}

The hopeful mood in Washington did not curb the AFHW's militancy on the ground. Labor spies had continued to prosper despite the depression. Edelman told F.D.R. in his letter that "even during the very depths of this depression, manufacturers have continued to spend sums of money on the so-called 'private detective' agency which specializes in all types of undercover work in industry. The infamous organizations have remained intact and there are some signs that with the return of better business conditions, this species of racketeering is reviving."\textsuperscript{111} In frustration, the union decided "to fight fire with fire."\textsuperscript{112} The union hired "certain detectives who were also on the payroll of H.C. Cummings and the Railway Audit & Inspection Bureau, and the Bell Detective Agency." In 1936, the union testified about its use of detectives in the La Follette committee hearings, and brought along some of the detectives and double agents to speak for themselves about their undercover work.

Arthur Zahn was hired by the union in January 1931 to penetrate the Bell

\textsuperscript{110}\textit{Hosiery Worker}, March 2, 1934. McGrady had gone to Elizabethton, Kentucky, in 1934 on behalf of William Green and the AFL to investigate the arrest of an AFHW organizer by county sheriffs.

\textsuperscript{111}Edelman to Roosevelt, 1933.

\textsuperscript{112}U.S. Senate, \textit{Violations of Free Speech and Rights of Labor}, 181.
Detective Agency's operations in Philadelphia. Zahn does not explain how he infiltrated the Bell Agency; perhaps he already worked there when the AFHW recruited him or got a job at Bell after agreeing to act as a double agent. The AFHW asked Zahn to "find out who [Bell] employed in the union that was giving them information," but Zahn was never able to figure that out. Indeed, Zahn does not appear to have learned much of use. He discovered that Bell's "free employment agency" questioned prospective workers to determine whether they were union supporters—hardly news. He worked as a guard for a crew of strikebreakers at a hosiery mill and reported that the strikebreakers "had no fear whatsoever" and that the management refused to meet with the union's negotiators. For unknown reasons, Zahn does not seem to have burrowed very deep into Bell's operations.

Zahn's most significant contribution appears to be the acquisition of reports on AFHW meetings prepared for the Philadelphia Textile Manufacturers Association. Union officials read them with great interest. According to William Smith, "These reports are as complete as it is possible to make a report of a local union meeting. I mean they are more complete than the records kept by the local secretary." In their scrupulous detail, the reports suggest the tedium interrupted by occasional fireworks characteristic of union meetings. Discussions of union expenditures for members' funerals and problems with machinery at particular shops follow descriptions of little dramas like the following: "One member stated that the officers of the union do not put enough pep and spark into getting their men help to fight in this coming strike. Leader [the president] flew into a rage and stated that he never laid down on the job and was doing all he could and would stand with the workers to the last, and if by tearing up the agreement would help the members, he
Around the same time, the union hired another undercover double agent. In his memoirs, Edelman identified this person as "George Kaufmann—at least, he called himself that." Kaufmann worked as an operative for the Railway Audit; he was "short and shabby, with a narrow white face," and he was "an extremely hard-working spy," in Edelman’s estimation. The Hosiery Workers paid Kaufmann twenty dollars for copies of his reports to Railway Audit, and more "on a sliding scale" for other information about employers’ plans. Kaufmann apparently worked sometimes as a guard at struck mills. He also talked often with other operatives who sometimes visited him at home.114

His reports to the union, submitted from February through April of 1931, detail the deployment of spies and guards to mills and warn the union about upcoming dangers. For example, in February 1931, Kaufmann told Smith to "keep Anna Geisenger, the girl organizer, away from the Apex Mill Monday. They are going to pull something on her if she happens to show around."115 The double agent’s conversations with Cummings and other spies yielded useful intelligence from the shopfloor. Kaufmann tipped the union that a Reading mill was about to lay off a number of former strikers who refused to talk to coworkers who had crossed the picket line. Kaufmann advised, "This is vital to your inside organizers. Instruct them to converse with all the help. Be friendly toward them."

113 U.S. Senate, Violations of Free Speech and Rights of Labor, 183.

114 Edelman, Labor Lobbyist, 81.

115 U.S. Senate, Violations of Free Speech and Rights of Labor, 186.
That is, if you people ever intend to have a measure of success at this mill."\textsuperscript{116} He recounted casual chatter among labor spies about the hosiery industry and the AFHW. For example, in a discussion with the double agent, H.C. Cummings praised the work of AFHW organizer Alfred Hoffman. Cummings had long wanted to beat up Hoffman, but resisted the urge due to Hoffman’s bad heart—“he is afraid that on sapping Hoffman his heart would stop and he would kick the bucket.”\textsuperscript{117}

Through Kaufmann, the AFHW also learned that exposures of undercover agents in Reading mills was driving Cummings “wild.” Someone was writing anonymous letters to the superintendents of Berks County mills naming particular workers as labor spies. Cummings thought that a competitor in Berks County was writing the letters to edge Cummings’s people out of the mills.\textsuperscript{118} While the AFHW’s exposure of Cummings seemed to have little effect, unmasking individual lower-level operatives hurt his business.

Much is unknown about Kaufmann: his true identity, the circumstances of his recruitment by the AFHW, the reasons for his betrayal of the Railway Audit. Also unknown is how the union used his intelligence—was Kaufmann’s information useful? Could the union outwit employers and the labor spies with this secret knowledge? Both the Kaufmann agent and Arthur Zahn worked for the union in 1931. Did the AFHW abandon its infiltration efforts after their work ended? Too little information is available

\textsuperscript{116} U.S. Senate, \textit{Violations of Free Speech and Rights of Labor}, 187.

\textsuperscript{117} U.S. Senate, \textit{Violations of Free Speech and Rights of Labor}, 189.

\textsuperscript{118} U.S. Senate, \textit{Violations of Free Speech and Rights of Labor}, 189.
to understand the scope and utility of the union's double-agent project.

Perhaps the effort to recruit a trustworthy spy and expense to pay him ultimately proved too great, given the payoff. Knowing that spies planned to attack an organizer or had bid on a job was useful, but may not have yielded a sufficient edge in the union's organizing and bargaining to make a sustained double-agent program worthwhile. Edelman does note that the union "employed Kaufmann some years later to make reports on the organizing possibilities at newly established mills, and his reports, I'm sorry to say, were often superior to those by members of our own staff."119

**Enemy within**

Two of the union's witnesses at the La Follette Committee hearing became union informants under duress—only after they had been caught spying for the boss. Walter W. Newmeyer, an unemployed Philadelphia knitter, answered a newspaper advertisement seeking knitters at $100 weekly, a very good wage in 1928. Newmeyer received a reply from the Railway Audit and Inspection Company, inviting him to interview in person. With some delicacy, his Railway Audit interviewers described the position as an "efficiency recorder." They directed Newmeyer to watch his coworkers, "win their confidence so that they would tell me their feelings toward management if they belonged to the union," and "remember the names of those who made remarks concerning union activities."120 Newmeyer recalled that "after I showed him my credentials that I was a union man, he said O.K., that I had qualified perfectly." Railway Audit sent Newmeyer to

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120U.S. Senate, *Violations of Free Speech and Rights of Labor*, 199.
Phoenixville, Pennsylvania, where Ajax Mills had moved its work since a strike began at its Philadelphia shop. As Operative 431, Newmeyer reported every day for eight weeks on workers’ activities in the mill. In the sixth week, Newmeyer watched Ajax fire a coworker unlucky enough to appear in one of Newmeyer’s reports. When another job came through, Newmeyer gave notice and quit.

He had hardly reformed, however, as two years later, Newmeyer actively sought another job as a labor spy. Having become “hard-pressed financially,” Newmeyer contacted H.C. Cummings in Reading for work. Cummings offered Newmeyer $60 weekly for reports on union organizing across Berks County. The AFHW had begun a new organizing drive in Reading that spring. As Operative 89, Newmeyer said, “through my many friends in that locality I was able to get some first-class information concerning the union activities and the names of persons most active in the organization campaign.” AFHW organizer Edward Callaghan even appointed Newmeyer to a special organizing committee, providing him rich detail for his reports. But Cummings eschewed the secrecy to which Newmeyer had become accustomed, requiring operatives to submit their reports in his offices on the main street in Reading. The AFHW soon became suspicious. When a Berkshire Mills worker lost his job after a meeting attended by Newmeyer, the AFHW set up a committee to try Newmeyer as a labor spy. They extracted a confession from Newmeyer, along with his resignation from the union and a pledge to never again betray fellow workers.

Callaghan described the trial and its reverberations to the AFHW Convention in

121U.S. Senate, Violations of Free Speech and Rights of Labor, 201.
1934: “Now, at this trial, and after this confession was signed, he was ready to leave and he said to me, ‘Callaghan, what can I do to make amends?’ I said, ‘Listen, you, you can’t make amends; in the eyes of men you are done. Anything that you do in the future will not help. You’re ostracized in the eyes of good-thinking men. How can you be trusted in the future?’” When Newmeyer pressed, Callaghan advised him to read the Bible, “because there was a Judas there who betrayed his fellowmen and the only difference between you and him is that he went out and hung himself.”

With time, the AFHW softened. Several years later, Newmeyer appeared at the union’s strike meetings in Reading hoping for redemption. Organizer Luther Adams asked him, “Will you become a good union member and be a man?” Newmeyer promised he would, and Adams agreed to give him another chance, but Adams said that “I notified this man that I desired testimony from him” about his labor spying. Newmeyer gratefully consented, hoping “to justify his position as a union member in the eyes of his fellow workers.”

William Schetzline, the son of a Philadelphia machinist, got his first job as a labor spy around 1927. Schetzline remembered that he applied for a knitter’s job through an “employment bureau” run by the Bell Detective Agency. When Bell suggested that Schetzline try his hand at detective work in Minneapolis, Schetzline pursued the opportunity, inviting the Minneapolis mill proprietor out to his home to meet his family and establish his character. In Minneapolis, Schetzline made himself useful by telling

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122 AFHW Convention 1934 p 422-23.
123 U.S. Senate, Violations of Free Speech and Rights of Labor, 196
knitters that Philadelphia workers earned the same $18 weekly wage as they did, although he had actually earned $80 to $90 per week in Philadelphia. From Minneapolis, Schetzline moved on to Paterson where he falsely informed his handlers that a knitter sympathized with the union, resulting in the knitter’s firing. After a few more postings, Schetzline hired on with the Railway Audit in Reading to work as a strikebreaker on the No-Equl strike. After “the two fellows up there with me got arrested for carrying concealed deadly weapons,” Schetzline left Reading, possibly concerned about being arrested himself. Schetzline returned to Philadelphia and, he said, “Then I did join the union. I worked in the union, and I did not hear any more from the Bell Detective Agency for, oh, several years.”

In 1935, Bell contacted Schetzline again. This time, Schetzline said that “immediately I went down to the union and asked them what course I should take.” The AFHW advised him to take the job as a double agent for the union. Schetzline was assigned to cover AFHW meetings. Together with his union handlers, they “falsified reports. We put them different from what the actual minutes of the meeting would read.” This disinformation campaign lasted only a few weeks, as the agency quickly caught on. Bell fired Schetzline because his reports did not correspond to those submitted by the other spy in the meetings, “and he had been covering it for a long while.”

The stories of Newmeyer and Schetzline offer a different perspective on labor spying from that usually sketched by the AFHW. These spies were not professional

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125 U.S. Senate, *Violations of Free Speech and Rights of Labor*, 196.
detectives or seasoned thugs. They did not express an ideological opposition to
unionism, or any sort of pique with their colleagues. Rather, both men artlessly described
themselves as unemployed hosiery workers, simply looking for work and taking it where
they could. Their stories show hosiery workers drifting into and out of spy work - spying
not a permanent job, but as a status, perhaps temporary. Certainly both men’s narratives
should be interpreted in their context—already outed as traitors, and testifying before a
Congressional hearing clearly disapproving of the practice. Yet their accounts speak to
the complex nature of labor spying usually glossed by the AFHW’s fervid condemnations
of H.C. Cummings and his ilk. As the AFHW rarely acknowledged, the spy problem was
a cancer within its own workshops.

The AFHW knew that labor spies had infiltrated and compromised its
membership. Rooting out these interlopers satisfied the union’s desire to purge the
detectives from their midst. In August 1934, the union newspaper reported that a
notorious labor spy took a job at a New Jersey mill, promising that he had reformed into
“a bona fide union man.” The union reinstated him reluctantly, but after a few months
discovered him recruiting strikebreakers for a strike in Williamsport, Pennsylvania.
Unable to retrieve his union card, “the branch issued an appeal to all branches and
members to beware” of him.\(^{126}\) Such exposures reinforced the union’s vilification of
labor spies as wretched intruders sent by unscrupulous agencies.

Facing the problem of its own members spying for the boss proved more vexing.
Over the life of the AFHW’s antispy campaign, the union depicted spies as every sort of

\(^{126}\)Hosiery Worker, August 24, 1934.
vermin: rats and snakes, murderers and thugs, liars and doublecrossers. Few epithets escaped the union in its search for fresh disparagements. But one depiction was almost always taboo: union member. The AFHW knew too well that workers themselves often informed on the union. This painful fact was hard to discuss. Suspicion is the enemy of solidarity, and probing for loyalty could quickly deflate an organizing drive. Experienced union officials developed discreet strategies to test for traitors. The Philadelphia branch of the AFHW “tried different experiments to convince ourselves whether there were spies or not, and one instance after another lent confirmation to our suspicions.” William Leader, the local president, remembered one experiment in 1935, when he falsely informed a mill’s organizing committee that a mass picket was planned for the next day. In the morning, the mill was surrounded by “hordes of police; police on horseback; police in cars; police everywhere.”

Suspicions arose among the union’s officers: “Immediately after a conference held in our attorney’s office news that was supposed to be confidential and be kept secret was disseminated and given to the employers.”

Even worse than rank-and-file treachery was subversion by the union’s own officials. Branch 7 in Paterson struck the Midland Park Mills in 1936. The local’s district manager, Carl Holderman, believed that a spy was working inside the union to collect information for use in framing the union for violence. Having some experience in outing spies, Holderman set up a trap. He convinced John O’Hagen, a member of Branch 7, to commit a misdeed resulting in his trial and conviction for “conduct unbecoming a union member” by the local’s executive board. O’Hagen affected outrage over the $50

127U.S. Senate, Violations of Free Speech and Rights of Labor, 204.
fine, and soon he was drawn aside by two colleagues. John Legath, a member of Branch 7, and Alphonse Adler, a business agent for the New York and New Jersey District Council of the AFHW, suggested that he could get back at the union by testifying in court that its members had committed violence. O'Hagen demanded guarantees of a job at another mill before he would betray the union. Adler and Legath arranged to take O'Hagen to a Paterson bar to meet the manager of another struck mill, who promised a job as a scab, and a detective from the Midland Park police force. As O'Hagen drank with his new friends, Holderman led Branch 7's executive board into the bar to see the treachery with their own eyes. Branch 7 promptly held a new trial to expel the traitors.

Later, Branch 7 members said that they had long noticed that Legath seemed to cause problems and dissent in the local, but "his conduct had been excused on the grounds that the man was subnormal." It was harder to explain the elevation of Adler to such a high position in the union. Emil Rieve took the opportunity to chide Adler's former boosters from the convention floor: "In the case of Alfonse Adler I must say one word. Four years ago, when the District Council of New Jersey hired this man as its Business Agent, I warned that body that a mistake was being made. At that time it was not possible to bring definite charges against Adler, but I did what I could to convey to the officers and members of the District Council that the Officers of the Federation distrusted Adler and were convinced he would in some way injure the interests of those

128 *Hosiery Worker*, April 3, 1936. Adler had actually been expelled shortly before when his son, who worked at another local mill, refused to come out on strike.

129 *Hosiery Worker*, April 3, 1936.
he was employed to assist and protect. Our advice was disregarded.\textsuperscript{130} Finding the spies was like pulling a deep-rooted weed: mud splattered everywhere. The spies' former colleagues had to endure recriminations about their flawed judgments and anxieties about further fallout. Exposing a spy only magnified distrust within the union.

\textbf{Lobbying for a labor spy ban}

By the mid-1930s, the AFHW had scored few tangible successes in its antispy campaign. But new allies suddenly emerged in the New Deal coalition. The AFHW threw itself into lobbying for the Wagner Act, launching "a concentrated, vigorous, and fast moving campaign," including "a series of public meetings" in its union halls and an "active letter writing campaign" in March 1934.\textsuperscript{131} The following month, Edelman testified before the Senate in favor of the Act. The AFHW's cynicism about the efficacy of legislation had moderated as New Deal initiatives undermined employers' supremacy. Edelman proposed that section 7a of the Wagner Act include, among banned unfair labor practices, the use of labor spies:

To participate in, conduct, authorize, or permit any investigation or report of, spying or espionage upon any employee or any labor organization in connection with the exercise or enjoyment of any right provided by section 4 of this act or Section 7a of the NIRA or any other statute or by the common law; or to hire or compensate any person, whether as employee or otherwise, or to make any expenditure or to provide any facility for such purpose or purposes.

To furnish or make available with or without compensation to any person any information concerning the activities of any employee in the exercise or enjoyment of any right provided by Section 4 of this Act or Section 7a of the NIRA or any other statute of the United States or existing under the common

\textsuperscript{130}AFHW Convention Proceedings, 1936, AFHW Papers.

\textsuperscript{131}Hosiery Worker, March 16, 1934.
Edelman's proposed language did not make into the bill, but the union cheered the passage of the Wagner Act in 1935.

In October 1935, the AFHW published an editorial in the *Hosiery Worker* titled "Probe the Labor Spy," calling for a "sweeping" federal investigation into the labor spy problem. The editorial sounded like numerous other condemnations of labor spies issued by the AFHW over the years. This time, though, the call was echoed in labor newspapers and union halls across the country. Employers had openly flouted the Wagner Act, believing that a United States Supreme Court hostile to the New Deal would soon strike the law down. In a bid to save the law, a Senate staffer proposed that the Senate conduct a dramatic investigation to expose the tactics used by employers to fight unions. The labor spy would play a starring role in the scripted hearings. The Hosiery Workers readily endorsed the plan.

Rieve, Holderman, Edelman, and other leaders of the AFHW took their turns at the microphone in the first days of the La Follette Committee hearings, sharing their stories of double-crosses and double agents with the nation. They relished the chance to recount in detail the sins of Henry Cummings, O.G. Williams, and the stool pigeons within their own ranks. Their dramatic testimony produced excellent press coverage for the investigation; the AFHW's use of double agents particularly intrigued the papers.

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132 *Hosiery Worker*, April 13, 1934  
133 *Hosiery Worker*, October 11, 1935.  
134 *New York Times*, 4-17-1936.
The *Hosiery Worker* reported that AFHW officers and representatives “built up a strong chain of circumstantial evidence connecting up the private detective agencies with the suspicious emergence of a new fangled crop of company unions,” and described in detail the testimony of each AFHW witness. As the summer wore on, the *Hosiery Worker* covered the La Follette Committee’s hearings in nearly every issue, detailing for its members the incursion of spies into the steel industry, into southern textiles, and in the automobile factories.

On September 25, 1936, a banner headline shouted what the AFHW had known all along: “DETECTIVE AGENCY REVEALED AS COMPANY UNION CREATOR.” Staffers for the La Follette Committee had laboriously pieced together fragments of shredded and burned documents recovered from Railway Audit and Inspection Company offices, and the recovered documents confirmed everything the AFHW had gnawed over during the lean years. Reconstructed letters from Railway Audit officers to operatives said “At the present time, we have been successful here in starting a lot of employe associations,” and claimed control over the Reading company union newspaper, the *Hosiery Examiner*.

The RA&I testimony coincided fortuitously with a trial underway in Reading. AFHW officer William Leader had accused the editor of the *Hosiery Examiner* of libel, for alleging that Leader had been involved in racketeering in Philadelphia. The *Hosiery Examiner*’s editor offered an anemic defense, refusing to even take the stand. A Berks County jury quickly found in favor of Leader. As his trial closed, Trautman received a

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135 *Hosiery Worker*, April 24, 1936, 8.
subpoena from the La Follette Committee, and he traveled to Washington to give a deposition denying that the RA&I subsidized or helped him at all. A few days later, Committee staffers read out the RA&I letters contradicting his sworn testimony. Trautman was obliged to offer a revised statement to the La Follette Committee, attributing his misstatements to jitters.\textsuperscript{136} The entire episode offered a case study in the productive synergies between the La Follette Committee and the labor movement, and gave powerful ammunition to conservatives who later sputtered that the Committee worked hand-in-hand with the CIO.

