VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

DIGEST OF REPORT

OF THE

COMMITTEE ON EDUCATION AND LABOR

PURSUANT TO

S. Res. 266
(74th Congress)

A RESOLUTION TO INVESTIGATE VIOLATIONS OF THE RIGHT OF FREE SPEECH AND ASSEMBLY AND INTERFERENCE WITH THE RIGHT OF LABOR TO ORGANIZE AND BAR-GAIN COLLECTIVELY

INDUSTRIAL MUNITIONS

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DIGEST OF SENATE REPORT NO. 6, PART 3, SEVENTY-SIXTH
CONGRESS, FIRST SESSION

A subcommittee of the Senate Committee on Education and Labor, Senator Robert M. La Follette, Jr., Wisconsin, chairman, and Senator Elbert D. Thomas, Utah, investigating violations of the rights of free speech and assembly and undue interference with the right of labor to organize and bargain collectively (pursuant to S. Res. 266), today presented to the Senate its report on industrial munitions. Based on hearings held during the past 2\(\frac{1}{2}\) years into the chief industrial purchasers of munitions and the main companies selling them, the report completes the committee's study of what it terms the four chief instrumentalities of antiunionism—strikebreaking, industrial espionage, private police systems, and industrial munitions.

The committee found that the purchasing and storing of "arsenals" of firearms and tear- and sickening-gas weapons is a common practice of large employers of labor who refuse to bargain collectively with legitimate labor unions and that there exists a large business of supplying gas weapons to industry.

The committee's investigation of the distribution of industrial munitions was most complete in the case of gas weapons. It found that during the years 1933 through June 1937, $1,255,312.55 worth of tear and sickening gas was purchased by employers and law-enforcement agencies, "chiefly during or in anticipation of strikes.”

The committee noted that all of the largest individual purchasers are corporations and that their totals far surpass those of large law-enforcement purchasers. In fact, the largest purchaser of gas equipment in the country, the Republic Steel Corporation, bought four times as much as the largest law-enforcement purchaser.

The largest industrial purchasers of gas munitions were found to be:

- Republic Steel Corporation, $79,712.42
- United States Steel Corporation, $62,028.12
- Bethlehem Steel Corporation, Bethlehem and Johnstown, Pa., $36,173.69
- The Youngstown Sheet & Tube Co., Youngstown, Ohio; $28,385.39
- General Motors Corporation, Detroit and Flint, Mich., $24,626.78
- Anthracite Institute, $17,457
- Goodyear Tire & Rubber Co., Akron, Ohio, $16,912.58
- San Francisco employers, $13,809.12
- National Steel Corporation, Weirton, W. Va., $12,085.37
- E. J. Hunt Co., Detroit Mich. and Chicago, Ill., $12,078.88
- Electric Auto-Lite Co., Toledo, Ohio, $11,314.96
- Ohio Insulator Co., Barberton, Ohio, $10,777.88
- B. F. Goodrich Co., Toledo, Ohio, $7,740.60
- Pennsylvania Railroad Co., $7,466.25
- Chrysler Corporation, Detroit, Mich., $7,000
- Thompson Products, Inc., Detroit, Mich., and Cleveland, Ohio, $6,867.69
- Seattle Chamber of Commerce, $5,873.03
- Waterfront Employers Union, San Francisco, $5,512.16
- Columbian Enameling & Stamping Co., Terre Haute, Ind., $5,482.02
- Spang Chalfant & Co., Inc., Ambridge, Pa., $5,281.35
- Total, $375,992.29

The largest law-enforcement purchases were:

- Ohio National Guard, $20,234.79
- Rhode Island National Guard, $14,251.55
- City of Boston, Mass., $13,091.97
- Mahoning County, Ohio, $13,051.71
- City of Salinas and Monterey County, Calif., $12,962.76
- City of Detroit, Mich., $12,857.09
- Allegheny County, Pa., $12,785.10
- California State Highway Patrol, $9,812.10
- Louisiana National Guard, $9,719.62
- City of Youngstown, Ohio, $8,453.40
- City of Flint, Mich., $8,398.10
- Indiana National Guard, $7,745.51
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New York State, Department of State Police, $7,283.06; Village of Kohler, Wis., $6,885.58; City of Omaha, Nebr., $6,842; Lake County, Ill., $6,713.31; City of Los Angeles, Calif., $6,706.46; City of Providence, R. I., $5,828.03; total, $183,633.14.