The hosiery workers enjoyed a stunning victory over their opponents, courtesy of the most unexpected intervention of the federal government. Their years of struggle made a compelling testament to the inability of workers to wipe out labor spies and the oppressive labor practices on their own. As a small and regional union, the AFHW did not bask in the limelight for long. Once the public relations value of the La Follette committee became clear, other unions commanded far more time at the witness table and in the press. The struggles of the AFHW were quickly eclipsed by dramatic revelations about surveillance systems at Ford Motors and brutal assaults like the Little Steel struggles. The AFHW helped provide a solid base of evidence to justify the La Follette investigation; once underway, their battles faded in significance to national discourse.

Likewise, the union itself continued to shrink. The AFHW would never regain the dominance it briefly enjoyed in the industry. Hosiery mills streamed southward at a rate even greater than before. A flurry of organizing wins in the mid-1930s could not

\textsuperscript{136}The above anecdote comes from \textit{Hosiery Worker}, September 25, 1936, 3.
reverse the decline of the union. As their longtime alliances foretold, the AFHW chose to join the CIO in 1936, along with their ostensible parent the UTWA. John Edelman left the AFHW that year to work as a regional director in Philadelphia for the CIO. After several years organizing in eastern Pennsylvania, Edelman went to work for war agencies in the federal government and eventually to a full-time job as a lobbyist for the CIO and the UTW. Emil Rieve took a more forceful role within the Textile Workers Union of America, along with George Baldanzi of the Dyers Federation. In 1939, Rieve was elected president of the TWUA, a post he retained until 1965.137 Rieve brought his contentious persona and skill in maneuvering union politics with him, along with loyal staffers like Holderman, to the TWUA. Rieve’s feuds with Baldanzi and heavy-handed political style eventually won him sharp critique from contemporaries and historians alike. As for the AFHW, the union lived on until the early 1950s, when it was wholly absorbed into the TWUA.

Louis Budenz had drifted away from the AFHW since his stint as an organizer in the late 1920s, and toward the Communist Party. Budenz, who had sued labor spy A.R. MacDonald for libel for calling him a Communist in 1927, became labor editor for the Communist Party newspaper in Chicago in 1935. There he refined the talent for invective and exhortation already clear in his journalism from the 1920s. In 1947, the man who had been fascinated by labor spies and double-crossers in his youth stepped to a microphone in the US House of Representatives and began his own career as a professional stool pigeon. Louis Budenz became one of the most prolific and powerful

137Clete Daniel, *Culture of Misfortune*, 269.
witnesses for the McCarthy hearings, spending the last years of his life exposing the secret world of American Communism.\textsuperscript{138}

Conclusion

"Espionage and strikebreaking can be reduced, but they cannot be abolished by regulation of the detective agencies," pronounced the \textit{Harvard Law Review} in 1939. "The process of industrial disarmament cannot be made completely effective except by applying sanctions to those in whose interests the battles are fought—the employers themselves."\textsuperscript{139} The Hosiery Workers figured this out long before the law review editors. Their exasperating failures to eliminate or even curb labor spies helped make the case for strong federal labor law that held employers accountable for the actions of their hired agents.

In their public statements, the Hosiery Workers denounced labor spies for terrorizing innocent workers. In private, the union complained as much about the harassment union officials endured. With labor spies dogging their footsteps, organizers and officials had to worry that any indiscretion would be observed and reported to their own employer, the AFHW, or to their wives and families. Detectives could learn the union's finances and plans, or collect evidence to use in obtaining court injunctions. Fear of spies made union officials a bit paranoid. Union president Emil Rieve told members in 1932 that when he worked on an organizing campaign in Reading, "we didn't dare leave

\textsuperscript{138}Louis Budenz, \textit{This Is My Life}.

\textsuperscript{139}``Industrial Policing and Espionage,'' \textit{Harvard Law Review}, vol. 52 [1939], 803-804.
our rooms in the hotel. When we did, our files were stolen from us. Organizer Geisinger at this time located in Reading, I kid her once in awhile when she carries her files around with her because she doesn’t dare leave her communications in the hotel room where she is stopping.”140 Another union officer, Luther Adams, had heard that a labor spy said of him, "And mark my words, when they get Fat Adams they are going to get him right.’ Well, I’m telling you they can go to hell as far as I’m concerned because the only way they are going to get me out of here is in a black box.”141 Labor spies were extremely effective at driving AFHW officials crazy.

Whether labor spies accounted for the union’s difficulty organizing and bargaining national contracts is another matter. Where managers used detectives to move yellow-dog contracts through hosiery mills, the detectives’ efficacy is clearest; however, in these cases detectives operated openly, not undercover posing as workers. In such circumstances detectives functioned in the same fashion as a plant manager, acting as a overt agent of the employer. It is impossible to know how much undercover labor spies impeded organizing efforts in Reading and elsewhere; it seems likely that many other factors contributed to the union’s culture of misfortune.

In 1950, Textile Workers President Emil Rieve told the Senate Labor Committee of a “Labor Spy Racket in New Dress.” The TWUA had just endured a humiliating shellackling at the hands of southern millowners during Operation Dixie, a CIO-led drive to organize the nonunion South. Rieve testified,

140 AFHW Convention Proceedings, 1932, AFHW Papers.

141 AFHW Convention Proceedings, 1934, AFHW Papers.
As you all remember, another Senate Committee, the La Follette Committee, put the professional strikebreakers out of business. By exposing the methods used by big corporations to smash the attempts of workers to organize, the La Follette committee helped to build up public sympathy and understanding of trade unions and their goals.

You have the opportunity to bring the story up to date. I am not suggesting that you should look for another Pearl Bergoff. I am not suggesting that criminals and thugs are interfering with labor relations today. The employers have refined their techniques. The modern Pearl Bergoffs are to be found in the offices of management lawyers; and the bulk of their activities are within the law.

But I do say that what is going on today is a greater threat to America than the company goons and thugs of 20 years ago. I charge that there exists in the textile industry, primarily in the south, a widespread conspiracy to prevent union organization and to destroy those unions which now exist.

I charge that the connecting links in this conspiracy are the management lawyers, who have developed most of the weapons used against workers and who themselves conduct and direct much of the union-busting work."142

Despite the Wagner Act, and lacking labor spies to blame for workers' unwillingness to organize, Rieve had found a new deus ex machina. This time, the Senate did not help.

In 1924, two books warned American workers of vast conspiracies operating in
their unions and workplaces. Thousands of secret agents had infiltrated their ranks.
Millions of dollars had been spent by shadowy cabals in league with employers. Strikes
and industrial conflict engineered by undercover operatives aimed to destabilize
American workplaces and delude American workers. Both books reprinted confidential
memos and contracts and identified key figures in the conspirators’ networks. But the
two books described different plots. The Labor Spy, published by left-wing journalist
Sidney Howard, pointed to the detectives who posed as workers to gather intelligence
about organizing campaigns and strikes. The other book, titled Attempts by Communists
to Seize the Labor Movement, was published by the United Mine Workers of America.
The Mine Workers revealed a Communist plot to take over American unions to engineer
a Bolshevik revolution.¹

The Labor Spy opened with the story of Jack Peters, the president of the Central
Labor Union in Wheeling, West Virginia, the business agent for the Wheeling Machinists

local, and, according to Sidney Howard, an agent of labor-spy firm Corporations Auxiliary. During the 1919 steel strike, Peters "was always the most impatient of the conservatives, the most eager for radical reform." Peters volunteered for "delicate or confidential missions," and was quick to denounce the police and the press. Long after the strike failed, Peters's union brothers learned of his alter ego as Operative R-O. During the steel strike, Operative R-O "telephoned hourly reports to labor's most malevolent enemies"; he "was the actual author of many of the Steel Corporations' voluminous blacklists." Having begun with a shocking unmasking, Howard explained the scope of the problem: the three top detective agencies alone earned over $65 million annually and employed 135,000 spies. In Philadelphia, Pittsburgh, and Cleveland, inside the Molders Union, the Industrial Workers of the World, and the United Textile Workers, Howard found detectives reporting on workers.

Their betrayal of workers and sabotage of strikes was bad enough. But according to Howard, many labor conflicts were fomented by spies in the first place. According to this reasoning, employers retained labor spies when they had problems on the shopfloor. No problems meant no need for labor spies. Therefore labor spies created situations to justify their retention. As Howard explained, "we need not be surprised to find situations prearranged in the plant of a prospective client, strikes prolonged rather than broken, rioters furnished by espionage agencies for the very situations which employ their strikebreakers, trouble fostered where peace has been." Detective agencies might send

2Howard, The Labor Spy, 3, 16.

operatives among workers to agitate, and then follow up with a sales visit to management offering their services to put down the nascent organizing campaign. Where strikes became rancorous and violent, a labor spy acting as agent provocateur could often be found urging the union to dynamite the mill or kneecap scabs.

Likewise, labor spies provoked trouble in the union. To undermine elected officials and strain solidarity, a labor spy “asks embarrassing questions, advocates violence, preaches Communist theory to conservatives”; “he charges union leaders with duplicity . . . corrupts union election, forces issues prematurely.” During a strike, the spy could sap strikers’ resolve by taking over and messing up the strike fund, or preaching defeatism, or spreading gossip. For Howard, labor espionage provided an explanation for many needless industrial disputes, failed strikes, and moribund unions.

Sidney Howard’s book reiterated themes familiar from labor spy exposés of the previous fifty years. Unionists had often accused spies of causing rather than preventing industrial strife, as well as disrupting relations among workers. Dramatic warnings that battalions of spies had invaded American industry recurred in union newspapers and muckraking magazine articles.

In equally dramatic style, the Mine Workers used similar language and images to warn of a Communist onslaught in Attempts by Communists to Seize the Labor Movement: “Imported revolution is knocking on the door of the United Mine Workers of America and of the American people. The seizure of this union is being attempted as the first step in the realization of a thoroughly organized program of the agencies and forces

behind the Communist International at Moscow.” “Millions of dollars are being spent in this contest,” warned the Mine Workers, and an army of “more than six thousand active leaders and approximately one million members adherents and sympathizers” were at large.\(^5\) Communists had targeted the American labor movement to establish their beachhead.

Treacherously, the Communists were working undercover. They had adopted the tactic of “boring from within,” or joining the union as a regular worker, and then agitating among other miners. For the Mine Workers, Communist perfidy became clear in a strike at Herrin, Illinois, in 1922. The UMWA had been bracing for a showdown with Illinois mine operators. The Communists, at the direction of Moscow, took action. At first Communists “pretended to cooperate with the officials of the union,” but after the strike started “they started broadcasting these regions with incendiary and inflammatory circulars, many of which were designed to breed distrust and suspicion of union officials.” Communists argued against a reasonable settlement proposal, hoping that continued unrest would create chaos and enable them to seize control of the union. The Mine Workers seethed, “Only by secrecy and stealth did they launch their hostile and vicious campaign.”\(^6\) Luckily the union had obtained copies of letters and meeting minutes revealing the secret Communist sympathies of agitators and their close links to Moscow, which they reprinted in the tract.

According to the Mine Workers, Communists “encourage[d] industrial strife and


\(^6\) UMWA, *Attempts by Communists*, 11-12.
the breeding of distrust and misunderstanding between employers and labor unions.”

While the Mine Workers aspired to settled, stable industrial relations, the Communists thrived on tumult: “Everywhere they went violence, disorder and trouble, clashes with the police, dynamiting, incendiary fires, and injured and maimed men were left in their wake.” Communists employed various subterfuges to disguise themselves: “the identities of its officials and leaders are concealed behind assumed names . . . letters and records are in code numbers and numerals . . . meetings are held secretly.” The Mine Workers intended to expose them, naming avowed Communists but also making spurious accusations against progressives like Roger N. Baldwin of the American Civil Liberties Union and Felix Frankfurter, future Supreme Court justice.

The UMWA’s Communists sound remarkably like Howard’s labor spies. Like labor spies, Communist organizers maneuvered to win positions of trust and influence with workers, albeit for different ends. Whether their goals were idealistic or invidious, however, Communists and labor spies employed similar practices of stealth, arousing opponents to investigate and expose their identities and plans. Thus odd parallels arose in the language laborites used to describe labor spies and Communists. Generally, leftist reformers and progressive unionists invoked the labor spy, while conservatives decried Communists, but both discourses could be found in union journals and leftist magazines in the 1920s and 1930s. These parallels largely went unremarked during the 1920s and early 1930s.

During the internecine conflict within the New Deal labor movement, however,

7UMWA, Attempts by Communists, 13, 6.
the analogy suddenly became useful. The eruption of worker militancy in the 1930s and Congress’s sudden impulse to enact new labor laws exacerbated longstanding tensions between progressives and conservatives in American unions. When the American Federation of Labor finally split in 1935, infighting turned into open warfare. The AFL, which opposed the massive expansion of state authority over union matters, fumed as its renegade unions in the Committee for Industrial Organization worked closely with the government to craft new regulations and enjoyed extraordinary growth. As hostilities between the AFL and CIO escalated, Congress became a central arena for fighting. Interlopers should be flushed out of the labor movement, both the CIO and the AFL told Congress, but they differed on which ones.

Thus two different Congressional hearings in the 1930s heard testimony that undercover operatives had infiltrated the American labor movement. American Federation of Hosiery Workers secretary William Smith had evidence obtained by his own detective: copies of secret reports describing union meetings in minute detail, from the reading of the financial report to the date and time of the union’s planned strike. Smith testified in April 1936 among the first witnesses before the Senate’s La Follette Committee investigation into labor espionage and strikebreaking. Over the next several years, the Committee heard evidence of a conspiracy of spies and employers working inside unions to delude workers and destabilize workplaces. Heber Blankenhorn, a canny public relations expert, had organized the La Follette Committee’s investigation in hopes that spectacular revelations of employers’ reliance on tactics like labor spies would arouse public support for the National Labor Relations Act, which faced review by an unfriendly
Supreme Court. The Committee’s revelations of widespread labor espionage and strikebreaking demonstrated the need for vigorous enforcement of a labor law that protected workers from their bosses.

Two years later, John Frey, a senior officer of the American Federation of Labor, sat before a special House investigating Committee and presented similar reports, obtained by his own confidential source. Frey’s informant disclosed the names, real and pseudonymous, of attendees at a meeting of senior officials of the American Communist Party and their plans to work inside the AFL to discredit elected leaders. Frey was the second witness to testify before the Dies Committee, which later became known as the House Un-American Activities Committee, or HUAC. Frey testified for three days, sharing his voluminous personal records on American Communism and the party’s penetration into the labor movement through its vehicle, the Congress for Industrial Organization. Frey and the AFL joined forces with Congressional conservatives in a bid to discredit the industrial union movement that threatened the membership and dominance of the AFL. They followed the script and stage directions crafted by Blankenhorn: using stolen documents and secret informants, labor conservatives revealed a shadowy cabal of Communists conspiring to take over legitimate unions and discredit their elected officials. In a bizarre twist, AFL leaders went after the La Follette Committee itself, and worked with labor spies unmasked only a few years before. By the end of 1938, HUAC was investigating the La Follette Committee; the La Follette Committee soon lost its funding, while HUAC continued on for forty years. Communists displaced labor spies as labor’s enemy within.
For Blankenhorn and advocates for an expansive state labor policy, labor espionage exemplified the ruthlessness of employers implacably opposed to industrial democracy, and explained the sometimes puzzling failure of workers to successfully organize unions. In the absence of a muscular state, employers would use dirty tricks to suppress workers' will. Frey and opponents of the New Deal labor regime saw Communism and its state-building tendencies behind the impulse for federal action; secret Communist agitation also explained insurgent workers' rejection of the AFL's craft unionism and embrace of the CIO. The twin narratives of labor espionage and Communist infiltration relied on Manichean oppositions between authentic workers and subversive interlopers, and suppressed uncomfortable facts like workers' willingness to spy on each other, or attraction to Communist ideals.

But labor espionage and American Communism were real conspiracies, not conspiracy theories. The La Follette Committee investigation confirmed trade unionists' wildest allegations of marauding and mayhem committed by labor spies. Shredded documents retrieved by Senate investigators revealed that thousands of spies watched workers in factories, stores, and mines, and had attained positions as union officials and organizers. Likewise, the American Communist Party, in close cooperation with the Comintern, did aspire to decapitate the American labor movement to advance a global Communist revolution.

The labor movement's responses to these conspiracies reveal much about union officials' priorities. The AFL mobilized rapidly and effectively to identify and expel Communists from its ranks from the earliest days of the Bolshevik revolution. John L.
Lewis and the United Mine Workers, founders of the CIO, helped lead the AFL’s anticomunist efforts in the 1920s. Labor’s role in the origins and development of American anticommunism has not been well-studied. The AFL and its affiliate unions worked with government investigators and retained their own operatives to detect and combat Communist organizers. The AFL’s early work proved critical to HUAC in its early days, and provided great support to anticommunist crusaders. When the AFL’s resistance to the New Deal labor regime hardened into fierce opposition, Frey opened up his voluminous files on Communist penetration of unions and offered a counternarrative that trumped the story of labor espionage and set a new agenda not just for labor but for the nation.8

In contrast, labor espionage aroused only occasional interest from union leaders. Left-wing journalists and a few progressive unionists kept the issue alive in the 1920s and 1930s. A New Deal staffer sympathetic to labor, not any union official, engineered the massive La Follette investigation. Labor officials’ relative disinterest in the phenomenon of labor espionage, compared to their vigorous pursuit of Communists, suggests that many union officials considered radical workers to be more threatening than detectives disguised as union members.

Part I of this chapter discusses the development of labor’s twin infiltration

narratives, and describes the origins of labor anticommunism. Then the chapter turns to the deployment of these narratives by partisans in the bitter fight within the 1930s labor movement. Heber Blankenhorn’s public relations expertise led him to seize upon labor spies as a potent symbol of employers’ treachery that justified the Wagner Act, as Part II shows, and he orchestrated the La Follette hearings to enact the labor spy infiltration narrative. Blankenhorn met his match in John Frey, architect of the AFL’s anticommunist crusade and a skilled propagandist. Frey’s critical assistance to HUAC, and his collaboration with a labor spy, is the subject of Part III, which closes with the AFL’s Communist infiltration narrative ascendant.

**Part I. Infiltration narratives and anticommunism.**

Exposés of labor espionage produced across several decades were so similar they were virtually interchangeable. Labor’s exposés of Communist penetration shared the same generic hallmarks, particularly their opposition between secret agent and worker. Early labor anticommunists based much of their critique on the subterfuge used by Communists to enter and influence unions. By the early 1930s, the labor movement had two distinct but parallel narratives that fingered undercover infiltrators as an enemy within, although unions’ behavior revealed their priorities; labor leaders devoted far more energy to identifying and expelling Communists than labor spies.

**Labor spy infiltration narratives**

“Industry in this country supports an extensive and lucrative business of labor espionage and strikebreaking,” Heber Blankenhorn reported to Congress in his 1936 testimony. “‘Labor trouble’ is not merely to their business advantage; it is practically
their whole business. They inform clients of ‘trouble’, they threaten it, and often when it is not forthcoming they make it.” These revelations reiterated the same claims unionists had made about labor spies over the previous fifty years. Over time, exposés and investigations of labor espionage shared common elements and claims that cohered into a recurrent narrative. Writings, speeches, and testimony about the labor spy phenomenon incorporated most or all of these elements.

First, labor spies were numerous and proliferating. No worker was safe, warned a 1907 book, from the Pinkerton “system of espionage, calumny and persecution of labor of all crafts and classes.” “Nearly every large corporation now employs numerous spies,” according to a 1914 book, and “thousands of these detectives are, in fact, members of the unions.” Sidney Howard quoted another book’s estimate that the three top U.S. detective agencies employed 135,000 detectives, three-fourths serving undercover in labor unions. Scant evidence accompanied these claims; a clandestine industry’s scope was surely difficult to measure, permitting authors to speculate freely. In his report to the

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9 U.S. Congress, Senate Committee on Education and Labor, Hearings on S.Res. 266, A Resolution to Investigate Violations of Free Speech and Assembly and Interference with the Right of Labor to Organize and Bargain Collectively, 74th Congress, 2nd sess., 61. (Hereinafter cited as Senate Hearings on La Follette Committee Resolution.)


Senate, Blankenhorn acknowledged that “there are no reliable figures,” and “the actual numbers and reach of the whole business remain one of the most important points requiring investigation.” Despite the lack of reliable data, authors alleged that spies occupied elected offices at all levels of the labor movement, from local recording secretaries to state federation presidencies.

Labor spy narratives disclosed the detective’s tricks and methods. Spies wrote daily reports to their handlers using code names and post office boxes, and always lived alone so they could write undisturbed, reported the pseudonymous Sunshine in his 1889 exposé, and authors told the same story in the 1920s. Labor spies made “a practice of cultivating the friendship” of workers, especially after working hours; buying rounds of drinks at the bar was a common strategy. Spies might run elaborate scams to win the trust of workers: one account described the detection of a labor spy by a union member who methodically pursued and prosecuted the infiltrator; the union member “was bitter in his attack on ‘these stool pigeons who come in to destroy our unions.’” The union member was himself eventually unmasked as a detective working for the same agency. In emphasizing the use of artifice, these narratives framed the spy as an outsider and invader who depended on tricks to get inside unions and gain the trust of workers. The

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13Senate Hearings on La Follette Committee Resolution, 72.


A central theme in standard labor spy narratives involved the spy as an agent of disorder. This provocation took several forms; disrupting relations between workers and employers was one. As industrial harmony would obviate employers' need for labor spies, detective agencies stirred up trouble and agitated employers in order to create a market for their services. A 1907 book on the Pinkerton Agency said, "the Agency's constant endeavor [is] to prevent the settlement of industrial conflicts by arbitration, by urging its clients to stand firm in their hostile attitude toward labor, and assuring them that ultimately they will be the victors."\(^{17}\) A study of the 1919 steel strike explained that detective agencies "provoked strikes in peaceful shops in the past to create 'business,' set union to fighting union, organized unions to be called in to break the unions."\(^{18}\) Rarely did these accounts provide examples of specific instances when a labor spy had been caught in the act; for substantiation, narratives generally pointed to the structural relationship between labor spies and industrial conflict, and reasoned that this outcome was inevitable. Robert Hunter explained, "It is obvious enough, if one will but think of it, that these detective agencies depend for their profit" on stirring up conflict; he added that "anyone who cares to look up the history of the labor movement for the last hundred

\(^{17}\text{Friedman, The Pinkerton Labor Spy, 18.}\)

years will find that in every great strike private detectives and police agents have been at work provoking violence."19

Spies also had an interest in creating trouble among workers. To strain solidarity and weaken the union, spies tried to drive wedges between workers. As one writer explained, "One of the characteristics of the spy is that he is always arousing antagonisms in the movement. He is slurring others, charging disloyalty, bringing about fights between racial groups or any other divisions possible."20 Spies might discredit the union by attaining positions of trust and frittering away the union’s funds or arguing for outlandish demands from the employer. An Akron rubber worker organizing campaign collapsed after spies “spent freely for drinks, with the result that several well known I.W.W. organizers were kept drunk most of the time, and when they attempted to do their work they usually made fools of themselves.”21 A moribund union led by incompetents might be the fruit of a labor spy’s work.

Thus labor espionage provided a clean explanation for needless industrial disputes, failed strikes, and bad unions. The utility of this narrative is clear. This is not to say that Howard or other critics of labor espionage made up the problem. Labor spies did infiltrate thousands of workplaces; agencies did stir up labor trouble to drum up business. Indeed, advertising material produced by detective agencies made many of the


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same claims found in the progressive labor spy narrative. A 1917 book issued by the Sherman Service, a labor detective agency, described Sherman's operation at a large corporation facing an organizing campaign. Sherman agents attended organizing meetings "with instructions to lead the workers who did not care to vote for a strike... through the efforts of our operatives (who, by the way, were unknown to each other) the strike was postponed." Other operatives were "working upon the relatives and friends of the employes and swinging the wives and children over to reasons for harmony." The factory employed many Lithuanians, and a smattering of other ethnicities; Sherman boasted that "we were able to detail operatives who spoke the several languages and naturally they were soon able to gather around them a certain following from each nationality... the followers of our operatives were kept from joining the organization."22 Further, governmental investigations from the 1892 Senate hearings on the Homestead strike to the Progressive-era Commission on Industrial Relations to the La Follette Committee of the 1930s confirmed the existence and practices of labor spies.

But the critiques of labor espionage bracketed key issues as they condemned employers and detective agencies for misleading workers. One troublesome fact was that most labor spies were, of course, workers themselves. Sometimes workers hired on as spies in between jobs, or to supplement their income. Jack Peters of The Labor Spy, a.k.a. R-O, only began informing on his coworkers in the last years of his career; he rose to his union office through the ranks. Further, working-class men, not elites, staffed

detective agencies. Sidney Howard obtained and reprinted several application letters for spy positions; the applicants described their years of experience with machine tooling and good union standing, as well as their previous stints as labor spies. Howard insisted that most spies harbored "criminal traits," and were often foreigners to boot. (Howard also added that "the industrial spy is easily recognizable. He always appears to wear a bandage somewhere about his anatomy. His wounds, however small, never seem to be quite healed and he is given to bad complexions. I don't know that this is significant except for the feeling that bad souls make for bad blood."\textsuperscript{23}) In their exposés, authors stressed the difference—criminality or mental feebleness or bad blood—that distinguished labor spies from good union workers. But these typologies were more wishful than diagnostic. No telltale feature marked treacherous workers.

Likewise, while detectives engineered fights and planted bombs, so did trade unionists. The 1910 bombing of the Los Angeles \textit{Times} building exemplifies both this fact and the tendency of unionists to vigorously deny such tactics. When John and James McNamara of the Ironworkers, a union which regularly dynamited non-union building sites, were arrested for the bombing, Samuel Gompers and the AFL bitterly condemned the Los Angeles police, Clarence Darrow took up the case, and labor newspapers were filled with appeals for funds for the McNamaras. The labor movement's indignant claims of a frameup swiftly subsided into chastened humiliation when the brothers confessed

\textsuperscript{23}Howard, \textit{The Labor Spy}, 113.
midway through the trial. From the 1877 railroad strike to the pitched battles in western minefields, workers rioted, committed vandalism, and assaulted strikebreakers and bosses. When the Wobblies openly preached monkey-wrenching and dynamite as tools in the class struggle, they simply popularized a tactic long practiced by workers’ organizations. By naming labor spies as the true instigators of violence in strikes and organizing campaigns, the labor spy narrative whitewashed a complex history of labor conflict into a Manichean story of noble and innocent workers betrayed by criminal spies.

**Origins of labor anticommunism**

Yet labor spy narratives look nuanced in comparison to discussions on Communists in the labor movement. AFL president William Green’s 1934 pronouncement is characteristic: “Evidence accumulated by the American Federation of Labor indicates that we have in our midst a skeleton terrorist force, trained, instructed and ready for expansion on short notice.” In his telling, the nation itself was threatened by this enemy, against which “the American Federation of Labor has stood as the first line of defense and has borne the continuous brunt of battle.” But as labor spy narratives of infiltration and conspiracy were rooted in the actual practices of labor spies, so labor’s anti-Communist narratives drew their imagery and force from the actions and self-descriptions of Communists. Union officials accused Communists of secretly plotting to

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take over unions because Communists did try to seize control of unions through clandestine schemes. American Communists' peculiar early organizing strategy involved two elements that especially infuriated union officials: "boring from within" existing unions, and subterfuge. This combination of penetration and misrepresentation maddened progressive and conservative trade unionists alike.

By World War I, radical political groupings honeycombed the American labor movement. The Industrial Workers of the World’s syndicalist program claimed large blocs among miners and timber workers; over a third of delegates at the AFL’s 1913 convention voted for Socialist candidates. Yet the American Federation of Labor and its president Gompers held steadfast to a conservative “pure and simple unionism.” Burned by a hostile judiciary that struck down pro-labor legislation, and a state that seemed to turn every law to labor’s disadvantage, the AFL embraced voluntarism and regarded the state with suspicion. Eschewing party politics, most American union leaders believed that in the American two-party political system, no labor or leftist party could poll enough votes to warrant organizing one. Bitter experiences of betrayal by both Democrats and Republicans convinced national union leaders that neither party could be trusted to stand for workers’ interests. A tentative alliance with the Democratic Party before and during World War I yielded mixed results for the federation, and frustrated union members who wanted an independent labor voice in politics. According to historian Julie Greene, “Gompers clearly desired to limit popular political activity by

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rank-and-file workers. He feared he would lose control over labor’s future if a robust political movement—whether labor party or socialist in its character—emerged.”

Conservative officials at the top of the AFL held onto power with the help of building trades unions, and they energetically supported and promoted conservative leadership within the AFL’s constituent unions as well. But the Wobblies’ periodic surges of strength and Socialist inroads into unions like the Machinists, Garment Workers, and Miners showed the limits of rank-and-file consensus with their leaders. In local unions, at labor conventions, and in public places, leftist and conservative workers and union leaders argued openly about politics.

Impressed by the Bolsheviks’ seizure of power in 1917, American leftists, most from the ranks of the Socialist party, created their own Communist Party in early 1919. In its first years, the American Communists received firm instructions from party leaders to steer clear of the trade unions, which the Bolsheviks viewed as “the arch enemy of the militant proletariat” due to their ameliorating tendencies. Thus during the great strike wave of 1919, the American Communists stayed out of the action—ironically, since the Communists were frequently blamed or credited with helping fuel the strikes.

Following on the AFL’s longstanding hostility toward socialism, the federation quickly registered its opposition to the new Soviet government. Gompers told reporters in January 1919 that Bolshevism was “as great an attempt to disrupt the trade unions as it

is to overturn the government of the United States,” and he vowed to dedicate the AFL to fighting domestic Communism.28 Gompers spoke well in advance of 1919's red raids and crackdown on radicals. The AFL’s anticommunism is sometimes described as a strategic defense against a reactionary political climate, and certainly Gompers sought to shore up labor’s wartime gains by touting the AFL’s moderating influence. In June 1919 at the close of the AFL’s annual convention, he announced, “Labor in America has demonstrated emphatically in the last two weeks that the patriotic zeal and the citizenship that actuated it to give gallant aid to the government throughout the war has not been succeeded by any kind of radicalism. There was not a single session of the convention but showed that labor will not countenance radicalism in its ranks.”29 (Unfortunately, these claims of moderation seemed to whet the appetite of employers preparing a major open-shop offensive; unionism itself was “nothing less than bolshevism,” one employer journal argued.30)

**Boring from within**

But labor anticommunism had a logic internal to the labor movement, quite outside of the larger political climate. Redbaiting is often treated by historians as a tool used by employers and the state against labor, but in the 1920s union officials did most of

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the red-baiting themselves. As Gompers’s press statement indicates, he correctly suspected Communist insurgents would target unions, not just the state. Since the 1890s, Socialists had debated how to relate to the labor movement: should Socialists attempt to radicalize existing craft unions, or was the labor movement ossified beyond hope and new, industrially-based mass unions were needed? Gompers and the AFL leadership rejected both plans, attacking Socialist labor leaders when they worked inside the unions, and forbidding its members to join “dual unions” when Socialists set up separate worker organizations like the IWW. His experience with the Socialists gave Gompers reason to doubt the Communists’ disavowal of interest in the unions.31

Indeed, swiftly the Party changed plans. In the 1920s and 1930s, American Communists in thrall to party leaders took direction from Moscow on matters large and small. Many scholars of local Communist cells and blocs have emphasized indigenous radicalisms and local conditions that formed the seedbed in which Party structures could root. However, Communism’s appeal rested in part on the rigorous discipline and central organization that had apparently enabled the Bolsheviks to take control of a state. American Communists accordingly embraced the hierarchical, disciplined model of Party


Whereas the Party disdained labor unions as an impediment to revolution in the first heady years, the failure of Western workers to rise up alongside Russians caused Lenin to rethink this position by 1920. In \textit{Left-wing Communism, an Infantile Disorder}, Lenin instructed Communists to work \textit{“wherever the masses are to be found,” and in Western countries that meant parties and unions. As the United States lacked a mass workers’ party, Americans had to focus on unions. However much Communists might prefer to form their own pure and revolutionary workers’ organizations, they were obliged to work with “the human material bequeathed to us by capitalism,” no matter how “narrow-minded, selfish, unfeeling, covetous, pettybourgeois ‘labour aristocracy,’ imperialistically-minded, and bribed and corrupted by materialism” the unions might be.\footnote{V.I. Lenin, \textit{Left-wing Communism: An Infantile Disorder} (1920; New York: International Publishers, 1989), 37, 35.} In this Lenin resurrected the old Socialist device known as “boring from within.”}

The phrase \textit{“boring from within”} meant to work within an existing organization to remake it from the inside. William Z. Foster seems to have popularized the phrase in the
United States. A Wobbly organizer, Foster toured Europe in 1910 and 1911, and came home impressed with militant French unions that struck often and used sabotage as a matter of course. Clearly a big union federation did not have to be conservative. French radicals advocated "la penetration," or working within the unions. Foster told his colleagues that setting up a separate organization like the IWW was a waste of time and doomed radicals to a peripheral irrelevancy; French syndicalists, on the other hand, "literally made a raid on the labor movement, captured it and revolutionized it," turning their federation into the most feared one in the world.34 The concept was not new; American Socialists, for example, had long practiced boring from within. For most labor radicals, however, the idea was distasteful, and the IWW roundly rejected Foster's plan and the notion that the AFL could be transformed into a revolutionary army.35

At Lenin's command, however, American Communists looked for a way to work within the unions, and they turned to Foster. After running large strikes in the Chicago stockyards and the steel industry, Foster had just formed the Trade Union Educational League, his own group to fight conservative unionists. Although the Communists had the year before denigrated Foster as a tool of the bourgeois unions, they now sought his help implementing the new directive. Foster became a chief architect and organizer of the


Party's labor strategy, and affiliated the TUEL to the Red International of Labor Unions.36

Great skepticism persisted among Communist strategists about boring from within, particularly in the American case. Some derided the idea as a “typical American 'get rich quick' scheme whereby the workers would be handed over somehow to the Communists as a result of bureaucratic maneuvering.” Some American radicals scoffed at “E.Z.” Foster’s notion that with a small cadre, Communists could hijack the AFL as if it were a bus and drive it off in a new direction without losing any of the riders. Many pointed out that the AFL’s craft unions excluded industrial workers, many immigrants, and African Americans—taking over existing unions would hardly organize the largely nonunion U.S. workforce.37 Boring from within the AFL was a strategy born of weakness and marginality.

**Communist subterfuge**

For labor radicals, boring from within involved steady, patient work. When Socialists tried to bore from within the AFL, they employed conventional political devices: Socialists ran candidates for union office, placed resolutions before conventions, and wrote articles in newspapers. They attempted to persuade other union members with reasoning, and argued with political opponents in public forums. Foster’s early efforts to bore from within, before he joined the Communists, were similarly straightforward. He published pamphlets, gave speeches, and most notably, ran sophisticated organizing

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campaigns to demonstrate for conservative unionists that immigrant and African American workers organized in industrial unions could strike and win against the toughest bosses. In the steel strike, Foster diplomatically managed “a dozen squabbling, narrow-minded, and egocentric AF of L union heads,” as well as Gompers himself, who warmly praised Foster’s work.38

But the Communists attempted to penetrate the AFL through subterfuge. Rather than forthright debate and political maneuvering, the Communists sought to gain influence secretly, acting through proxies and using issues like industrial unionism to attract union members into a voting bloc powerful enough to unseat incumbents and take over unions. At least, that was the plan; actually enacting it proved very difficult. Maintaining the secrecy necessary to hide their true intentions was impossible, once the AFL dedicated itself to kicking Communists out of its unions.

An obvious obstacle was union bureaucracy itself. It was one thing for Gompers to confront and beat back Wobbly organizing drives now and then; it was quite another to be named in a call to arms issued by Lenin, now a head of state: “The struggle against the Gomperses [and other Western union leaders]” must be waged “ruthlessly,” “until all the incorrigible leaders of opportunism and social-chauvinism have been completely discredited and driven out of the trade unions.”39 It is not surprising that AFL leaders reacted badly to Communist organizers.

It wasn’t hard for the AFL to figure out what the Communists intended, since


Lenin had published the strategy in *Left-wing Communism*. After instructing Communists to bore from within the unions, he warned that “misleaders of labor” would “resort to every trick of bourgeois diplomacy, to the aid of bourgeois governments,” to keep Communists out, and the party should “resort to all sorts of stratagems, artifices, illegal methods, to evasions and subterfuges, only so as to get into the trade unions, to remain in them, and to carry on Communist work within them at all costs.”

Lenin acknowledged that this sort of undercover work might arouse opposition in Western Europe, and presumably the United States, “where legalistic, constitutionalist, bourgeois-democratic prejudices are very deeply ingrained.” Yet Communists must withstand the “chicanery, insults, and persecution” of union leaders to get at the masses of workers under their control.

State repression gave American Communists another reason to adopt subterfuge. Coordinated raids on Communist and radical meetings and offices began in the fall of 1919 and continued over the next year. With deportations of resident alien Communists to the Soviet Union and convictions and imprisonment of leading New York Communists, party leaders decided to go underground. Communists were to organize by promoting ideas that would agitate the working class into rebelliousness: the Comintern advised the use of “special measures and slogans which, while not stating the illegal Communist purpose, will objectively have the revolutionary effect upon the masses.”

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40Lenin, “Left-Wing Communism”, 38.

41Lenin, “Left-Wing Communism”, 38, 36.

42Los Angeles Times, August 14, 1922.
Having absorbed Communist ideas, the proletariat would embrace the party once awakened. It was an odd way to build a mass organization.

Charged with boring from within the unions, but obliged to do so undercover, Communists decided to agitate around issues that would contribute to the larger Communist program without necessarily alerting union officials to their broader agenda. They chose to call for union amalgamation, which meant combining multiple craft unions into single industrial unions, and a labor party; leftist unionists had called for both ideas for years. When the TUEL took up these issues at union conventions and in pamphlets and newspapers, many members enthusiastically agreed, just as the TUEL hoped.

Throughout the 1920s, American Communists and the Comintern debated whether secrecy was a necessary adaptation to a hostile political climate, or an ill- advised maneuver likely to impede organizing and irritate workers. Complex sectarian disputes over the matter produced arcane schisms and policy shifts as one group or another gained temporary advantage. Notwithstanding the intricacies of Communist palace politics, Party leaders built and maintained a culture of stealth and subterfuge, which persisted throughout the 1920s and 1930s. Max Eastman, a founder of the American Communist Party, found this culture silly and counterproductive, arguing that Communists had “formed an elaborately conspiratorial organization excellently adapted to promote treasonable and seditious enterprises, although they have no such enterprises afoot.” (To his mind, it was “not so much the ruthlessness of the American capitalists, as the romanticism of the American communists, which accounts for their being underground. The majority of their leaders want to be underground. They enjoy disciplining the
devotees of a rebellion, but educating the workers for the revolution is a less interesting
task.”43

Communist spycraft and AFL counterespionage

The extent of Communist spycraft is striking. Members “adopted aliases, wrote
to each other in code, and held secret meetings.”44 To encode their communications,
Party leaders used a blank postal order form as a key, with each letter represented as a
fraction, the numerator indicating the line on the order form, and the denominator being
the position of a letter in a line. Similar precautions were used to conceal meeting
locations. It took delegates three days to reach the site of their national meeting in 1922.
Participants were first sent to a meeting place in Philadelphia, then directed to a spot in
Cleveland, where someone else sent them on to Detroit; in Detroit, they were told to leave
for Grand Rapids, where train tickets to Missouri awaited them.45

But intense surveillance by federal agents and local police thwarted these efforts
at secrecy. A mole who had penetrated senior Communist leadership cabled the federal
Bureau of Investigation from Grand Rapids, and agents raided the Communists’ meeting
in Bridgeman, Missouri, arrested most of the attendees, and dug up the Party documents
hastily buried in the woods. In the subsequent trials of Foster and other Communists, the


44 Schrecker, Many Are the Crimes, 11.

45 Draper, Roots of American Communism, 367.
sensational details of Communist spycraft ran for weeks in the nation’s newspapers. Other informants and agents regularly conveyed secret documents to police and the press. An order “for the establishment of an underground organization” from Zinoviev received front-page coverage in 1920; the group would “carry on directing revolutionary propaganda among the masses,” Zinoviev wrote, “and the fewer people who know about it the better.”

Red plots, international communiques, and factional fights appeared in news stories and books with headlines like “Reds Plot Anarchy: Plans Made for the Nation’s Ruin: ‘Legal Party’ to Form Cloak for Undermining of Government.” The conspiratorial, clandestine aspect of Communist organizing attracted enormous scrutiny, and formed the basis for critique from left and right alike.