The report lists 80 individual corporations and employers' associations each of which has purchased more than $1,000 worth of tear and sickening gas during the period considered (1933-37). These 80 purchasers form the backbone of large-scale industry of the country—steel, automobiles and automobile parts, textiles, and rubber. One hundred and fifteen other purchasers of between $300 and $1,000 worth of gas apiece are also listed. In addition, the report tabulates the arsenals of selected employers.

The report said of the arsenals of the companies involved in the 1937 "Little Steel" strike:

The Republic Steel Corporation, in the inventory submitted by it, stated that it possessed 552 revolvers, 64 rifles with 1,325 rounds of ammunition, 245 shotguns with 5,784 rounds of shotgun shells, 143 gas guns with 4,033 gas projectiles, and 2,707 gas grenades.

* * * * * * * * * * * *

The committee obtained the same sort of data from the Youngstown Sheet & Tube Co. * * * This company furnished an inventory of the arms and munitions owned by it in the Youngstown district only, * * * which * * * reveals 453 revolvers, 369 rifles, 190 shotguns, and 8 machine guns. These machine guns were not submachine guns but Regular Army model Colt and Lewis weapons.

In addition to 40,000 rounds of ammunition for the machine guns, the Youngstown Sheet & Tube Co., according to its inventory, possessed over 8,000 Springfield rifle shells of .45-70 caliber; over 2,000 .30 caliber rifle shells; 2,000 .30 caliber Remington rifle shells for Winchester and other heavy caliber rifles; nearly 20,000 rounds of .38 caliber police revolver cartridges; 109 gas guns, or billies; 24 gas machine guns; 689 gas grenades; and 2,447 items of gas ammunition, that is, projectiles, long-range projectiles, or blast cartridges.

Comparing the arsenals maintained in the city of Youngstown, Ohio, by these two companies with the arms of the sheriff of Mahoning County, the committee found:

Eight regular machine guns contrasted with 1 submachine gun, 57 times as much machine-gun ammunition, 3 times as many shotguns, 36 times as many rifles in private as in the sheriff's hands in Mahoning County alone.

The committee compared the dates when employers purchased munitions with developments in their labor situation and found:

The purchases of munitions coincide with periods during which labor disputes are current or impending. Exceptions to this rule are infrequent. The purchase dates of munitions, therefore, definitely prove that munitions are not purchased for the normal use of the plant police in the performance of their customary duties.

The tabulation of the 80 private purchasers of over $1,000 worth of gas apiece included data on strikes and strike threats existing at the time gas purchases were made. Commenting on the correlation, the report said:

Out of $490,598.93 worth of gas purchased by the 80 largest private purchasers of gas between January 1933 and June 1937, $401,127.75 worth was bought during strikes or when strikes were threatened in the plants of the respective purchasers. Thus over 80 percent of these purchases were made during or in anticipation of labor trouble. Even more striking is the conclusion that can be drawn from the tabulation of the causes of the disputes before or during which
the gas was purchased. The demand for union recognition recurs constantly in the eighth column of appendix A, either alone or in conjunction with other issues, such as wages and hours. In all, $364,507.14 worth of gas was purchased before or during strikes or strike threats in which union recognition was the exclusive or a contributing factor. In other words, the largest purchasers of tear gas have bought more gas when confronted by demands for recognition than under any other circumstances.

The “Little Steel” strike of 1937 provided the largest demand for gas munitions ever created in the United States.

The total expenditures for all types of munitions of the four companies and the State, county, and municipal authorities affected by the 1937 “Little Steel” strike, so far as they are revealed by documents in the committee’s record, amounted to $178,138.65. This tremendous expense to private organizations and public treasuries was the result of the policy of hostility to unions adopted by these steel companies. It is in marked contrast to the complete absence of any record of purchases at that time by those companies in the same industry, including such large former purchasers of munitions as the Carnegie-Illinois Steel Co. and other United States Steel Corporation subsidiaries, which had signed collective bargaining agreements with the same union which “Little Steel” fought so bitterly.

The report continued the comparison with like results throughout the textile, automobile, and rubber industries.

With respect to the intended use of industrial arsenals, the committee concluded:

The possession and use of industrial munitions by employers is the logical end of a labor-relations policy based on nonrecognition of unions—in opposition to the spirit of national labor laws. The principal purpose of such weapons is aggression. Their use results only in violence, embitter industrial relations, and hampers peaceful settlement of industrial disputes.

The maintenance of arsenals of industrial munitions creates bitterness on the part of employees and disrupts normal, peaceful labor relations. Their use invites retaliatory violence.

Beyond their effects on striking employees, industrial munitions jeopardize public peace. Their use threatens the physical safety of citizens not involved in the industrial disputes in which they are employed. Further, and more important, their irresponsible use constitutes usurpation of public police functions.

And about the alleged need for “protection”, it added:

The munitions purchases of large corporations and the arsenals of munitions maintained by certain corporations were quantitatively greater than required by the normal protective needs of industrial property. The committee can see no justification for the maintenance of arsenals containing Army-type machine guns, submachine guns, large numbers of army rifles and rifles of lesser caliber, shotguns of the regular, repeating, and sawed-off types, and pistols and revolvers of all makes and calibers as well as prodigious quantities of gas and gas equipment entirely unsuited for use except in policing large crowds of people. Neither can the committee understand why industrial corporations should purchase tear gas and tear-gas weapons in quantities many times greater than those required by the police departments of some of our largest cities.

The report stressed the uses to which industrial munitions are put:

The function of professional strike guards as instruments of antiunion policy has been discussed above, and in a previous report. As the committee found in its report on private police systems, some employers have transformed their plant-protection personnel into instruments of a policy of hostility and opposition to unions. Under such employers, corporation police departments become schooled in the practices of antiunionism and imbued with the purpose of defeating attempts of employees to act collectively. In the hands of such persons, the possession and use of arms is tinged from the outset with an aggressive purpose which has nothing to do with plant protection.

The report stated that the committee feels additional legislative regulation is necessary to correct existing evils of industrial munitioning:

1. While State legislation affecting tear gas and machine guns may, in given industrial disputes, have some limited application, State laws do not, on the whole,
provide adequate restrictions on the purchase and possession and use of industrial munitions. Munitions companies have made consistent efforts to enfeebles and evade systems of State regulation.

2. The committee believes that the Congress should approach the practice of industrial munitioning as the function and manifestation of a labor policy based upon a fundamental opposition to the principles of union recognition and collective bargaining. In any legislation to be adopted the employer's right to protect his property from destruction or injury should be maintained. The problem of the purchase and use of munitions with relation to industrial disputes is closely interwoven, as this report indicates, with the problem of strikebreaking services and private police systems which have been discussed in previous reports. Any legislation should, therefore, deal not with munitions separately, but with munitions as a part of the evils of the system of professional strikeguards and private police, since all three spring fundamentally from a hostility to the principles of collective bargaining.

3. The Congress, through the National Firearms Act, has undertaken to direct the force of the Federal Government against the traffic in and possession of weapons recognized to be peculiarly dangerous to the public safety. The purpose of that act is to keep machine guns and sawed-off shotguns out of the hands of lawbreakers. The committee feels that the principle embraced by Congress in the National Firearms Act, namely, that weapons of unusually effective character are the fit subject of congressional regulation in the interest of public peace, could properly be extended into the field of industrial munitions.

4. In accordance with this principle the committee feels that all private persons who are likely to be involved in industrial disputes should be prohibited from possessing weapons, such as machine and submachine guns and offensive chemical weapons, which are of such potency that their possession and use should be confined to responsible public authority. These weapons endow the possessor with an overwhelming power of coercion, which, in tense situations, constitutes an incitement to their use. They are not weapons which, in a democracy, can be entrusted to private interests.

5. As to the commoner types of firearms, such as pistols and rifles, their nature affords no conclusive evidence of the purpose for which they are to be used. Such firearms have been and are owned both by employers and private individuals for legitimate and accepted purposes. While their purchase in large quantities often indicates that they are to be used in industrial disputes, it is impossible to set arbitrary limits on the amounts which may be purchased. Only a most complicated system of administrative regulation could restrict the stores of such arms to the amounts required by given employers to equip needed watchmen or protect property. The committee does not believe that the Government can by legislation successfully restrict the possession of such arms to the requirements of the protection of property or valuables.

6. The committee's investigation convinces it that one of the principal causes of violence in strikes and one of the most flagrant vices of the practice of industrial munitions is the use of firearms, gas weapons, or machine guns by agents of the employer off the plant property. Particular attention has been called to results of the activities of company police or professional strike guards off the plant property in the previous reports of this committee. The intent of employers in sending such agents into public streets or places is usually to exert control over groups of people, and is therefore an intent to infringe upon the sphere of duly constituted public authority. Often the actual purpose of such excursions of employer's agents, particularly when they are armed, is to coerce, intimidate, or injure strikers or their sympathizers. The committee reiterates its conviction that such agents of the employer, whether deputized or not, should be confined to the premises within which he is actually conducting his business. In the committee's opinion many of the evils arising from the purchase and possession of arms by employers would be eliminated if the company guards or professional strike guards who carry them were restricted to their proper and legitimate functions.