Like the larger Party, the Trade Union Educational League failed utterly to hide its Communist connections. “Red Party Plans to Fool Workers,” reported papers in 1921, running details of organizers’ plans to “devote their efforts to getting inside the [labor] movement and spread the propaganda of Communism.” Foster nevertheless insisted that his TUEL was an autonomous organization, denying that he received funding from the Russia and calling on his accusers to prove their claims. Only a few months after issuing this statement, Foster was arrested in the Bridgeman raid, and later on the witness stand was obliged to admit that, in fact, he had traveled to Russia where the TUEL received the endorsement of the Comintern, and he himself subscribed to the principles of


\[47\] *Los Angeles Times*, August 14, 1922.

\[48\] *New York Times*, December 29, 1921.

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Communism (although Foster continued to falsely deny membership in the Party and TUEL affiliation with the Comintern.)

However, the AFL was not fooled. Leaked documents and incidents like the Bridgeman trials provided a steady flow of information about Communist plans for the labor movement. Besides, while the TUEL tried to hide its Communist underpinnings, the League's broader program was not secret at all. TUEL organizers advocating amalgamation and a labor party openly worked to develop a cadre of members inside the unions. Useful knowledge could thus be obtained simply by reading TUEL publications. The National Civic Federation developed an accurate briefing of the TUEL's plan using this old spy's trick. Reading an article in the Labor Herald, the TUEL's newspaper, the National Civic Federation learned that the TUEL "contemplates the selection of 'key' men of 1,000 disaffected trade unionists in as many localities who, in turn, are to round up all brother 'rebels' in their respective unions. Then the 'boring from within' process is supposed to start. That is, they are to attend faithfully all meetings of their crafts, embracing every opportunity to create friction, oust present leaders, acquire office and play the disruptive game generally."

Further, the AFL had its own sources of intelligence. Informants supplied AFL leaders with reports on Communist activities. In 1922, Gompers told reporters that he had a copy of a delegate's report on a Communist meeting in Toronto. "I arranged to get


copies of the report from authoritative sources," he said. How Gompers and the AFL developed these sources, or who they were, remains unknown. Clearly other union leaders had access to informants as well. The UMWA’s anti-Communist tract relied heavily on documents seized by the Pittsburgh district attorney and apparently made available to the union; the UMWA also reprinted numerous letters and reports from other, unnamed sources.

AFL official John Frey developed an asset inside the Party. Frey first met the man in 1922, when Frey lived in Cincinnati and edited the Molders’ Union journal. The informant was “a good Roman Catholic,” who was “known in some quarters as a newspaper man,” and Frey suspected that he was an agent for the British intelligence service. How the informant got into the Communist Party, Frey never knew. Starting in the early 1920s, the informant periodically gave Frey “information about Communists in the A.F. of L.—who they were, what their tie-up was, what they were instructed to do. He would say, ‘Now, this is strictly confidential.’” These tips continued over the next ten years; in 1927, Frey moved to Washington D.C. and took a leadership role at the AFL as president of the Metal Trades Council. Slowly, the informant grew to trust Frey.

Sometime in 1932, they drew closer. Frey remembered:

He told me that he felt someone inside the American Federation of Labor should know what the Communist Party was doing inside of the Federation, or trying to do. He had been looking around for someone he could trust, and he had checked on me for about ten years and found that I was trustworthy, and so he would make me a confidante. Yes, I think I met him in ’22, somewheres around that—before Gompers died.

He was able to get me almost any report that I wanted, that was made to

the National Committee by Earl Browder or by William Z. Foster, or instructions they were sending out, confidential instructions to their key men. Sometimes I asked for information and I would get it. Sometimes he would give me information without my asking for it.52

Frey had other useful contacts in addition to his mole. He had worked with the Military Information Division during World War I, and used these credentials to make contacts in the State Department.53 According to Frey, the State Department employed “a man whose sole duty was to follow up Communist activity, at home and abroad, and keep the records.” Frey got information on the Communists from this man, until the State Department abolished the agent’s position after establishing diplomatic relations with the Soviet Union. How Frey came to work with US and foreign military information sections remains cloudy. During World War I, Frey was an officer of the Molders Union and a “lieutenant” of Samuel Gompers; he twice traveled to Europe with labor delegations.


53The transcript of Frey’s oral history reads, “You see, going back to recall that I worked with our own Military Information during the First World War, that I worked with one of the heads of the British Military Information, that I worked with one of the heads of the French Military Information, and that all of these reports went back to Washington so when I came back, I had a standing in the State Department, and a particular standing with this young man who was in charge of data concerning Communist activities.” Just what Frey meant by “worked with” is unclear. Frey traveled twice to Europe on behalf of the AFL to promote the war effort among European trade unionists; presumably Frey refers to these trips when he describes working with military intelligence. "John Philip Frey," Dictionary of American Biography, Supplement 6: 1956-1960 (American Council of Learned Societies, 1980). William Preston found a hint of the AFL’s cooperation with government intelligence officials during World War I: the Department of Justice sent copies of IWW membership lists to Samuel Gompers, to help the AFL flush Wobblies out of its ranks. William Preston Jr, Aliens and Dissenters: Federal Suppression of Radicals, 1903-1933 (orig. published 1963. 2nd ed; Urbana and Chicago: University of Illinois Press, 1994), 129.
trying to drum up support for the war among European trade unionists. Possibly Frey consulted with military intelligence in connection to these delegations. The details of Frey’s, and the AFL’s, collaboration with World War I military and domestic intelligence agencies warrant much more research. In addition, Frey also had access to “the records of the subversive squads in a number of police departments.”

As a political organization of elected officers, the AFL and leaders of unions had long practiced the arts of maneuvering against political opponents. Socialists were subjected to particular scrutiny; in 1907, the AFL Secretary “instructed all AFL organizers in the field to keep Socialist leaders of affiliated unions under constant surveillance.” Watching and tracking Communists organizing inside their unions was not a big departure from common practice. Working closely with the police and the federal government to spy on political opponents, however, seems like a real break in the federation’s approach to dissent and relationship to the state. Collaboration with red squads and the Departments of State and Justice is hard to square with the voluntarism and stubborn independence that shaped the AFL’s self-image.

**Ejecting Communists**

Armed with intelligence, the AFL and many member unions embarked on a

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57 More research on the AFL’s collaboration with the Bureau of Intelligence is warranted. For hints, see William Preston, *Aliens and Dissenters.*
determined, sustained campaign to expel Communists from the labor movement throughout the 1920s. The UMWA, the Machinists, the Carpenters, and the Ladies Garment Workers' Union ordered that locals purge Communists from their membership. The AFL forbade membership to Communists, and ordered city central labor unions in Minneapolis, Seattle, and Detroit to follow suit. Identifying Communists was not always easy, but as an AFL official said, “Our officers in the National unions and in the local unions are constantly watching for them, and where we find that they are avowed communists, engaged in trying to commit the organization to communism, charges are filed and they are given a trial, and if the evidence is strong enough, they are found guilty and expelled.”

A contemporary remarked, “Never before in the history of the labour movement has there been such a wholesale expulsion of members... We are today witnessing a desperate struggle for control and domination where the usual rules of the game are discarded and war measures are invoked.” The TUEL had made real headway in its first years; by 1924, its members were on the defensive, and by 1926 it had dwindled to a shrill but largely impotent force. Gompers died in 1925 but his anticommunism lived on in his replacement, William Green, who dedicated himself to carrying on the fight against reds.


59 Saposs, Left Wing Unionism, 56.

60 Barrett, William Z. Foster and the Tragedy of American Radicalism, 123.
As boring from within looked increasingly impossible, Communists continued to argue over how to reach the masses of workers within and outside of the AFL. Foster’s boring from within strategy was eventually supplanted by a new policy: rather than attempt to radicalize the AFL, Communists set up a separate revolutionary labor federation. This shift accompanied a broader tactical reorientation in the Party away from underground organizing and toward public, more traditional political campaigning. The Trade Union Unity League organized industrial unions open to all workers, African Americans and immigrants included. Launched in 1929, the TUUL had marginally better success than its predecessor. Freed from the strictures of stealth and AFL autocracy, TUUL unions made headway in mining, and built cadres of militants in steel, auto, meatpacking and rubber. But their influence and membership were always slight.61

The vagaries of Communist strategy, and their great success in expelling Communists, had little effect on AFL policy. As the Communist Party renounced its underground status, the AFL continued to denounce its secrecy; although the Party was undeniably weak, the AFL maintained its vigilance. In 1930, William Green testified before a Congressional committee investigating Communism. He conceded the relative impotence of the movement, saying he did not want “to exaggerate the importance and influence of communism in our country. At the present time I do not regard it as of a serious nature or of a serious character. It is, perhaps, true that the most serious aspect of it is its potential possibilities.” Nonetheless, he vowed, “the contest between communism and trade-unionism as represented by the American Federation of Labor will be an

eternal conflict, and so long as the trade-unionism movement exists in America there will be one strong economic force opposing communism.” \(^\text{62}\) It was as though having been frightened by the initial threat, the AFL developed a phobia for Communism, far disproportionate to the rest of the country or to the threat itself: historian Irving Bernstein wrote, “At a time when few Americans took domestic Communism seriously, the Federation executives fought it bitterly, and that struggle was to leave an enduring mark upon their thought.” \(^\text{63}\)

Labor anticommunism also left an enduring mark on the nation. Historian Ellen Schrecker charts the rise of McCarthyism with a spike in 1919 with the Palmer raids, then a long hiatus during the 1920s and early 1930s, and its next eruption in the late 1930s with the beginning of HUAC. During its 1920s dormancy, a fringe grouping of dispersed ideologues and the American Legion kept a lonely, loony vigil against Communism. But the AFL can hardly be considered a fringe group, and the its dedicated campaign against the enemy within generated a deep reservoir of experience, contacts, and research. When the AFL decided to broaden its efforts beyond its own ranks in 1938, it brought sophistication and moral authority to a scattered movement. Labor anticommunism formed a critical platform on which later McCarthyists could build. \(^\text{64}\)

**Communist infiltration narrative**

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\(^{63}\)Bernstein, *The Lean Years*, 141.

\(^{64}\)See Ellen Schrecker, *Many Are the Crimes*, 61-64.
In the course of their struggle against Communism, AFL and union leaders developed a narrative about Communist infiltration that retained its coherence for decades. As its basic premise, the narrative posited Communists as outsiders to the labor movement. Communists were a "force," a "menace," an "element," that invaded the labor movement like an army or a disease. A 1925 speech by William Green showed his framing of Communists as "them": "Their ideals can never be harmonized with ours. We are going to meet the challenge of the Communists and expel from our ranks every one who is not fully loyal to us." These Communists targeted trade unionists; in the narrative, trade unionists were never Communists. The two identities were mutually exclusive. Communists joined trade unions to bore from within, and once inside "establish relations and connections with [union members,] and imbue them with hatred and hostility toward the existing order of things."65 Should a worker convert, he became a Communist, not a unionist. Green promised a union convention, "You can always count on the American Federation of Labor to use its great power and force on the side of the trade unionist and against Communism."66

Communists were cast as agents of Moscow; at times, they were accused of working on behalf of management. Green told Congress in 1930, "We have thought sometimes that some of these hostile employers, who probably hate the American Federation of Labor worse than they hate the communists—at least they regard the communists as inconsequential, but a thorn in our side when we are trying to do

65United Mine Workers, Attempts by Communists to Seize the Labor Movement, 5.

something--and we are inclined to believe that sometimes these hostile employers make some contribution indirectly to these communist organizations; selfishly, of course, for the purpose of defeating us."67

Communist subterfuge featured prominently in the narrative. Through "insidious and deceptive" means, Communist work was "done secretly." Union leaders pointed to the use of spycraft as evidence that Communists required dissimulation to make inroads with workers. The unions' own campaigns to eject Communists foreclosed open debate, of course. The narrative ignored the fact that a great deal of Communist organizing occurred quite publicly, especially after sustained scrutiny had destroyed early Communist efforts at secrecy. A 1934 AFL pamphlet likened Communists to wolves that "burrow underground, in the secret caves of the stealthy and the treacherous and the treasonable."68

Communist treachery was manifest in its derangement of otherwise peaceable industrial relations. Communists inculcated an improper and unwarranted disrespect for union leaders among workers, hoping to excite "suspicion and distrust of them . . . in the minds of the rank and file." An official of the Garment Workers succinctly laid out the claim: Communists "are primarily interested in creating turmoil, in arousing one group of


68William Green, Reports on Communist Propaganda in America, As Submitted to the State Department, United States Government: A report submitted to the President of the United States, Honorable Franklin D. Roosevelt, through the Department of State prior to recognition of the Russian soviet regime, November 10, 1933 (Washington DC: American Federation of Labor, 1933), 47.
the workers against the other, in breaking down the authority of the leaders, and in this way gain followers for their party through the tumult which they thus arouse."\textsuperscript{69} That union members might have their own reasons to distrust union officials, independent of Communist agitation, was not contemplated in the narrative. As leaders of the weakening labor movement in the 1920s oversaw a decline in private sector union membership from nearly 20\% in 1919 to 10\% in 1930, and as they embraced increasingly sycophantic labor-management cooperation schemes, Communists were hardly the only voices mocking the AFL in the 1920s and early 1930s. An acerbic 1929 newspaper editorial echoed TUEL propaganda: "The AFL is accurately described as the aristocracy of labor. All aristocracies are subject to dry rot."\textsuperscript{70} But the Communist infiltration narrative treated union members' discontent with their leaders as evidence of Communist perfidy, rather than as a legitimate assessment by independent workers.

Likewise, the narrative held that Communists engineered strikes solely to extend their reach in the unions, and "incited workers not to allow the union to reach any settlement or agreement with the employers." But the reality was that Communists were generally too marginal and impotent to engineer anything. In the main, Communist organizers kept their eyes open for stirrings of discontent among workers, then rushed to the scene to get involved. Communists achieved footholds in mining, textiles, and the garment industry only by attaching themselves to organic struggles. The Communist narrative downplayed autonomous worker militancy and exaggerated Communist

\textsuperscript{69}New York Times, June 28, 1925.

\textsuperscript{70}Bernstein, The Lean Years, 82.
influence.

Thus labor's anti-Communist narrative relied on a basic framework that served conservative unionists' purposes. Its resemblance to the labor spy narrative is striking. Outside agents at the service of labor's enemies were infiltrating unions to deceive workers and distract them from their proper and natural business. And like the labor spy narrative, the basic elements of the Communist infiltration narrative were true. Overblown rhetoric and exaggerated claims aside, labor spies and Communists did conspire to enter and manipulate unions. But these narratives distorted the dynamics among workers, spies, and Communists by insisting each identity was distinct and mutually exclusive.

Opponents of the labor spy and the communist advocated the same tactic to counter them: exposure. Like a spotlight on a burglar, publicity would flush these secret agents out in the open. Their hypnotic influence would be broken once their unwitting victims learned their true intentions and nature. In his 1934 Congressional testimony, William Green expressed this notion clearly: "Communists and the communistic philosophy thrive in America very largely because of a lack of understanding on the part of the public of the communist philosophy... Communism in America can best be counteracted through the use of educational methods, through an exposé of its real purpose, through people who love democracy and believe in democracy being ever on the alert."71 As for the labor spy, "being exposed, his life is probably the most miserable

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71"Investigation of Nazi Propaganda Activities and Investigation of Certain Other Propaganda Activities," Public Hearings before the Special Committee on Un-American Activities, House of Representatives, 73rd Congress, 2nd session, December 17 and 18,
among men. His bosses have no more use for him and his fellow workers despise him with a withering scorn.\textsuperscript{72}

But exposure and expulsion were distinctly secondary goals of the 1930s Congressional hearings dedicated to exposing spies and Communists in the labor movement. Rather, skilled propagandists recognized the potent imagery of labor's infiltration narratives, and deployed them as weapons in larger wars. Heber Blankenhorn dreamed up the La Follette investigation of labor espionage and strikebreaking in a last-ditch effort to whip up public support for the Wagner Act. AFL official John Frey turned to the House Un-American Activities Committee to attack the CIO and the Wagner Act. Ultimately, Frey's Communist narrative proved more resilient.

Part II. Blankenhorn and the La Follette Committee.

Labor espionage was a low priority for union leaders in 1935. As Congress took a sudden interest in promoting collective bargaining, unionists scrambled to define their own position on a new federal labor policy, and they were more concerned to outlaw company unions than company spies. But Heber Blankenhorn, who himself authored a labor spy exposé, guessed that spotlighting the practice would do more than abstract policy debates to explain why labor needed the Wagner Act. The La Follette Committee brought to life all the stock characters of the labor spy exposé—double-crossing detectives, honest workers, and autocratic bosses—in hearings staged for maximum press coverage. In the process, the La Follette Committee dealt a death blow to the labor spy industry.

\textsuperscript{72}Palmer, "Outwitting the Labor Spy," 16.
Heber Blankenhorn

Heber Blankenhorn was working as an aide to Senator Robert F. Wagner in 1935, helping Wagner draft the bill that drastically expanded federal authority over labor relations. Blankenhorn worried that such a radical change would bewilder voters unaware of labor's disadvantages in its struggle with employers. He suggested to Wagner, “Was it not time to start a Congressional investigation of the entire business system for the dominance of labor, to lay the groundwork for public understanding of the bases of the projected labor act?” Wagner reacted violently. Blankenhorn remembered, “The Senator clutched me roughly by the coat: ‘If you advocate that I’ll disown you. That plays into the hands of the opposition which wants delay, and on the excuse that the facts are not known. I say that this Labor Board’s facts and failures are all that are needed to prove the necessity for the Act.’” Blankenhorn crumpled immediately. “I said, ‘I’m a damn jack ass. I’ve had a pet idea, and I’ve simply lost my sight. I didn’t see the woods for the trees. I’ll withdraw it. You’ll never hear it again from me,’” he vowed. Wagner was right; the law passed without much debate. But Blankenhorn’s fears turned out to be warranted. Lukewarm public support and a hostile Supreme Court quickly rendered the Wagner Act a dead letter.

Within a few months Blankenhorn had broken his vow. He continued to press for a Congressional investigation, and he knew just what it should cover: labor espionage. Blankenhorn explained the plan in a letter to a senator: “In a word the proposal to investigate labor spy and strikebreaking concerns (undercover agencies) is this: Tear open

the whole infamous system which rules labor relations in steel, auto manufacture, rubber, much of textiles, much of mining and general manufacture. Let the country, through public hearings, judge what these great industrialists really want when they declare the Labor Relations Act ‘unconstitutional.’”

Blankenhorn’s background had given him a unique perspective on the phenomenon of labor espionage, and a mastery of propaganda. He grew up as the son of a doctor in rural Orrville, Ohio, where the only trade unionists in town were railroad workers. Blankenhorn met a socialist at the College of Wooster, a man he remembered as a curiosity; he was indifferent to politics as he taught for a year in Colorado after college and tramped for another year around Europe. He took a master’s degree at Columbia Teachers College in 1910, but while he was in school Blankenhorn took to hanging around the offices of the New York Sun. He abandoned his teaching career for a job as a reporter.

New York City awakened leftist sentiment in Blankenhorn. Troubled by disparities in wealth that resembled class distinctions he’d seen in Europe, Blankenhorn inclined toward “the people who kicked about conditions,” like the workers who struck the Rockefellers’ Standard Oil refinery in Bayonne, New Jersey. Blankenhorn built up a

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74 Letter from Heber Blankenhorn to Senator Edward Costigan, 12/4/1935, Heber Blankenhorn Papers, Wayne State University, Series I, Box 1, Folder 12.