Pursuant to these recommendations the committee is drafting legislation which will shortly be submitted to the Congress.

The report described the businesses and activities of the three companies which sell most of the tear- and sickening-gas equipment in the country. Federal Laboratories, Inc., of Pittsburgh, Pa., the Lake Erie Chemical Co., of Cleveland, Ohio, and the Manville Manufacturing Corporation, of Pontiac, Mich.
The report discussed the chief source of their business:

The statements of the responsible officers of the munitions companies reveal that their business depends in a large measure on the existence of labor disputes and strikes.

The wave of union organization evoked by section 7 (a) of the National Industrial Recovery Act and the National Labor Relations Act meant increased business for the munitions companies as it did for the detective and strikebreaking agencies. Like the detective agencies, the munitions companies allied themselves with the employer in the industrial disputes which arose from the efforts of unions and employees to exercise the rights of self-organization and collective bargaining guaranteed to them by those laws.

The report quoted letters of munitions vendors regarding their sales efforts.

Wish a hell of a strike would get under way. * * * I hope that this strike develops and matures and that it will be a damn bad one; we need the money. * * * Next month should be a good one. Another strike is expected in the Imperial Valley for the cantaloupes. The national demonstration on April 6th of the pacifists and the crops that will come in that month in the north. Harvest season starts about the middle of June and continues throughout the summer and if anything works out the way the labor side of the question is concerned things will be popping. * * * Good news I hope. The milk strike is supposed to break today. The strikers presented their demands this morning, and we are standing by to avoid results. I was in touch with Captain Hastings of the Sheriffs' Communist squad, this morning, and he is up in the air as to what will take place. * * * I will let you know as soon as possible the outcome of the milk strike. Here's hoping it is a good one. * * * We are surrounded with strikes, but they are all too peaceful to suit me. * * * Just a line to let you know that I am still alive and still waiting for a nice juicy strike up here. The darn things don't happen often enough to suit me. * * * I think someone should get out a restraining order on the President of the United States to prevent him from stopping all these strikes. It seems to me that his actions are absolutely in restraint of trade—that is as far as we are concerned.

The report described in detail the widespread practice of employers' furnishing munitions to law-enforcement agencies during strikes:

Law-enforcement officers themselves realize the impropriety of such action. During the committee's hearings on the 1937 "Little Steel" strike at the mills of the Bethlehem Steel Corporation, in Johnstown, Pa., the mayor, Daniel J. Shields, was confronted with evidence that he had received large donations of gas and gas equipment from the Bethlehem Steel Corporation. Relying on his position as a duly constituted public official Mr. Shields attempted to deny that he had received such gifts. He said:

"Here are two fellows at odds. I go to one to get ammunition to shoot the other fellow—how absolutely absurd and ridiculous."

While this statement could not contravert the conclusive proof of the gift, it suffices to illustrate most succinctly and explicitly the evil of private gifts of arms during industrial disputes.

The committee's conclusion with respect to this practice was:

Reduced to its simplest terms, police officials are armed by one side of an industrial dispute for the purpose of having them use the arms against the other. Such private subsidization of public authority occurring during a strike period, is at best of doubtful propriety. In one instance examined by the committee, the acceptance of such arms was an external indication of a biased and partisan attitude on the part of the public authorities, and an essential element in a scheme to break a strike in the donor's plant.

Such donations are usually accompanied by the employers' desire, often expressed in most emphatic and demanding tones, that they be used in furtherance of his interests.

One example of this practice, the Monroe (Mich.) incident during the "Little Steel" strike was cited in the report:

All of the weapons used in the forcible dispersal of a picket line in that city on June 10, 1937, practically without exception, were furnished by the Republic
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Steel Corporation. That the acceptance and use by law-enforcement agencies of such gifts of weapons manifests a latent sympathy for one side of the dispute is nowhere better demonstrated than in this incident. Without the gas and clubs supplied by Republic, the Monroe incident could not have occurred as it did. The committee believes that the authorities in Monroe were faced by a serious problem in policing, but the record indicates that the influence of the corporation, outwardly evidenced in its arming of the force of deputy policemen, aggravated and intensified that problem. * * * In all, the company paid $1,566.80 for the arming of the special police. Of this amount $1,277.10 went for tear gas and tear-gas equipment and the remainder for clubs. The city paid nothing for the equipment of the special police.

As a similar example, the report cited purchases of gas in San Francisco.

According to the committee's record, the largest amount of gas and gas equipment ever purchased by private funds for public authorities was the $20,000 worth of equipment supplied to the San Francisco police department during the months of May, June, and July, 1934, during the maritime and longshoremen's strikes. The circumstances surrounding the payment for this great quantity of gas furnishes an extraordinary example of the political intrigue and blackmail that are latent in the practice of the private purchase of munitions for public use. * * * The chief concern of participants in such transactions is to keep their activities secret. Public disclosure is feared because it will result in public scandal. In San Francisco in 1934 this need for secrecy was used as a weapon in a bitter competitive fight between salesmen of private munitions firms, each seeking payment from private interests.

Ignatius H. McCarty, salesman for the Lake Erie Chemical Co., informed his superiors that early in the 1934 strike the San Francisco chief of police was "** in possession of an unlimited order from 'public spirited citizens' directing me to deliver up to $50,000 worth of gas on his order and without cost to the taxpayers." During the strike, Mr. McCarty delivered some $5,500 worth of gas to the police department under this blanket order. * * *

The "public-spirited citizens" are further identified as the "Waterfront Employers' Union" in a letter from McCarty to Mr. Ailes, in which he states that "this material was purchased 'confidentially' and to publicly advertise the fact would be a violation of the condition of sale."

Federal Laboratories, Inc., represented by Salesman Joseph M. Roush, without any special arrangement with private employers, delivered approximately $18,000 worth of gas equipment to the San Francisco Police Department during the first few days of July, 1934, shortly before the general strike occurred. Part of this equipment was subsequently returned to the company and the final bill rendered the department was $13,509.11. The bulk of this order was over 1,000 long-range gas projectiles and several hundred grenades.

Mr. Roush delivered this equipment to the city without formal authorization. The city did not call for competitive bids for these purchases as it should have done. When Federal Laboratories presented its bill to the city for payment, Mr. McCarty, inspired by his usual hostility for his chief competitor, sought, in every way possible, to prevent the payment of the bill. McCarty's principal weapon in the struggle was his threat to expose his own dealings with the Waterfront Employers' Union if the city paid Federal Laboratories' bill.

He wrote to his company's head office:

"Yesterday I received a call from the representative of the people who purchased the gas, he having been sent to me by the mayor in an effort to save embarrassment over my opposition to the bill. This man explained that if the unions or other people found out that they donated this equipment it would raise hell. I told him that at no time had their names been mentioned and that any information on this must have come from the chief. I explained that he should bring pressure on the mayor and force the return of the Federal gas, otherwise I would file suit as a taxpayer and the whole rotten graft be brought into court."

In this threat, Mr. McCarty overplayed his hand. Federal Laboratories, Inc., was in a position to sue for payment of its bill, and such a suit would likewise have brought the whole matter out into the open. The employer group who had paid for the Lake Erie gas naturally had every interest in keeping the matter a secret. The only possible escape from the situation was to pay the Federal Laboratories' bill as covertly and surreptitiously as possible. * * *
Payment by private interests was preferable because payment from public funds could not be concealed. The final arrangements made were extraordinarily intricate. Bailey H. Barker, vice president of Federal Laboratories, and Mr. Roush, called on Ashfield Stow, assistant to T. G. Plant, who was not only operating manager of the American-Hawaiian Steamship Co., but also president of the Waterfront Employers' Union of San Francisco. According to Mr. Roush—"It was finally agreed between Mr. Stow and Mr. Barker that an invoice of the correct amount that the city of San Francisco owed Federal Laboratories would be placed in escrow and that he, Mr. Stow, hoped that someone would go in and pay that invoice. The invoice was placed in the Bank of America at Market and Montgomery."

Several other persons who, according to Mr. Barker, were also connected with the steamship companies were interviewed concerning the matter. The invoice was placed in the Bank of America and within 2 days an unidentified person, as Mr. Stow had "hoped," went into the bank, paid $13,809.12 in cash, and was given a sealed envelope containing the invoice. ** It was worth nearly $14,000 to some of the participants in the transaction to prevent the public from knowing that the Waterfront Employers' Union had purchased $5,500 worth of gas for the San Francisco Police Department to use against the striking longshoremen.