76 Blankenhorn “Oral History,” 59.
labor desk at the *Sun*, but he itched to work more directly with the trade unions. He thought that unions could use help with research and public relations. Clannish unionists required a delicate courtship: “Gradually, because I printed stories about them that were fair, I was accepted by them, and more and more I was an acceptable fellow around the unions. That’s the way I got to know unions,” he later remembered.77 Friendlier relations did not translate into a job; Blankenhorn worked carefully on a “blue print of a labor research organization for the AF of L to meet the situations as they arose,” but Samuel Gompers turned him down.78

The United States Army showed more enthusiasm for creative public relations. Stirred by Thorstein Veblen’s writings on imperial Germany, Blankenhorn supported the U.S. entry into World War I (unlike most of his friends.) He turned down early offers from friends to join the Committee on Public Information, the U.S. propaganda agency, disliking the idea of domestic propaganda. However, Blankenhorn had been turned down himself when he tried to enlist in the army, due to his bad eyesight. Antsy on the sidelines, Blankenhorn stewed, and gradually came up with a plan to use his talents: combat propaganda. Through his contacts at the CPI, Blankenhorn eventually met with the chief of the Military Intelligence Service and laid out his scheme. By January 1918, Blankenhorn had been commissioned as a captain and named chief of a new Army


He recruited his journalist friends to join the unit, including Walter Lippmann, then an editor at the *New York Inquirer*. Their unit, designated G-2-D, experimented with using the new science of propaganda as a weapon on the battlefield. Britain and France began experimenting with similar initiatives around this time, reflecting the growing cultural power of advertising and propaganda. Their medium was the leaflet, dropped from airplanes onto enemy camps and towns. Lippman interviewed German POWs to figure out what messages would work on soldiers. Finding them tired and apolitical, and generally suspicious of Allied rhetoric, G-2-D crafted pragmatic appeals. Leaflets displayed maps of territory seized by the Allied Expeditionary Force; others showed bar graphs of AEF troops deployed in France and the numbers of soldiers mustering in the United States. As Axis campaigns flagged, G-2-D kept Axis troops updated with details of various battlefield defeats and white flags waved by their leaders. G-2-D dropped its first leaflets in August 1917; it had just begun experimenting with delivering leaflets by helium balloon when the armistice was signed. Blankenhorn and his colleagues went on to Versailles to help staff Woodrow Wilson during the peace negotiations, and by mid-1918 they had returned to the United States.

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80Laurie, “Chanting of Crusaders,” 463.

81Laurie, “Chanting of Crusaders,” 459.

82Laurie, “Chanting of Crusaders,” 468-471.
Blankenhorn discovers labor espionage

Blankenhorn developed strategic experience in public relations during his time in Europe. He also got an insider's look at labor espionage. G-2-D was housed in the Military Intelligence Branch of the U.S. Army. Although G-2-D dealt solely with enemy intelligence, his colleagues in the Counter Intelligence section apparently knew of his experience with labor unions before the war. During staff meetings, Blankenhorn was asked to look at spy reports held by the Counter Intelligence section. He remembered: "I was at first bewildered, then shocked, at what was the patent unreliability of the secret reports on labor organizations and labor individuals that circulated between the Department of Justice and the Military Intelligence. The files always included numerous reports, identified by agent numbers, all copies on a system of colored papers, green yellow, blue, etc. MID Officers explained that these came mostly from industrial corporations who had their own undercover systems."83

Likely, the MID coordinated with its stateside counterparts to collect these files. MID had been founded in 1917 and endowed with espionage and counterespionage responsibilities, both domestic and foreign. MID officers in the U.S. recruited personnel from detective agencies, and worked closely with the agencies on industrial surveillance. Agents detailed to factories to watch for Axis saboteurs also kept an eye out for labor strife that could disrupt war production. These promiscuous relations between the nascent Federal Bureau of Investigation, the military intelligence divisions, and labor spy

83Blankenhorn, oral history, 548-549.
agencies apparently permitted MID officers access to U.S. labor spy reports.84

What troubled Blankenhorn most was the inaccuracy of the files: "I saw report after report where by my own knowledge of the organization or persons involved, I knew the allegations were false."85 He never said anything to the counterintelligence officers about the inaccuracies, and eventually asked to be excused from reviewing the files at all. He did not speak of what he had seen; in his personal papers, Blankenhorn treats it as a shameful secret that reflected poorly on the Army. But the experience stayed with him. At the end of his life, in 1956, he told the story to an interviewer from Columbia University's Oral History program. Blankenhorn remembered, "As the [La Follette] hearings got under way, months and a year or so later staff members would ask, 'Blank, how did you know that all this stuff was there to be gotten? How did you know that there was such pay dirt as this? Was it a lucky guess or did you have an inkle?' I said that I knew and that some day I’d tell them, but I never did tell either them or the Senators."86 Loyalty to the Army kept Blankenhorn’s lips sealed until old age and years of being redbaited changed his mind.

When he returned to the United States, Blankenhorn got his chance to work for the labor movement, joining the staff of the Bureau of Industrial Research, a version of


85Blankenhorn papers, Box 4, Folder 39, "Aide-Memoire."

86Blankenhorn, "Oral History," 545.
the research operation he had proposed to Gompers before the war. The Bureau soon arranged to conduct an investigation into the national steel strike erupting in Chicago and Pennsylvania on behalf of the Interchurch World Movement, a progressive ecumenical group. Blankenhorn assembled a team of researchers and headed out to Pittsburgh and Chicago to interview strikers and company officials. Meeting with workers, Blankenhorn heard complaints about labor spies that echoed the reports he had seen in Europe.

Steel company officials denied using labor spies. But a clever investigator goaded the president of Monessen Steel to break the silence. He insisted that steelworkers, not the company, had incited violence in the strike, and to prove his point, the president produced a file of six hundred labor spy reports for the investigator to review overnight. Blankenhorn secured a photostating machine and the investigator caught a train to New York, arriving at midnight. They copied reports feverishly all night long.87 When the Bureau produced its report for the Interchurch World Movement, the labor spy reports formed the basis for a critique of the steel companies’ spy systems: “Outside the plants and inside, outside the strikers and inside the labor unions, their ‘operatives’ spied, secretly denounced, engineered raids and arrests, and incited to riot.” Investigators also found ample evidence of MID and Bureau of Intelligence officers’ collaboration with the detective agencies; they suggested that this collaboration “offer[ed] light upon the question of why many workingmen, especially steel workers, have come to suspect that

87Blankenhorn, Oral History, 142-147.
the government, *as government*, has taken sides in industrial warfare.*88

Blankenhorn and his colleagues were startled to find reports about themselves among the files. Undercover operatives had tracked the movements of “a Mr. Blacenhome”—that’s the way it was spelled,” and produced dossiers on Interchurch staffers.*89* But worse, Blankenhorn found himself being tailed by the federal Bureau of Intelligence. His friends reported that federal agents were asking around—wondering if Blankenhorn was a member of the IWW, or perhaps a Socialist, and whether he read *The Masses*, a leftist newspaper. For a newly-returned veteran and a solid liberal, the experience was startling: “To me, it was incredible. It went on for weeks and weeks.*90* He thought that the steel companies had engineered it, and “I said to myself, ‘I’ll be damned! Is the Department of Justice so completely at the beck and call of the United States Steel Corporation that they can be called in to do a job on me like that?’”*91* After a few months, the agents backed off, and Blankenhorn relaxed.

By 1922, Blankenhorn had an unique perspective on the phenomenon of labor

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spying. He had reviewed spy reports in Europe, investigated spies in the steel industry, and been the subject of investigation himself. Over the next ten years, Blankenhorn moved on to other issues. He continued to work for labor unions for several years, researching and writing a book about the big coal miners' strike in Somerset, Pennsylvania; he also did publicity work and speechwriting for Sidney Hillman and the Amalgamated Clothing Workers union. Around 1925, Blankenhorn abruptly left the United States for an extended stint in Europe as the foreign correspondent for Labor, a journal for the railway brotherhoods. This departure coincided with his divorce from his first wife, Mary Dewhurst Blankenhorn. He remained in Europe for the next nine years, as a labor correspondent until 1930 and as a roaming intellectual on the bum in Spain after that.

Labor spies and the Wagner Act

As depression washed across Europe in 1933, Blankenhorn was ready to come home. He was curious about Roosevelt and the rumors of political change, but he was more concerned about Hitler and Mussolini: he “wanted to get back and warn the country that this thing was headed for war.” Blankenhorn got back and found all his friends hastening for Washington, D.C. to sign up for jobs in the burgeoning New Deal state machinery. Blankenhorn was dispirited to find that “nobody gave a damn about the menace of war and Hitler. Nobody would pay any attention to me. I wrote articles and

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sent them to magazines, and they were all returned. So he joined the stream of progressives swarming Washington, and within weeks he “found myself sitting in a series of meetings, generally in the evening, going over what were supposed to be drafts of section 7 (a)” of the National Industrial Recovery Act of 1933. Section 7(a) promised workers the right to organize a union—a counterbalance to the rollback of antitrust law and other corporate restraints granted companies by the NIRA. Blankenhorn’s old contacts and relationships with labor leaders and progressives enabled him to slide quickly into the inner circles of New Deal policymaking.

Roosevelt created the National Labor Board to administer section 7(a) when hundreds of thousands of workers responded to their startling new federal right by forming unions in great waves. When Senator Robert F. Wagner agreed to take over the chairmanship of the NLB, Blankenhorn introduced himself and warned Wagner that he had better take a firm hand quickly as the National Association of Manufacturers and business lobbyists had nearly hijacked the work of the board. Blankenhorn remembered that day vividly:

From that afternoon began what was for me—and this doesn’t count much as a matter of history, but it was for me—the ungodly piece of luck of finding myself at the right hand of the New Deal’s principal law giver, and on a subject that before very long it became apparent was a principle object of legislation in his mind. We were about as close as could be.

Blankenhorn worked as a deputy to Wagner for the next two years, both on Wagner’s staff and, after 1934, from his position as industrial economist for the National Labor


Board. He adored Wagner, considering him a forthright, ethical legislator, and Blankenhorn especially valued Wagner’s tolerance for debate and “democratic discussion from his underlings.” Together they struggled to turn the NLB into an effective force for enacting the right to organize, in the face of stony employer resistance and hordes of frustrated workers. The NLB had scant statutory enforcement power and not much credibility with anyone. Wagner grew angrier with each failure, and he began drafting a stand-alone law to turn section 7(a) into a federal right backed with real federal power.

Wagner held hearings on his National Labor Relations Act bill in early 1934, but the bill died when Roosevelt refused to support it, preferring the looser and more voluntaristic structures of the NLB. Wagner reintroduced the bill the following year, with fortuitous timing: the Supreme Court had just struck down the National Recovery Act and with it most of Roosevelt’s New Deal. Goaded into action, Roosevelt parried the court by shoving through Congress a slate of new legislation to rebuild the New Deal. In its Second Hundred Days, Roosevelt’s administration won measures that dramatically strengthened federal control over the economy. As part of his new platform, Roosevelt abruptly reversed himself and endorsed the Wagner Act.

During the lengthy Congressional debates and hearings on the bill, Blankenhorn

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had “two pet provisions.” One banned company unions. The other was Blankenhorn’s “favorite old bete noire in the whole labor relations situation, the labor espionage system as an instrument for the destruction of unions.”99 The company union ban made it in the first draft of the law, but the labor spy ban did not. Blankenhorn may have organized witnesses behind the scenes to support his idea, as several witnesses during the 1934 hearings volunteered their opinion that the Act should explicitly outlaw labor spying. William Leiserson, an industrial relations advisor and future member of the National Labor Relations Board, remarked that “there is nothing that causes unrest so much as when I, a workman at my bench, do not know whether the other fellow at the next bench is a spy employed by the employer.” John Carmody, a government mediator and former plant manager, echoed Leiserson, as did Edwin Witte, who added that “industrial espionage certainly is a practice that business frowns on in connection with business competition,” suggesting that labor spying should be no less verboten.100

Unions, on the other hand, were notably silent on the matter. John Edelman, Hosiery Workers research director, called for adding a labor spy ban to the list of forbidden labor practices in the act during the 1934 debates.101 AFL president William Green mentioned the problem of labor espionage in his 1935 testimony supporting the


101Apparently Edelman delivered this recommendation by letter, as no evidence of it appears in the Congressional Record. Lengthy quotations from his call for the ban appeared in the union’s newspaper, Hosiery Worker, April 13, 1934.
Wagner Act, but did not call for an actual ban of the practice. Otherwise, in their testimony one after another union leader delivered lengthy comments on the Act, but did not mention labor spies. Rather, their testimony overwhelmingly concerned the urgent need to ban company-dominated unions. Union leaders' silence on labor spies likely reflected their priorities; company unions constituted a clear threat to traditional trade unions, and the issue was furiously debated by employers and unions in 1934 and 1935.

Labor espionage, as Edelman had learned when he tried to pass anti-spy legislation in Pennsylvania in 1929, aroused far less concern. Union leaders struggling to sort out whether active state intervention would help or hinder the labor movement may have been chary of expanding the scope of the law.

But Blankenhorn angled for the ban, until the day Wagner took his final draft to Capitol Hill, when Wagner stopped on his way out the door to say, “Blank, I’ve thrown out your espionage line.” Wagner told Blankenhorn that although he knew that labor spies riddled American companies, few people in the general public knew of the existence or extent of the problem. If they included a ban on a specific and shocking unfair labor practice in the final draft for debate by Congress, Wagner thought he’d be accused of “simply giving industry a black eye. It will cause more opposition than is necessary.” “But Senator,” Blankenhorn shot back, “isn’t that an illustration out of your mouth for one I’ve been urging several times this past month, the necessity of our setting going a legislative investigation of labor relations conditions?” Wagner shook his head.  

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Blankenhorn by the lapels and told him to drop it, left for the Capitol, and the National Labor Relations Act was passed into law without any mention of labor spies in July 1935.

But its passage at the tail end of the “first New Deal,” the slew of laws and programs created by Roosevelt but rejected by the Supreme Court, undermined the law’s legitimacy. There was “little doubt in most minds that the Wagner Act would not survive the inevitable Supreme Court test.” Consequently, many employers snorted at the NLRB field officers when they appeared at workplaces to hold elections. Workers soon scoffed at the NLRB well, as Board agents proved unable to force employers to recognize or bargain with unions. Without the support of workers or the respect of employers, the NRLA was toothless.

**Origins of the La Follette Committee**

Meanwhile, Blankenhorn was working for the new NLRB. He schemed to persuade the new NLRB chairman to “order an investigation of its own into the industrial espionage and union busting system... in the hope of thus persuading the Senate” to initiate a Congressional inquiry. Blankenhorn spent his days at the NLRB drafting memos and collecting evidence, and he coached the Board’s case officers to look for evidence of labor espionage as they conducted hearings. He continued to canvas his

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friends and contacts on Capitol Hill and in the unions, attending union conventions to
lobby attendees to pass resolutions supporting his idea. At the AFL’s October 1935
convention in Atlantic City, he convinced president William Green to survey AFL locals
about the extent of labor espionage in their workshops. Later, Blankenhorn intercepted
John L. Lewis on the boardwalk to press his case. Lewis, distracted, promised his
support; the next day, Lewis punched William Hutcheson of the Carpenters Union on the
convention floor, signaling the break that would lead to the founding of the Congress for
Industrial Organization.\textsuperscript{106}

Lacking “political or public support,” the members and staff of the NLRB began
to warm to Blankenhorn’s proposal.\textsuperscript{107} They all assumed that exposing labor spying and
strikebreaking would shift public opinion in workers’ favor: a board lawyer remarked that
“the reaction of the public (including judges and Senators) is certain to be that these
practices violate the best in the American tradition, and that their indulgence is
incompatible with our free institutions.”\textsuperscript{108}

Thus in April 1936, Senator La Follette opened hearings on a resolution to order
an investigation of “violations of the rights of free speech and assembly and undue

\textsuperscript{106}Jerold S. Auerbach, \textit{Labor and Liberty: The La Follette Committee and the New

\textsuperscript{107}Organizers for the Southern Tenant Farmers Union also helped spur the
formation of the Committee; at a February 1936 dinner at Washington’s Cosmos Club,
they pressed members of Congress to hold a Congressional inquiry into repression of
tenant farmers. La Follette and other attendees agreed; Blankenhorn and his allies
convinced them to hold a single inquiry, with labor rights taking first priority and rural
repression deferred for later investigation. Auerbach, \textit{Labor and Liberty}, 62-64.

\textsuperscript{108}Gross, \textit{Making of the National Labor Relations Act}, 217.
interference with the right of labor to organize and bargain collectively."\(^1\) In his appearance, Blankenhorn presented his own lengthy study of labor espionage, based on a synthesis of previous research like Sidney Howard's *The Labor Spy* and the NLRB's findings in representation cases. A scattering of trade unionists lined up at the hearing to tell the Committee about infiltrators and moles in their unions; the Hosiery Workers sent the largest delegation, and they presented the most explosive evidence of their own long battle with labor spies. William Green, president of the American Federation of Labor, testified as well, affirming the "paramount importance" of the proposed investigation. However, his testimony focused almost exclusively on the blight of the company union, with only passing reference to labor espionage or strikebreaking.\(^1\) Although Blankenhorn had succeeded in getting supporting resolutions from the AFL and other unions, their relative disinterest is evident in the small number of unionists appearing before the Committee. Blankenhorn's lobbying and the NLRB's frustration drove the investigation, not pressure from unions.

That summer, the Senate authorized a full investigation; when the Committee reconvened in the fall, the La Follette Committee quickly demonstrated its utility to unions struggling to organize under the enfeebled NLRA. Over the next two years, a parade of corporate managers, repentant labor spies, defiant detective-agency heads, and aggrieved workers streamed through the Committee room, relating dramatic stories of

\(^1\) *Hearings Before a SubCommittee of the Committee on Education and Labor*, United States Senate, 74\(^{th}\) Congress, 2\(^{nd}\) sess., on S.Res. 266, 1.

\(^1\) *Hearings Before a SubCommittee of the Committee on Education and Labor*, United States Senate, 74\(^{th}\) Congress, 2\(^{nd}\) sess., on S.Res. 266, 96.
skulduggery and double-crossing. Committee investigators carefully orchestrated testimony for maximum publicity; they “like[d] to deal in stuff that will make the headlines.” Corporate chiefs had insisted that the Wagner Act encroached on their rights and disrupted peaceable relations with their employees. Now they were thrown on the defensive. Unable to justify labor espionage and strikebreaking, most were forced to renounce it.

The Committee’s work helped build a public consensus supporting the need for corporate regulation and the Wagner Act, as historian David Kennedy has noted: “The La Follette Committee became a mighty organ of publicity, pumping out exposés of the criminal underside of corporate labor relations policies—including espionage, naked intimidation, and armed thuggery. These revelations further fostered a climate of opinion favorable to labor and, at least for a season, restrained management from its customary reliance on the mailed fist.” The Supreme Court handed down its decision upholding the Wagner Act in March 1937. Blankenhorn didn’t think that the La Follette committee caused the Court to rule as it did; he later said that FDR’s court-packing plan had led to the “switch in time that saved nine,” along with “the climate created by ‘Roosevelt reform,’ by the Wagner Act, by the Civil Liberties Committee and most solidly by the abounding spread of unionization.” But Blankenhorn’s scheme had helped. Some


113 Blankenhorn papers, box 5, folder 9.
friends memorialized his role in a song:

Mine eyes have seen the fury of the blood hounds of the Board,
They are heaping with opprobrium the name of Henry Ford,
The finks and goons who called my tunes think Blankenhorn’s the Lord!
And the Union marches on.

In a hundred plants throughout the land the Union raised its head,
I swore that I would fight until every union man was dead,
But the Board came in and now I pay a million bucks instead,
As the Union marches on.114

During some of the pitched organizing battles of the 1930s, the Committee
inserted itself as a disciplinary force to check management practices. The CIO kicked off
its massive campaigns to organize auto and steel in the summer of 1936. The Committee
had gotten permission from Congress to detail staff from federal agencies to assist its
investigations. As the NLRB’s work was stymied, the La Follette Committee
requisitioned its agents. Thus NLRB staff worked both as investigators for the
Committee and as agents of the Board charged with implementing the Wagner Act.
Committee investigators worked intimately with CIO organizers, collecting material for
use in the La Follette Committee hearings. When autoworkers at General Motors
complained of espionage and thuggery, Committee investigators could arrange for Senate
hearings the following week, where they could tell their stories to the nation:

“Investigations were timed to coincide with the organization of basic industries, e.g. CIO,

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114Blankenhorn papers, box 9, folder 28, “Battle Hymn of River Rouge,” signed
Adelaide and Charlie Walker, Provincetown, Mass. The authors are likely Adelaide
Walker and Charles Rumford Walker, writers who joined Theodore Dreiser’s campaign
to support Kentucky coal miners in 1932. “Mine Strike Group Parades Wall Street,” New
in autos, steel, electric manufacture, aluminum, rubber, some coal, etc."¹¹⁵ For example, in the winter of 1937, as General Motors workers sat down in their workshops, the La Follette Committee took testimony on the company’s extensive spy network.

Blankenhorn remembered:

Day after day the Committee revelations of the practises of General Motors—such as that their million dollar espionage included spying on the Asst Sec. of Labor McGrady—reverberated in the strike settlement battles. Suddenly La Follette called off the hearings having been told he was interfering with the negotiations in Detroit. I got him to phone Gov. Murphy conducting those negotiations who said ‘your hearings are the greatest possible help, go right ahead.’ In a few days General Motors recognized the union and settled.¹¹⁶

With its continuous barrage of publicity, the Committee undercut employers’ claims of benevolence, and their principled resistance to the Wagner Act. Strikebreaking and labor spying occurred in the largest, most modern companies; it coexisted with sophisticated corporate welfare initiatives. Employers’ attacks on the Wagner Act generally rested on two legs: the law was unconstitutional, and it was unnecessary. By establishing the ubiquity of repressive tactics, the Committee helped demonstrate the need for the Wagner Act’s restraint of employer behavior and thus kick out one leg of the argument. Even obdurately anti-union executives like Thomas Girdler of Republic Steel felt compelled to denounce labor espionage: “There is no justification for espionage which is aimed against unionization of employees or which would in any way interfere


¹¹⁶Blankenhorn papers, Box 5, Folder 9, “Aide Memoire”. See also Auerbach, Labor and Liberty, 108
with their collective bargaining rights,” he said in August 1938.117 Mainstream publications like the Washington Post and the New York Times editorialized against labor spying: “Obviously, actual labor spying is a practice utterly inconsistent with peaceful or sound industrial relations... It cannot be defended. ... The spy system is as anachronistic as it is vicious. Let us hope that we are entering a period when it will be completely abandoned.”118

Of course, the Committee’s findings were hardly new; its reports echoed exposés written over the past fifty years. Indeed, a synthesis of those earlier accounts formed the initial basis for the Committee’s work. The Committee’s findings resounded less because they were revelatory, but rather because they were suddenly relevant. Unionists who suspected spies in their ranks could call in Senate investigators bearing subpoenas and notebooks who carefully recorded evidence to present in public hearings. Workers could hope to see systemic changes—a dismantling of the networks at their workplaces and maybe even the entire spy industry. Allegations repeated for years by leftists and unionists in pamphlets and union circulars suddenly appeared on the front pages of the nation’s newspapers.119

**Hooking**

The labor spy infiltration narrative had always counterposed nefarious spies to noble workers. When rank-and-file workers turned up in the hearing room as labor spies,

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117 Washington Post, August 12, 1938.


119 Making the same point, see Auerbach, Labor and Liberty, 108.
they disrupted this useful opposition. A new term thus entered labor’s lexicon: hooking. Leftist journalist Leo Huberman explained that “‘hooking’ is the technical term for the conversion, by an agency operative, of an honest workman into a spy.” A detective would visit a worker at home, posing as a banker checking out a company’s operations or a government official seeking information on an employer. The detective would ask the worker to prepare regular reports on innocuous matters for a small stipend. After a few weeks, the detective would casually ask for more information on employees’ attitudes and problems, and the innocent worker would helpfully comply. Huberman wrote sympathetically of the duped worker, “The extra money comes in handy all this while so that when he finally realizes that he has become a paid stool-pigeon it’s hard for him to give it up. He’s ‘hooked.’” And if the worker tried to extricate himself, his steely handler would remind him that he had already betrayed his comrades, who would not credit his claims of innocence.120

With this absolution, informing workers safely remained guileless victims of scheming detectives and employers. Surely some workers who spied did get tricked into it, but hooking also offered a helpful explanation for embarrassed workers and union officers who got caught. It also permitted trade unionists to forgive and forget the sins of coworkers they had to organize in any case. While labor-spy polemics rarely discussed the problem of espionage committed by rank-and-file workers, likely unionists hoped that eradicating the structures of labor espionage—detective agencies and secret drop-boxes and cash payment—would do much to remove the incentives in the system for both

employers and workers.

The death of the labor spy industry

For all the scrutiny, however, the labor spy agencies themselves remained essentially impenetrable. Detectives experienced in subterfuge knew what to do when the subpoenas arrived: they shredded all their records. A Committee investigator mapped out a canny procedure for serving these subpoenas. He directed agents to wait a day, then collect the trash from the agencies’ offices. A staffer remembered:

Trash was all brought into Washington, it was the most amazing sight. People were coming in from out of town with suitcases full of trash... And everybody that could be found in the National Labor Relations Board went to work in this hot summer of 1936 trying to put together torn-up records and gluing them together with little pieces of gummed tape... And it was hot because we couldn’t open a window for fear of having a draft or a breeze blow everything apart.121

These reconstructed records allowed the Committee to glimpse the inner workings of the spy agencies, but the records were frustratingly partial. Investigators got lists of clients, but almost never lists of operatives.

The agency heads proved hardest to crack. The Railway Audit & Inspection Company led the way by flouting its subpoena to testify, instead suing to challenge the Committee’s authority to question it. The La Follette Committee countersued with contempt of Congress charges against the RA&I. When the first RA&I official went to trial in the District of Columbia court in May 1937, a jury acquitted him, crediting his claim that his subpoena challenge should immunize him from contempt charges.122

121Gross, Making of the National Labor Relations Board, 222-223.

Senate lawyers hastily dropped the outstanding cases. Likewise, the RA&I challenged Committee investigators when they subpoenaed Western Union for copies of the firm’s telegrams. RA&I filed suit to quash the subpoenas, and investigators withdrew the subpoenas the next day, saying that they "were not particularly interested in seeing the messages at this time."123 These timorous responses exasperated Blankenhorn; he remarked bitterly, "Railway Audit did the smart thing in flatly refusing the Committee’s demand, and are getting away with it."124

While Blankenhorn publicly trumpeted the Committee’s successes, in private he fretted over its limitations. Committee hearings and NLRB investigations proceeded slowly, workplace by workplace, but he wanted to extirpate the industry root and branch. To his mind, the best way to destroy the industry would be to unmask all the spies at once: "The essential evidence regarding espionage, aside from the amounts of money paid and the operative’s reports (almost always destroyed), is the list of operatives and the examination of the operatives themselves." Again led by RA&I, every agency "uniformly refused" to produce their lists for the La Follette Committee. Nor would the agencies comply with NLRB subpoenas for the lists. According to Blankenhorn, neither body cared enough about the issue to force it: "the Senate Committee said that it had neither money to pursue such prosecution nor energy to divert to a Senate Bar procedure nor ‘was it worth while to hold up our entire hearings to press this home,’" and the NLRB feared


124 Memo, Blankenhorn to members of the NLRB, Blankenhorn Papers, series 1, box 1, folder 4.

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long court battles that would interminably delay hearings and union certification. Thus the agencies survived intact, with their corps of operatives safely undercover. As a result, comprehensive information about the demographics and identities of operatives was lost forever to both contemporaries and historians.

Regardless, the detective agencies were hampered. While Blankenhorn longed to crush the agencies themselves, eradicating the supply of labor spies, the Committee was far more successful in quashing demand for their services. Employers, fearing exposure, cut the labor spies loose. It is impossible to quantify or even really qualify the degree and speed of this shift, but it was broadly remarked. In May 1939, the La Follette Committee sent an investigator out to interview detective agency heads about their current business conditions, and all agreed that business was terrible. W. Boone Groves of the Railway Audit’s Pittsburgh office said “I believe the day of under-cover work on union activity is over. Under present conditions, I ask you what good does it do a manufacturer to know whether this employee or that one belongs to the C.I.O. or the AF of L. The employers can’t do anything about it if they find out.” A former strikebreaker explained: “The La Follette Committee investigation put an awful crimp in the market for services in these parts, and the existence of the Committee still holds things up. Employers don’t want to get exposed.”

125Blankenhorn, memo to NLRB, “Special Procedure to Deal with Detective Agencies,” January 5, 1938, Blankenhorn papers, series 1, box 1, folder 6.

In a sign of the changing times, Pinkerton’s Detective Agency formally renounced labor spying. Founder Allan Pinkerton had played a key role in building the labor espionage industry in the 1870s and 1880s; the Pinkerton attack on Homestead strikers and its infiltration of the Molly Maguires and the IWW were part of union lore. After months in the glare of publicity, Pinkerton’s decided to focus on its other lines of detective work. The agency issued a bulletin in April 1937, ordering all offices “promptly to discontinue the furnishing of information to ANYONE concerning the lawful attempts of labor unions or employees to organize and bargain collectively and not to undertake hereafter to furnish such information.” Other agencies hung on, hoping that scrutiny would subside, but it appears that the industry shriveled slowly beginning in 1936.

This is not to say that employers suddenly embraced unionization or abandoned efforts to impede it; rather, they stopped using the particular tool of labor spies. The shortcomings of labor spying—the self-interest of spy agencies in fomenting unrest to build demand for their services, the inaccuracies of their reporting—had long concerned employers, and the Committee’s hearings graphically illustrated these problems. General Motors’ employment of three different agencies to report on each other was instructive. Further, the NLRB had interpreted the Wagner Act as forbidding labor espionage, and the Supreme Court upheld this finding in NLRB v. Fansteel in 1939. Board agents

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vigorously pursued allegations of labor spying, and had shown their capacity to successfully detect it. An employer found to have used labor spies committed a *de facto* violation of the law, and risked penalties that could include mandatory recognition of their employees’ union.129

In the space of a few years, then, the La Follette Committee’s work smeared the face of big business and mortally handicapped the labor spy and strikebreaking industries. Predictably, the Committee’s success produced opponents. In the same editorials condemning the use of labor spies, the *New York Times* and the *Washington Post* criticized the Committee’s exclusive focus on employer misconduct, arguing that labor racketeering and picket-line violence deserved equal time. Indignant employers like Thomas Girdler of Republic Steel upbraided La Follette when they were called to testify; Girdler said that he suspected that the Committee intended to “smear Republic Steel, crucify Tom Girdler, and whitewash the C.I.O.”130

Less predictable was the AFL’s lukewarm support for the Committee. While Blankenhorn had gotten an endorsement out of the AFL in 1935, some federation officials had soured on the Committee by the following year. The Committee did investigate industries employing AFL unions, most notably in its lengthy hearings on the National Metal Trades Association. But the skew toward the CIO was marked. As the schism between the AFL and the CIO hardened, the La Follette Committee’s bias became

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another grievance in a lengthening list.

**Part III: Frey and the Dies Committee.**

While the CIO teamed up with the state to go after employers, the AFL joined conservative lawmakers to attack the CIO. Infuriated by the CIO's organizing successes and the NLRB's endorsement of industrial unionism, the AFL lobbied to amend the Wagner Act to remove power from the NLRB, and moved to undermine the CIO by branding it a Communist conspiracy. John Frey coordinated the Federation's collaboration with Martin Dies, the chairman of HUAC, and he collaborated with a labor spy exposed by the La Follette Committee. The AFL's red smears helped refocus federal labor policy away from curbing employers' power and toward purging unions of leftist influence.

**AFL vs. CIO**

The split in the labor movement had rumbled for years, since at least the 1920s. Craft versus industrial unionism—whether workers should band together around common skills, or a shared workplace—precipitated the break. But the labor movement harbored other deep divisions. The leaders who formed the CIO embraced the expansion of state authority in the New Deal, eager to trade union autonomy and bilateral industrial warfare for regulation and police power deployed against employers. Many of the AFL leaders saw the dangers in state encroachment, warning that authority granted in a progressive era could turn oppressive in a reactionary political climate. In 1935, the AFL lobbied to limit the Wagner Act's reach into labor-management relations, particularly where the NLRB took authority away from the AFL to decide which of its member unions could organize.
certain workplaces and industries. After John L. Lewis and his allies formed the CIO in late 1935, AFL leaders saw the renegade unions collaborating closely with the new NLRB to strengthen the state-building aspects of the law; the NLRB, in turn, bolstered the CIO unions as it helped unions to organize. In the AFL's mind, the La Follette Committee formed part of this alliance of the New Deal state with the absconding CIO.

Moreover, the AFL leadership was substantially less than the sum of its parts. The unions affiliated with the AFL made accommodations with the New Deal regime in different degrees. Numerous AFL unions had shifted off their craft bases and shared the values of industrial unionism, even as they competed with new CIO organizations. In fact, most AFL unions added members at a faster pace than the CIO in the 1930s; while the CIO ran big dramatic campaigns, AFL unions grew too, through journeyman organizing or by just being there when workers organized themselves and looked for an institutional affiliation. Whatever their views on the advisability of state expansion, most AFL unions took a pragmatic stance and enjoyed the benefits of growth. By 1938, even conservative craft unions had adapted to the new regulatory regime, even if they disliked particular aspects of its administration, and wanted to keep the Board and the Wagner Act.  

AFL officials stood to lose the most from the new arrangement. The AFL's power and significance derived from its ability to govern. The Federation's main functions had been to coordinate political action among labor unions and to police

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131 Christopher L. Tomlins, "AFL Unions in the 1930s: Their Performance in Historical Perspective," *Journal of American History*, vol. 65, no. 4 (March 1979), 1023.
jurisdictional disputes, adjudicating which unions could represent groups of workers in industries and workplaces. As unions continued to defect from the AFL to the CIO in 1936 and 1937, AFL leaders feared a corresponding decline in influence. Clearly its affiliated unions would survive—if not thrive—in the new political reality. Whether the AFL bureaucracy would last looked less certain. By 1938, Christopher Tomlins argues:

Increasingly dogmatic and beleaguered, unpopular with its own members and reviled by the CIO, the AFL leadership could sustain its position only through a more and more explicit alliance with the elements outside the labor movement—the congressional conservatives and employer groups—who were attacking the Wagner Act itself.132

Federation officials frequently acted on their own authority, without even consulting member unions. Union members tried to challenge their assault on the NLRB and the New Deal, but the complicated governance structure of the AFL insulated leaders from challenge once elected. Thus Green and Frey should properly be considered independent actors rather than representatives of their member unions’ consensus.133

AFL frustration with NLRB rulings built throughout 1936 and 1937. When the AFL and CIO both appeared on the ballot, workers voted for the CIO in eight out of ten cases.134 The CIO had achieved startling victories in auto and steel, signing agreements with General Motors and U.S. Steel. And the NLRB undeniably sided with the CIO on the question of industrial versus craft organizing. Green and Frey complained

132 Tomlins, _The State and the Unions_, 195.

133 Gross, _Reshaping of the NLRB_, 61-67; 93-95; Tomlins, _The State and the Unions_, 189-191.

134 Gross, _Reshaping of the National Labor Relations Board_, 43.
loudly to the press and to legislators. Again, affiliated unions took a more equivocal
stance, with some unions growing increasingly uncomfortable with the AFL’s strident
denunciations of the NLRB. But the AFL stopped short of actually demanding its repeal
or amendment, hoping rather to influence the Act’s implementation.

That changed in the spring of 1938. The AFL and the CIO had been fighting over
the right to represent longshore workers on the west coast. The AFL argued that
longshore workers in certain cities at least wanted to remain in the AFL, while the CIO
claimed that the entire coast should be considered one enormous workplace. After weeks
of hearings, the NLRB announced that it had awarded sole jurisdiction to the CIO. The
AFL was incredulous. To them, the decision revealed the absolute unworkability of the
new law. If the NLRB could expropriate AFL membership so cavalierly, and in such a
blatantly biased manner, then the AFL could not live with the new law at all.\textsuperscript{135}

The Wagner Act had a myriad of other opponents who noticed the AFL’s
displeasure. As early as June 1937, the AFL had offers of help from congressional
Republicans; “if things got bad enough,” the AFL’s general counsel warned the NLRB,
“and the federation was double-crossed, there would be nothing left for them to do but
play ball with persons who would play ball with them.”\textsuperscript{136} After the dockworkers
decision, the AFL decided to play ball. The AFL saw its enemy as dual, with the new
federal labor law regime forming one part, and the CIO as the other. In the summer of

\textsuperscript{135}Gross, \textit{Reshaping of the National Labor Relations Board}, 55-59.

\textsuperscript{136}AFL general counsel Charles Ogburn, quoted in Gross, \textit{Making of the National
Labor Relations Board}, 248-249.
1938, the federation struck out at both with a two-front campaign.

The federation abandoned its efforts to preserve the law but alter its administration. Instead, AFL officials began meeting secretly with lawyers for the National Association of Manufacturers, the Liberty League, and employers like Republic Steel to craft a set of amendments to the Wagner Act. The amendments enshrined the principle of craft unionism by requiring that craft jurisdictions be considered as separate bargaining units; they also sharply limited the authority of the NLRB to investigate cases. Delegates to the AFL's 1938 convention approved these provisions, but the legislation submitted in January 1939 went much farther, limiting the definition of a company union and permitting employers to express a preference for and support particular unions—thus enabling employers to pick a lesser demon when faced with organizers from the CIO. The AFL's amendments to the Wagner Act failed, but the federation's alliance with right-wing Congressmen and business interests splintered the electoral coalition supporting the New Deal.137

For its move against the CIO, the AFL looked to John Frey. Frey was a veteran union officeholder; within a few months of joining the Iron Molders union as a youth in 1893, Frey won the presidency of his local. He spent the rest of his life as a union official, first with the Molders union and after 1927 with the AFL's Metal Trades department. He was the brain trust of conservative unionists, lecturing and writing on the merits of craft unionism and for the Gompers tradition of nonpartisan, job-conscious unions. Frey aspired to scholarly respect; he edited the Molders' journal for years, and

137Gross, Reshaping of the National Labor Relations Board, 66-73.
"gut[ed] it of lively political and strategic debate and fill[ed] it with rubbish about his foreign travels, flaunting his insecure scholarly pretensions." His "conspiratorial" mindset saw plots everywhere. Frey helped police the federation in the 1920s, keeping an eye out for Communists and leftists, and he developed his own mole inside the Communist Party to keep him apprised of red plots against the AFL.

By the mid-1930s, Metal Trades president John Frey stepped up as the AFL's chief spokesman on the Communist threat. John Frey had amassed an extensive collection of reports and materials on the American Communist party, and since 1935 he had assiduously searched for connections between the Communist party and the CIO. As the CIO gained steam in 1936, Frey went after John Lewis and the new organizing drives. He attacked Lewis for being an autocrat, and decried the CIO's disregard for craft integrity. But rapidly, Communism became his principal charge. At first, Frey generally relied on inductive argument: the Communists supported the CIO's industrial campaigns; ergo, the Communists and the CIO worked together. He told a Machinists convention in September 1936 that "if you read the Communist press you will notice that Lewis is getting the backing of the Communist party;" a few months later, he charged that "the door has been opened" by the CIO for Communists to invade the labor movement.

By 1937, Frey developed much more specific indictments. For example, in May


1937 Frey told an AFL meeting that "Recently Wyndham Mortimer, vice president of C.I.O. automobile workers union, appeared at a meeting of the political bureau of the communist party at Cleveland." In January 1938, Frey brandished a questionnaire distributed by the Communist Party to its members querying them about their union memberships, arguing that the questionnaire proved the CP's strategic involvement with the CIO.

Frey made these speeches and accusations before union audiences and in AFL Executive Council settings. These were hardly private affairs; the speeches were delivered to large crowds and reported in newspapers. Yet to Frey, he was operating inside the house of labor. Further, Frey was holding back. By 1938, he had reams of Communist materials, implicating hundreds of trade unionists, but used only a small portion of his holdings for targeted attacks. In the summer of 1938, Frey's scope widened suddenly. Scholars like James Gross and Christopher Tomlins have closely examined the AFL's attack on the NLRB in 1938; but the anti-Communist flank of the Federation's offensive has received far less attention. Frey's red baiting escalated from jabs in private to a full-bore public assault. While the AFL's lawyers met with the National Association of Manufacturers, Frey huddled with Congressman Martin Dies to plan hearings on Communism.

Congress had investigated Communism in the U.S. several times in the past, most recently in 1934. AFL president William Green twice testified about Communism and its influence in the labor movement, detailing the AFL's battle against red "borers," in both

140 *Chicago Daily Tribune*, May 25, 1937.
cases taking a rather measured tone. In 1930, Green told the House that "we do not believe that the Communist movement in this country is sufficiently strong numerically nor in influence to constitute a danger to American institutions at the present time." He made the same point in 1934, saying he did not wish to "exaggerate the importance and influence of communism in our country. At the present time I do not regard it as of a serious nature or of a serious character." Green assured the Congress that the AFL would remain a bulwark against Bolshevism, and urged legislators to refrain from blunderbuss laws aimed at impeding Communist propaganda, given "the grave danger that legislation will be enacted which will apply to people engaged in labor organization work whom it was never intended to affect." The AFL had thus cooperated with government investigations in the past, testifying truthfully about the Federation's opposition to Communism and the Party's weak penetration of unions. In 1938, the AFL raised its voice to a shrill pitch.

**Origins of the Dies Committee**

Republican Martin Dies of Texas longed for the publicity that a big Congressional hearing would bring him, and had been maneuvering in the House for years to muster support for a new Congressional investigation of Communism. His colleagues finally

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142 U.S. House, Special Committee on Un-American Activities, *Investigation of Nazi Propaganda Activities and Investigation of Certain Other Propaganda Activities, 73rd Congress, 2nd session, December 17 and 18, 1934, 44.*

143 "Investigation of Nazi Propaganda Activities," 14.
agreed in May 1938, voting to authorize a special investigative Committee but appropriating only $25,000, a modest sum, for its work. To collect data and conduct research, Congress directed that federal agencies detail adequate staff to assist the Committee. This arrangement was common. The La Follette Committee started out the same way, with a $15,000 appropriation, and it drew most of its staff from the NLRB. But Dies complained that the executive branch refused to cooperate, and he “could not get help from department heads.” Whether Roosevelt Administration officials refused to cooperate fully with Dies is unknown, but certainly plausible. As a lordly gesture, La Follette offered to loan staff from his own Committee to help Dies out. But Dies smelled a rat. He said that he received “a telephone tip that they were Communist Party members.” Under questioning, Dies said that the La Follette staff “admitted enough to convince us that they were either Communists or Communist sympathizers. Their admissions made it evident that someone high in the Administration wanted to plant them for the purpose of sabotaging the investigation.” He sent the staff back, and La Follette would soon have reason to regret his offer.

With his resolution due to expire at the end of the Congressional session, Dies was anxious to move fast. He needed material. Meanwhile, that summer the AFL was beginning its attack on the CIO, and it had mountains of stuff. “John Frey came to me and said he wanted to testify,” Dies told reporters. “I asked him about what. He said

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145 Martin Dies, Martin Dies’ Story (New York: Bookmailer, 1963), 60.
communism. I said, communism where. He said, oh, communism in lots of places, and especially the CIO.\footnote{Washington Post, October 30, 1938.} This was a lucky break for Dies. Dies later remembered:

I knew that we should spend months on careful ground work before risking public hearings. With only a few months left to accomplish a most difficult task, there was only one course open—certainly undesirable under ordinary conditions. Labor unions and various patriotic organization [sic] had collected a considerable amount of information about Nazi, Fascist, and Communist activities and propaganda. the American Legion Americanism Committee had substantial files on the subject. The American Federation of Labor had accumulated extensive information on the infiltration of Communists into the CIO and several of their own A.F. of L. unions. All of this was available.\footnote{Martin Dies, Martin Dies' Story (New York: Bookmailer, 1963), 65.}

In a letter to an old friend, Frey wrote that he learned in July 1938 that he “would be the principal first witness before the Dies Committee. Fortunately, I possessed a large amount of data. The question was to arrange this so that the presentation would be most effective.”\footnote{Frey to Walter Draper, August 18, 1938, LOC Manuscript Division, “Papers of John Frey,” Container 7, folder titled “Dies Committee hearings, (1).”}

On August 13, Frey took his seat before the Dies Committee and began three days of electrifying testimony. The Communist Party had “failed to secure a foothold in an American trade-union movement,” he said, “until the CIO was organized. Since then the Communist Party has become a definite factor in the American labor movement.” Communists swarmed “every sitdown strike, every mass-picketing venture,” and they “fostered violent disturbances” in the steel and auto industry. Their vehicle was the CIO, where Communists occupied senior positions. John L. Lewis “had a thorough knowledge
of the danger" of Communist influence, and his deputy John Brophy was a Communist.

Frey then offered the names of "some 280 organizers in CIO unions, under salary, who are members of the Communist Party," the names of "185 of the leading Communists in our country," and "the names of the new national Committee of the Communist Party in the United States."149

In his introductory remarks, Frey said that Communists attacked their critics as "red baiters," implying that opponents were driven by "prejudice," and spoke without "logic or facts; perhaps a professional opponent of impure motive." He had been called a red baiter, Frey said. But he intended to make a case that was "factual to the hilt, and it will require something more than cunningly contrived and misplaced adjectives in answer."150 Defensive in public, Frey confessed privately to qualms. He told his friend,

The subject got under my skin to such an extent that it was difficult to go to sleep for the evidence kept dancing before my mind. I knew I was taking a long chance. If I could put my material over in an effective way, it would arouse the country. If I failed to do so, I would be subject to more or less ridicule, and my trade union friends would charge me with having muffed an opportunity.

Beginning my presentation before the Committee was much like going in swimming [sic] the first time at the beginning of the season, and feeling the temperature of the water with my toes, but after the initial plunge I rather enjoyed the experience.151

Frey's revelations exploded in the press. "Communists Rule the CIO," headlines


150Investigation of Un-American Propaganda Activities, 96.

151Frey to Walter Draper, August 18, 1938, LOC Manuscript Division, "Papers of John Frey," Container 7, folder titled "Dies Committee hearings, (1)."
blared, distilling his message just as he wished. Dies permitted Frey to quote freely from secret documents whose provenance Frey refused to reveal, enabling Frey to mix facts and half-truths. At times there seemed to be little difference between Communist and leftist for Frey, and the CIO was merely a front group for the Communist Party.

The Communist infiltration narrative

In his testimony, Frey invoked the tropes of the Communist infiltration narrative developed in the 1920s. He dwelled on the spycraft used by “Communist undercover men and espionage agents,” the “spies, the disrupters, the agents provocateur,” who “carry out Moscow’s instructions to ‘bore from within’ the American labor movement.” Frey pointed to Communists as the source of “industrial problems.” And Frey insisted from the outset that real workers, even in the CIO, “are not Communist, and they are opposed to Communism. . . . The fact seems to be that the membership unwittingly became a carrier for the virus of communism because of the attitude of its leadership.”

There was nothing new about the substance of Frey’s attack on labor leftists. Only the arena had changed. Whereas in the past, AFL officials and conservatives had largely fought leftists and Communists inside the house of labor, with only furtive assistance from the state, now the AFL publicly attacked the CIO and openly solicited the assistance of right-wing Congressmen, the only state actors available to conservatives in the 1920s.

Likewise, just as the 1920s narrative rested on fact, there was some truth to Frey’s charges. Communists did hold leadership roles in the CIO, help agitate and escalate

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strikes and demonstrations, and answered to Moscow; the old spycraft continued, with
dropboxes, noms de guerre, and secret late-night meetings. Frey also falsely accused
people sometimes, like John Brophy, but his facts were largely accurate. Yet he
misrepresented the truth, setting up Manichean oppositions between Communists and
trade unionists, radicals and workers, and forcing the facts into those categories.

Moreover, the AFL chose to participate in the Dies hearings and to open its
records on Communism not as an effort to combat Communism, but as part of its
campaign against the CIO. When the AFL decided to throw off all restraint and looked
around for tools to use, its Communist infiltration narrative was available. The CIO was
Frey’s real target, and Communism was a ready and effective smear.

Frey’s testimony launched the Dies Committee with a headline-grabbing
spectacle, and Dies made the most of his new prominence. The Committee continued to
meet that fall, and Dies devoted a great deal of its time to further exploring Communism
in the labor movement. CIO leaders protested vehemently, denying the charges and
sending bitter letters to Frey. Michael Quill of the Transport Workers wrote, “You are a
traitor to the workers of America. You are the Benedict Arnold of the American Labor
movement.” (Although he denied it at the time, Quill was a Communist.)¹⁵³ A
contemporary observer thought that Frey’s testimony helped shape HUAC’s mission: “It
was probably the very success of the Frey testimony as an experiment in publicity that

¹⁵³Quill famously said of the Dies Committee that he “would rather be called a
Red by the rats than a rat by the Reds.” Quoted in Joshua B. Freeman, In Transit: The
Citation to the reprint.
awakened Dies and his associates to a full realization of the potentialities of the political
gold mine that they had struck. From Frey on it was catch as catch can with no holds
barred. No patrioteer was too wacky to be taken seriously.”

It is hard to gauge how important Frey was to the success of HUAC. It does seem clear, though, that along with
its offensive against the Wagner Act and the NLRB, the AFL’s right-wing alliance in
1938 helped fracture and undermine the New Deal coalition.

Frey had another target that summer. He went after the La Follette Committee,
telling Dies that known Communists “were in constant communication with investigators
of the La Follette Committee.”

A strange and bitter conflict between the two Committees grew up. Press reports frequently compared them, contrasting the probity of
La Follette with Dies’s sensationalism. Witnesses in Dies’s hearings repeatedly accused
La Follette staffers of Communism. After a magazine article suggested that the
Communist Party had organized the La Follette Committee, the Dies Committee
considered whether it should hold hearings on the La Follette Committee. The Dies Committee, at first “the investigative counterweight” to the La Follette Committee,


155“Investigation of Un-American Propaganda Activities in the United States,”
Hearings before a Special Committee on Un-American Activities, House of Representatives, 75th Congress, 3rd sess, H.Res. 282, vol 1, August 12,- 23, 1938, 105.
swiftly became its nemesis. Thrown on the defensive and battling for funding, the La Follette Committee’s work dwindled fast. As the New Deal soured, the La Follette Committee ceded its seat of moral authority to the Dies Committee.

Meanwhile, labor’s spy dramas continued as the CIO retaliated in kind against the CIO. John L. Lewis, hardly one to turn the other cheek, apparently got his own source with information on the AFL. During the hearings to amend the Wagner Act, Lewis offered to give the Senate “documentary proof” that the AFL had secretly conspired with the Liberty League and the National Association of Manufacturers. Hoping that Green and Frey “should have torn from them their mask of pious expressions of goodwill for the workers,” Lewis suggested that Senators ask the AFL officials, “Did Mr. William Green or his associates confer in secret meetings with representatives of various corporations” on the Wagner Act amendments, and were those corporations “under charges with the National Labor Relations Board?” Green denied the charges and denounced Lewis’s “malicious campaign of personal abuse.”

Frey and the labor spy

For the AFL, the La Follette Committee’s close collaboration with CIO organizers trumped whatever advantages derived from its exposures of employer misconduct. In its contribution to the shutdown of La Follette’s investigation, the AFL helped decisively shift public attention away from employers and toward Communists as the working class’s worst enemy. Here the AFL’s priorities emerge clearly: expelling leftists mattered

156 Auerbach, Labor and Liberty, 164.


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more than taming bosses. Indeed, Frey secretly worked with a labor spy named Edward Sullivan.

After the first shock of the Dies Committee hearings had worn off, progressives and trade unionists scrambled to denounce and discredit its work. Labor's Non-Partisan League, a political action organization closely tied to the CIO, pounced on a juicy fact: Edward F. Sullivan, one of the Dies Committee's three investigators, had been revealed by the La Follette Committee as a spy for the Railway Audit & Inspection Company. La Follette investigators had found a letter in the Railway Audit's trash describing Sullivan as "solicitor that we have put out in the Boston territory," a "newspaper reporter" who was "in a position to get most any information desired from the various police departments throughout New England." The Non-Partisan League also accused Sullivan of working with domestic fascist groups like the German-American Bund. Dies sputtered at these attacks, saying the League "believes anybody who has ever worked for a detective agency is a labor spy," but he announced in late September that he "suspended" Sullivan due to a lack of funds.

In a few weeks, the Communist newspaper Daily Worker began running a series of articles exploring connections between HUAC investigators and Nazi groups. John Spivak, a veteran leftist journalist, dug up more details of Sullivan's involvement with the Bund, detailing a 1934 speech before a New York meeting of the Bund. According to Spivak, Sullivan whipped the crowd into a frenzy, shouting "Throw the goddam lousy

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158 La Follette hearings, RAI section, 297.

159 Washington Post, August 26, 1938.
Jews—all of them—into the Atlantic Ocean. We'll get rid of the stinking kikes!” Further, Sullivan had picked up several citations for drunk driving in Massachusetts in the 1920s and two convictions for larceny, Spivak reported.160

Beleaguered and out of work, Edward Sullivan looked to his friend John Frey for help. Sullivan had been working with Frey since early August. Already concerned that the HUAC appropriation would soon run out, Sullivan wrote to Frey to solicit undercover work. Sullivan told Frey, “As you know, I am deeply interested in the Communist attempts to ‘bore from within’ the regular labor movement in this country and especially concerned over the situation on the West Coast and I was thinking that your organization might be interested in obtaining the services of one who could be of assistance along this line.”161 It is not clear whether Frey accepted this offer, but a month later, Sullivan sent Frey a long letter complaining about the “libelous and slanderous” attacks against him by the Communist Party, and gossiping about the lobbying efforts of Labor’s Non-Partisan League. In comradely fashion, Sullivan encouraged Frey: “I trust you are bearing up under the barrage and that you won’t loose too much sleep over it [sic].”162 Frey wrote back thanking Sullivan for the information and with his own encouraging words: “Those


who are attacking the Dies Committee are resorting to ridicule and denial as their only weapon."\textsuperscript{163}

As the attacks on Sullivan intensified, he began his own investigation into their origins. Sullivan visited with his old boss at the Railway Audit & Inspection Company, W.W. Groves, where he learned some tantalizing information: the other two HUAC investigators had both worked as investigators for Jewish organizations—the Anti-Defamation League in Chicago, and for Jewish Congressman Samuel Dickstein, a vociferous opponent of Nazi and fascist groups in the US. One investigator had been a labor spy for the Railway Audit as well. These Jewish connections insulated them from scrutiny, thought Sullivan: “Is it any wonder they have centered their attack on Sullivan? The other investigators are well known to these birds and you will not see any attack on them from the Left.” Sullivan added parenthetically that his visit to Groves “had nothing to do with any ‘labor spy’ activities.”\textsuperscript{164}

By the end of September, Sullivan had lost his job with HUAC. He wrote plaintively to Frey, “I have served the Committee honestly and faithfully and I have not soft pedaled anything. This is my reward. As I have told you personally, I am not a ‘labor spy’, Nazi agent, ‘convicted thief’ nor any of the things which these subversive groups are trying to pin on me.” Furious about the “libelous” \textit{Daily Worker} articles,

\textsuperscript{163}LOC Manuscript Division, “Papers of John Frey,”Container 7, folder titled “Dies Committee hearings, (1)”, letter from John Frey to Edward F. Sullivan, September 14 1938.

\textsuperscript{164}LOC Manuscript Division, “Papers of John Frey,”Container 7, folder titled “Dies Committee hearings, (1)”, letter from Edward F. Sullivan to John P Frey, nd.
Sullivan had hired a lawyer and intended to sue Spivak for libel. He needed cash, though, "between $1500 and $2000 and where I will get that sum, god only knows." Quickly, Frey wrote back, agreeing that "under the circumstances referred to in your letter you seem to be fully justified in bringing suit for slander against the DAILY WORKER. . . . you are certainly justified in protecting your own good name." Frey told Sullivan that he would be out of town, at the AFL's convention in Houston, through the end of October, but he "would be very glad to see and talk things over personally," and he urged Sullivan to come by his office in Washington when he got back. If this meeting occurred is unknown; the correspondence between Sullivan and Frey stops with this letter.

As for Sullivan's libel case, he did sue Spivak in 1940, after Spivak repeated his charges against Sullivan in a book titled Secret Armies. Spivak was arrested in Pittsburgh after a lecture at a community forum; as the police took him away, Spivak shouted "Police, they're taking me for a ride!" until the officers stuffed Spivak's hat into his mouth for a gag. The outcome of the case is unknown, but Spivak continued to publish leftist journalism, including The Shrine of the Silver Dollar in 1940, which helped

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165 LOC Manuscript Division, "Papers of John Frey,"Container 7, folder titled "Dies Committee hearings, (1)", letter from Edward F. Sullivan to John P Frey, September 26, 1938.

166 LOC Manuscript Division, "Papers of John Frey,"Container 7, folder titled "Dies Committee hearings, (1)", letter from John Frey to Edward F. Sullivan, September 30 1938.

167 New York Times March 26 1940.
dethrone anti-Semitic radio broadcaster Father Charles Coughlin.168 Sullivan’s career after the Dies Committee is also unknown.

Frey’s correspondence with Sullivan suggests more than it reveals. Sullivan denied being a labor spy in his letters to Frey; perhaps even for Frey, this disavowal was necessary to enable him to collaborate with Sullivan. The extent and length of their relationship is unknown. But these letters mark the gulf separating Frey and AFL officials from progressives and the CIO. Frey’s invitation to an agent of one of the country’s most notorious labor spy firms to visit his office at the AFL indicates how polarized relations in the labor movement had become by 1938. For Frey and AFL officials, beating back the CIO mattered more than whatever advances the New Deal may have offered to the broader labor movement.

Denouement

Heber Blankenhorn was thus outmaneuvered and would soon himself be under attack. His big Congressional investigation of spies in the labor movement was eclipsed by a bigger Congressional investigation of Communists in unions. Blankenhorn had been technically an employee of the NLRB detailed to the La Follette Committee, so he simply resumed his work at the Board when the Committee’s work trickled off. Shortly, however, Blankenhorn was back in a Congressional hearing room—this time, as a subpoenaed witness. Congressman Howard Smith, the sponsor of the AFL’s amendments to the Wagner Act, had launched an investigation of the NLRB.

168Biographical material on Spivak from “Biographical Sketch,” John L. Spivak papers, Harry Ransom Humanities Research Center, University of Texas, accessed online (www.hrc.utexas.edu/research/fa/spivak.html, May 24 2004.)
Blankenhorn was questioned for several days about his work for the La Follette Committee, his role on the NLRB, and his personal history. The Smith Committee was especially interested in the Board’s relationship with the CIO and the Communist Party, and Congressmen pored over Blankenhorn’s letters and memoranda, finding ample evidence of Blankenhorn’s pro-CIO sentiment. Finally, a Congressman asked Blankenhorn flatly, “Did you mix in union organization on behalf of the C.I.O. while you were being paid by the Government of the United States to work for the National Labor Relations Board?” Blankenhorn said, “I did not.” His skeptical questioner reiterated, “Well, now, I will see if I can’t change your recollection,” and asked him the same question over and over in different ways. Other Congressmen asked questions like, “Do you know of the John Reed Club?” Blankenhorn got an unpleasant taste of the coming wave of McCarthyism.

He remained at the NLRB until 1948, taking a leave of absence to resume his old propaganda work for the Army. Perhaps borrowing tricks he had learned in his labor spy investigations, Blankenhorn developed a “black pamphlet” disinformation campaign: he produced pamphlets purportedly written by clandestine German soldiers’ committees that warned of Allied advances and proposed mutiny. The black pamphlets aimed to stir doubts about their comrades and government among German soldiers. Blankenhorn argued endlessly with Army officers who wanted to drop sheaves of the leaflets from

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169U.S. House, Special Committee to Investigate the National Labor Relations Board, *National Labor Relations Act: Hearings on H.Res. 258*, 76th Congress, 3rd sess., April 30-May 1, 1940, 4419, 4440.
airplaines—he insisted that the means of distribution was critical, and wanted them scattered carefully in ditches or pinned to café walls. Eventually Blankenhorn prevailed.170

When he returned to the United States, the conservative reaction that had begun in the 1930s gained speed. In 1947, Congress amended the Wagner Act by passing the Taft-Hartley bill, which instituted many of the changes the AFL had proposed ten years earlier, including a provision requiring union officers to sign affidavits affirming they were not Communists. Blankenhorn resigned his job at the NLRB, saying that he could not "honestly sit in my office and assure an aggrieved workman or his union that he can get something under this act—except hell." The non-Communist affidavits irked him too, and he thought they aimed to "instill in labor not so much the spirit of fidelity as the spirit of Fido, who must learn to lie down, roll over and play dead at the snap of a finger."171

Blankenhorn retired, but he could not fully relax. HUAC was back in action, and investigators still suspected that Communists hid inside the NLRB. Blankenhorn and his old colleagues speculated in letters about when investigators might come, and they strategized about how to handle them. Senator La Follette had shifted decisively to the right in the early 1940s, aligning himself with nativists, but he still lost his Senate seat to Joseph McCarthy in 1952. Blankenhorn worried that La Follette might turn on him: "I've seen him once since his defeat and our manners were friendly but distant. But if he ever tries to sing a song of being mislead into the investigation by commies I shall certainly

170 Heber Blankenhorn papers, Series 1, Box 3.

trot out a few records.”172 Less than a year later, La Follette shot himself in his home in Washington.

As McCarthyism escalated, so did Blankenhorn’s anxiety. He saw bitter parallels between labor spy systems he had exposed in steel mills and department stores, and the network of agents that hunted Communists. Blankenhorn wrote lengthy “aide-memoires” for himself about his years at the working for La Follette and the NLRB, preparing for possible interrogation. The veteran investigator lived in fear of being investigated himself. He wrote a long, angry document called “Progress into Fear,” denouncing the cancer of McCarthyism. It closed:

Thus this story ends where it began. Whatever has conditioned the post war hysteria, the means for spreading it is the same as 30 years ago. The objectives are the same as 30 years ago, though the target is enlarged. Then it was an undercover espionage system used by business to coerce the so-called laboring class. Now it is an espionage system to coerce people generally, especially the so-called intellectual class.

During the past decades the spying system, as described in this article, was owned and operated by businessmen, with assistance from the government investigating agency. Now government has taken it over, with businessmen’s approval, since the objective is the same. Much the same people operate the investigating apparatus now as years back. Much the same thoughts, particularly thoughts regarding business, are on the investigated end as years back. The secrecy of operations, which got uncovered in the 1920s and 1930s, is ironclad today.173

Blankenhorn died at home in 1956. John Frey died the following year. He had remained head of the AFL’s Metal Trade Council until 1950, where he continued to campaign against Communists until his retirement. In 1946, he chortled to AFL convention

172Blankenhorn to Robert Wohlfirth, May 7, 1952, Blankenhorn papers, Series 1, Box 5, Folder 23.

173Blankenhorn papers, Box 4, Folder 42.
delegates that "The CIO is now paying a heavy penalty for its cooperation with communism and Moscow policy," and he warned his listeners that "high official representatives of the Kremlin" were in town to spy on AFL members. Historian Warren Van Tine has argued that Frey's "retirement as president of the Metal Trades Department in 1950 seemed necessary" to enable the AFL and CIO to patch up their differences and merge.174

Conclusion

Blankenhorn's gloomy assessment notwithstanding, McCarthyism was not really a continuation of labor espionage. Labor espionage was a tool used by employers for narrow purposes, to develop knowledge of shopfloor conditions and disrupt workers' collective action. The Wagner Act and the La Follette Committee hearings largely obviated employers' interest in this technology. Once the law obliged them to recognize and bargain with unions, employers abandoned labor espionage, and developed other, more sophisticated tools to influence their employees' opinions and decisions. As for the professional labor spies, it was easy enough for them to change quarries and hunt reds instead of radical workers. McCarthyism, on the other hand, was a much broader phenomenon that spread through civil and social institutions as well as workplaces. As a set of beliefs and practices, it was continuous not with labor spying but with labor anticommunism.

In their definitions of who counted as a worker or an enemy, labor's competing

infiltration narratives show the profound political differences that separated Blankenhorn and the CIO from Frey and the AFL. The labor spy narrative defined workers in the most expansive fashion, counting as enemies only professional labor spies and the bosses who employed them. If workers spied, they had to be hooked, and any worker could be redeemed. Blankenhorn and the CIO saw employers as their chief adversaries, and accordingly they fought for laws and policies that disarmed employers.

The AFL’s Communist infiltration narrative reveals a different worldview. Employer repression was a problem, but leftist and Communist workers and unions were a real threat too. The Communist infiltration narrative saw the enemy as leftists and Communists, and workers only counted as workers if they rejected such ideologies. AFL leaders were not interested in labor laws that empowered Communists and leftists, regardless of what benefit they got from it. They wanted to see leftists kicked out of unions. So the AFL framed its fight as a broader struggle against the left in the labor movement, and its leaders were willing to forgo many of the benefits of the Wagner Act in order to weaken its adversaries in the CIO.

With the Supreme Court’s ratification of the Wagner Act, labor progressives won the fight as they had defined it. All workers and unions, regardless of their politics, enjoyed the state restraint of employers under the new law. But the CIO didn’t get what it expected. Progressives achieved a secure labor movement, but one purged of the leftists who envisioned it. Conservatives in the labor movement and the state forced unions to expel leftists and progressives, and the federal labor relations regime helped ensconce conservative bureaucrats at the heads of unions people like Blankenhorn had dreamed.
would lead progressive change. In the end, the AFL got both institutional security and expulsion of leftists, winning the war.

As for the workers who were the ostensible subject of both labor spies and Communists, their voices were rarely heard. A few days after his testimony before the Dies committee, John Frey received a letter from Charles Ickes, secretary of the Brotherhood of Railway Carmen in Brewster, West Virginia. Ickes gently chided Frey for his attacks on the CIO: "I do not see why one labor union should knock another. Like some of our officials has I have two Bro in the CIO and I don’t think they are any more Communist than any other union. Just fighting for a living in life. I think if labor is to march on they will haft to make friend, not knock each other.. The big shot of the Industrialist does not knock each other. We will haft to have harmony or we will sink." By the time the AFL and CIO made friends and merged in 1955, an uneasy harmony prevailed, but it was probably not what Ickes imagined.

175 LOC Manuscript Division, “Papers of John P. Frey, Container 7, folder titled “Dies Committee hearings, (1).
CONCLUSION

"Should I feel bad?" a spotter asked her colleagues in the business. Posing as a customer in a bar, Vjarrett had ordered a drink, but the waitress failed to ask for proof of age. After Vjarrett told the bar manager, she saw him call the waitress back to the kitchen, then the waitress emerged crying. "I felt like crying too," Vjarrett wrote on an Internet bulletin board. Vjarrett was working as a "mystery shopper," a contemporary variant of nineteenth-century spotting. According to the Mystery Shoppers Providers Association, its 700 member firms contract with businesses to provide undercover mystery shoppers to visit restaurants, stores, and apartment-rental offices to secretly scrutinize and report on customer service. Mystery shoppers earn small sums, often $5 to $10, to buy a coffee at Starbucks or browse a TJ Maxx. On bulletin boards like Volition.com, many described themselves as stay-at-home moms looking to pick up a few dollars.¹

"Should you feel bad because you did your job? No," a fellow shopper consoled Vjarrett. The waitress "is going to have to develop a much thicker skin if she is going to continue in the food and beverage industry," said another. A third advised, "If the employee needs the job, they should do what it takes to keep the job, and that means doing the job correctly and as required by law." The mystery shoppers are proud of their


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work. "I enjoy sharing my stories" about mystery shopping with acquaintances, wrote Howard Alaska, many of whom thought his job was "glamorous." Shoppers described feeling a sense of satisfaction in helping companies detect and solve problems.

According to a manager at a large mystery shopping firm, shoppers did the work "not for the money. It's for the fun of it. They like being a spy, and they love to see an improvement in customer service in their neighborhood." A t-shirt marketed to mystery shoppers captures these twin motives of diversion and discipline: the front reads, "Be nice to me!" and the back says, "I'm a mystery shopper."²

Employers' reasons for using spotters are largely the same as in the nineteenth century: to catch a glimpse of workers when supervisors are not around. From computer keystroke monitoring to video and audio surveillance to time and motion studies, precise scrutiny and measurement of employees is central to modern management. The nature of spotting has not changed, only its extent. Nineteenth-century railways originally turned to spotters to prevent fare thefts. Once the technology of undercover workplace surveillance had been developed, detective agencies and employers saw its multiple uses, from watching workers to check on job performance to listening for signs of unrest and agitation. Labor espionage developed as a byproduct of the managerial desire for a panoptical gaze. (And indeed, as Peter Linebaugh has shown, Foucault's famous panopticon was designed by Samuel Bentham, Jeremy Bentham's brother, as a model for a factory that enabled a manager situated at its center to watch all his workers at once.³)

While spotting has endured, labor espionage turned out to be a less durable technology. Workers and unions were unable to defeat labor spies on their own, as the Hosiery Workers learned. Only state action with vigorous enforcement could kill the industry. But employers were turning away from labor espionage even as the Wagner Act outlawed it. Sanford Jacoby has shown that several firms experimented with hybrid “welfare capitalism” strategies as the New Deal labor regime discredited cruder management techniques like violent strikebreaking. Using tools like employee surveying, psychological counseling, and collaboration with corrupt union leaders, companies like Sears managed to keep their workforces largely unorganized and their reputations unblemished. Savvy human-resources professionals collected information about workers, supplanting labor spies’ intelligence function; labor relations professionals developed systematic programs to legally defeat union organizing campaigns within the framework of the Wagner Act, taking over spies’ unionbusting role. As managers developed superior technologies, they no longer required undercover operatives.\footnote{Sanford M. Jacoby, \textit{Modern Manors: Welfare Capitalism Since the New Deal} (Princeton, N.J.: Princeton University Press, 1997.) At least, it appears that labor espionage largely died off. Some firms advertise labor espionage services on the Internet. A firm called Data Quest Ltd describes its agents this way: “An Undercover Investigator is a qualified operative that is hired in your firm as a regular employee. As such, the investigator is trained to find information crucial to management. Often targeted are instances of employee dishonesty; however, a skilled investigator also provides information on substance abuse, work performance, morale, procedure enforcement and other areas vital to keeping a business safe and secure.” Whether and to what extent employers use such services is wholly unknown; no union organizer I know has heard of modern labor spies at work. See \url{http://www.dataquestonline.com/corpunder.html}, accessed March 24 2005.} And as union density plummeted in the late twentieth century, watching for
union activity became a far less critical concern, freeing employers in most industries to use surveillance to squeeze efficiencies out of their workforce rather than watch for collective action.

What changed dramatically is the social stigma attached to spotting and surveillance. Whereas sympathetic juries found in favor of conductors despite overwhelming evidence presented by spotters, and businessmen were shamed by the La Follette committee's revelations about their use of labor spies, employee surveillance has become normalized. That employees are subject to ceaseless, pitiless scrutiny, particularly if they work in service industries, is virtually unquestioned now. It is worth asking whether things might have turned out differently if the labor movement had spoken with one voice in the 1930s. The CIO's critique of employer surveillance suggested that workers should enjoy a zone of privacy on the job, while the AFL's focus on Communist infiltration supported closer scrutiny of unionists' lives and politics away from the job. When the AFL helped swing the spotlight away from labor spies and toward Communists, employers regained ground in the battle for shopfloor control and worker autonomy.

The demographics of mystery shoppers are unknown, and their agencies insist that many shoppers are middle-class professionals. But the low pay and contingent nature of the work clearly attracts many struggling people who need the extra money. The question of class solidarity seems never to arise in the mystery shopper forums. Shoppers see no common cause with the low-wage workers they surveil, identifying rather with the company that employs them all.

We can see a kinship between the mystery shoppers and a 1930s labor spy. John
Mohacsi apprenticed as a machinist in the Pennsylvania Railroad's Trenton shop in 1919, and over the next 16 years he honed his skills, becoming an "experienced tool and die maker." In May 1935, Mohacsi was working for an iron works in Brooklyn when he answered a newspaper ad for an experienced machinist. At his interview in the Manhattan offices of the Atlantic Production Company, Mohacsi learned that "if they placed me on a job I would have to report as to the conditions existing in the plant." Mohacsi didn't get the job, but that November the company offered him a position as a tool maker at the Worthington Pump Company in Harrison, New Jersey. Still employed, Mohacsi quit his old job.

At Worthington Pump, Mohacsi earned about $150 per month, plus an extra $50 to file "reports every day concerning the type of men I was working with; whether any of the men were constantly complaining about conditions; to get to know what my fellow workers were thinking about." By January 1936, Mohacsi signed a union card for the Machinists, which was organizing at the plant. He went to union meetings, and "twice a month I would send in detailed reports on the meetings," and he "reported on any radicals found in the plant or in the union." Shortly thereafter, all the union members in the tool room quit the union, and the Machinists' campaign died; two union members later got fired. Mohacsi continued to report on his fellow workers for another year.5

Mohacsi took up labor spying well into his career as a skilled tradesman, when he already had a job, in the very midst of the great labor uprisings of the 1930s. He does not explain what led him to pursue labor spying, nor does he describe any particular duress or duress or

pressure leading him to do it. No cunning detective tricked him into spying; joblessness did not drive him to inform on his fellow workers. Presumably the extra $50 per month was his principal consideration. John Mohacsi was simply a worker who was also a labor spy.

For Leo Huberman, a committed socialist and pamphleteer, Mohacsi could only have been duped. Huberman told Mohacsi’s story as an example of “hooking,” or honest workers being lured into labor spying by devious detectives. Huberman explained that unemployed workers who “need the jobs” and “must have money” were unwittingly “lured into the agency trap” by ads like the one Mohacsi answered. But Mohacsi was not unemployed when he took the job, and his duties as a spy were explained to him in advance. Huberman seemed unable to imagine that a worker would spy of his own volition.6 Huberman’s interpretation echoed the long tradition of leftist discourse that constructed labor spies as outsiders and others, separate from workers.

Most evidence suggests, however, that union worker and informer were neither mutually exclusive nor stable identities; workers drifted into and out of labor spy jobs. While some proportion of the agents who reported on workers were professional detectives, many more were full-time workers who informed on their comrades in order to get a job or to earn extra cash. Like the hosiery knitters who sought work with labor spy agencies to get placements in mills, or the machinists who emphasized their foreign-language fluency when applying for jobs as shopfloor informants, workers made up a substantial share of the army of spies honeycombing American workshops. In this light,

6Huberman, Labor Spy Racket, 69, 139.
labor espionage looks not just like a vast conspiracy of employers and detectives, but also as a shortage of solidarity.

What motivated all these workers to inform on their colleagues cannot be known. Investigating committees solicited most of the extant accounts by informants of their actions, and in their testimonies workers generally confessed their misdeeds without attempting to explain them. Since these witnesses were usually solicited by union advocates looking to condemn the practice of labor spying, it is unsurprising that few offer a rationale for their behavior. But their silence about their motives permitted contemporaries and historians to treat spying workers as essentially non-political—driven by venality or succumbing to coercion, rather than as rational actors with ideologies and agency. Thus historians characterize spies as a tool of capital deployed against workers, with the spies themselves operating as a residual category, largely untheorized.

This thinking is likely inherited from Marx, who counterposed the proletariat of industrial workers to the lumpenproletariat, “the social scum, that passively rotting mass thrown off by the lowest layers of old society.” The proletariat’s productive labor and class consciousness distinguished it from the lumpenproletariat, an amorphous mass of “discharged soldiers, discharged jailbirds, escaped galley slaves, swindlers, mountebanks,” and other ne’er-do-wells. This “dangerous class” was susceptible to influence by its betters, and could become the “bribed tool of reactionary intrigue,” as when the lumpenproletariat took up arms on behalf of Louis Bonaparte.

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reiterated Marx's dichotomy, explaining that "the working proletariat fights openly as a mass, its weapons are solidarity and economic indispensability, its aims the changing of the laws regarding property. The slum proletariat fights individually and secretly, its weapons are lies and breach of confidence; its aim is not the changing of the property laws, but the possession of the property of others."9

A German Communist, Johannes Buchner, made this connection explicit in his pamphlet *The Agent Provocateur in the Labour Movement*. Spies and provocateurs had decimated the ranks of Communists across Europe, Buchner warned, "as a result of our own indifference and negligence in the struggle against political provocation." As the working classes prepared for revolutionary activity, the police drafted spies and secret agents to undermine the Communist parties. They found willing recruits, according to Buchner, because "unemployment, distress, and misery are playing ever greater havoc among the masses. While these facts on the one hand increase the revolutionary feeling of the masses, they provide the police on the other hand, with a much-desired basis of corrupting and winning over the weakest and least resisting elements and of constructing in the factories an extensive network of workshop spies."10 Like his American counterparts, Buchner assumed that only privation and weakness would induce workers to spy.

Buchner discussed at length the American system of private detective agencies, but did not explore the critical feature distinguishing American labor espionage from

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European: the state, via the police, ran European spy rings. Prisoners made up the recruiting pool for police, he said, who used torture, threats against family members, or release from prison as inducements for prisoners to become informants. Duress would help explain the motives for spies enlisted through these methods. No such explanation accounted for American labor spies working for private detective agencies, recruited through newspaper ads. And indeed, American labor spies rarely mentioned any form of duress in their testimonies and affidavits (although sometimes they did claim to have been tricked.)

While surely some American workers turned to labor spying out of desperate need for money, and others sought the work because they were knaves or rogues, clearly some sizeable number of workers chose to be informers for more complex reasons. Their behavior should be studied not as an aberration from their proper path of collective action but rather as a choice in its own right. Sociology is one way to approach the question; Gary T. Marx has identified a number of motives for informers and provocateurs in social movements, ranging from patriotism and greed to coercion and disaffection with movement leaders.11.

To their fellow workers, labor spies were neither lumpen nor desperate. They were simply traitors. "Judas" was a frequent epithet; spies were "deceptive scoundrels" driven by "malice."12 A Pennsylvania steelworker wrote in 1901 that at his mill, "when


12*Motorman and Conductor*, August 1914, p 17; ibid, December 1901, 6.
any two or more men get together, since the sheet workers went on strike, there is sure to be some Judas . . . the men dare not trust each other.” 13 To the steelworker, the labor spy was not some outside agent—the labor spy could be any of his coworkers. Informants stunted communication and collaboration among workers who wanted to organize and act collectively. But they also disrupted solidarity by their very presence: if class happened when workers “fe[lt] and articulate[d] the identity of their interests as between themselves,” workers who informed on each other declared their interests to be with the boss.14 If, in E.P. Thompson’s classic formulation, class happens, maybe spying workers show us class not happening.

This approach helps recast the questions historians have traditionally asked about the significance of labor espionage and strikebreaking. Two types of questions recur. One line of inquiry investigates how employers’ antiunion strategies affected the development of the American labor movement. The other compares the ferocity and scope of American antiunionism to European, and asks whether this can account for the failure of American workers to build enduring socialist parties and traditions. In these formulations, historians presume the constancy of “class antagonism and working-class determination” and consider differences among employer and state-sponsored antiunion initiatives as variables.15 Thus a reviewer of Stephen Norwood’s book on American

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strikebreakers concludes that "ultimately the lesson taken from this book [is] that companies in the United States were willing to go to any lengths to smash unions as completely as possible." Embedded in these questions we find the dichotomy that opposes workers on the one hand to strikebreakers and labor spies on the other.

But if we understand strikebreakers and spies to be workers, we shift the question from why American employers fought so viciously against unions, to why workers broke strikes and informed on each other. Rather than implicitly assuming that if employers mustered private armies and paid spies, workers would serve, we can ask why workers decided to subvert or frontally attack collective structures. We can take worker antiunionism seriously, as a legitimate political position rather than a character defect or a sign of stunted consciousness. If class consciousness is neither innate nor inevitable, but historical, American strikebreakers and spies can be studied not as anomalies, but as markers of class fissures.

This approach brings a set of new problems with it. Could we historicize the growth and development of labor espionage as an industry and management practice against the willingness of workers to participate in it? Could we compare American spies and strikebreakers to antiunion workers like police spies in other countries? Did workers' willingness to spy or break strikes itself help drive the phenomenal growth of detective agencies and strikebreaking armies? Did management's rejection of the practice after the 1930s signify a corresponding dropoff in worker antiunionism? Unfortunately, a lack of data makes these questions provocative but probably not a

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research program. Few sources exist that permit demographic analysis of spies and strikebreakers, let alone reveal their inner thoughts. Indeed, this absence of sources is a key reason they have so far escaped scrutiny as historical actors. But bringing the workers back in to our study of American antiunionism may help freshen old debates.

One of the few accounts by a worker who became a professional detective suggests the sorts of ideologies that may have guided other labor spies. He apprenticed as a barrel-maker and joined the coopers’ union in Scotland, then immigrated to the United States in the mid-nineteenth century. When he made it to Chicago, he got a job making barrels for a brewery. He wrote, “I have been all my lifetime a working man. I know what it is to strive and grope along, with paltry remuneration and no encouragement save that of the hope and ambition implanted in every human heart.”

This struggle did not arouse in him the stirrings of class consciousness. Rather, he developed

a conviction, as certain as life itself, that the workingman is never the gainer—but always the loser, by resort to the reckless intimidation and brute force which never fail to result from the secret organization of the trades-union to force capital to compensate labor to a point where the use of that capital becomes unprofitable and disastrous.

He believed that any combination of business or labor bent on “unjust extortion” was “always doomed to a termination so disastrous that the eventual loss has far exceeded the immediate profits,” echoing the sort of smallholder republicanism espoused by the Knights of Labor and the Populists. He opposed any combination that “restricted the operation of those commercial forces whose untrammeled and unrestricted working are absolutely essential to the existence of all safely-conducted business and trade.” His name was Allan Pinkerton, and he contributed much to protecting commercial forces.
from the power of united workers.\textsuperscript{17}
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