The committee reported on the close connections between munitions companies and strikebreaking agencies, as follows:

W. W. Groves, president of Railway Audit & Inspection Co., and a personal friend of John W. Young, Federal Laboratories' president, was a member of the board of directors of Federal Laboratories from 1930 to 1935. He still owns a small amount of the company's stock. Railway Audit & Inspection Co.'s Atlanta, Ga., and New Orleans, La., offices served as sales agents for Federal Laboratories for several years. The territory covered by these offices included the States of Louisiana, Mississippi, Georgia, and Florida. The Atlanta office of the detective agency terminated its arrangement about January 1936, but the New Orleans office was still actively selling munitions at the time of the committee's hearings in March 1937. During the 4 years considered by the committee, Railway Audit & Inspection handled some $70,000 worth of business for Federal Laboratories, the largest single portion of which was the $16,000 sold in Georgia during the general textile strike of September 1934.

The detective agencies, when they act as munitions agents, sell, naturally, to those employers with whom they have established relations through their strikebreaking or espionage services. They may even sell arms as part of their strikebreaking services, as in the case of the West Point Manufacturing Co. of Georgia, in September 1934, when the Railway Audit & Inspection Co., Inc., simultaneously supplied four machine guns, a large quantity of gas equipment, seven professional strikeguards, and one expert labor spy. When munitions are in the hands of professional strikeguards and strikebreakers, it is an almost foregone conclusion that their use will not be confined to purposes of property protection.

Another notorious strikebreaking agency which figured in the munition traffic was cited:

An example of the purchasing of gas munitions through a detective agency is provided by the Columbian Enameling & Stamping Co. strike in Terre Haute, Ind., in July 1935. E. E. MacGuffin, who had command of the strikebreakers for the Railway Audit & Inspection Co., in the New Orleans direct Railway Co. strike in 1929, supplied operatives to Columbian Enameling & Stamping Co. through his own agency, the National Corporation Service of Youngstown, Ohio. The Lake Erie Chemical Co. shipped about $1,800 worth of gas for the Columbian Enameling & Stamping Co., to J. P. South in Terre Haute. J. P. South was one of MacGuffin's leading operatives and strikebreakers. On this order of gas MacGuffin split the commission with the Lake Erie salesman and received $373.60. MacGuffin testified that he received this commission personally for introducing the Lake Erie salesman to "the man in charge for the Columbian Enameling & Stamping Co."

The detective agencies figure only slightly as outright purchasers of munitions. The records reveal occasional sales, in small amounts, to almost all the detective agencies of any importance. The munitions companies give valuable discounts to the detective agencies and otherwise seek to establish business relationships with them. The Lake Erie Chemical Co., for example, offered an extra discount to Pinkerton's National Detective Agency, Inc., in St. Louis, Mo., in 1935.
The report pointed out that the inherent evils of the strikebreaking agency-munitions vendor alliance had been recognized in the legislation of one State:

The significance of the participation of the strikebreaking agencies in the munitioning business has been recently recognized in legislation in the State of New York. The New York "Goldberg Act" of 1938, in regulating the business of detective agencies, makes it unlawful for any licensed detective agency, or its employees, to furnish employers, or their agents, with any arms, munitions, tear-gas implements, or any other weapons. Under this statute, detective agencies, in order to do business, must be licensed. The statute, therefore, should put an end, in New York State, to the activities of detective agencies in the trade of industrial arms.

In the report were listed and described the various types of industrial munitions found by the committee:

Purchases and inventories as revealed by records of employers and sales agencies, and by testimony, include firearms of all types short of military fieldpieces, all manner of gas weapons, and an assortment of ingenious devices ranging from baseball bats to steam lines and charged wires.

The firearms include pistols and revolvers of all calibers from .22 target pistols to heavy police and army-type service revolvers, rifles, shotguns, machine and sub-machine guns. Among the rifles are stands of Springfield army models as well as varieties of carbines and arms of lighter calibers. The shotguns are of automatic, pump, repeating, and single-action type, both long-barreled and sawed-off. Most deadly of the arms found in the possession of employers are machine guns, machine rifles, and submachine guns. A hint of the warlike, as distinguished from policing, character of some of industry's arms is given in the inventory of one company which included five tripods and two gun carriages for its eight army-type machine guns. Large quantities of ammunition were found on hand for all these weapons.

The report described in detail the different gases and gas weapons used in industrial warfare. Of tear gas it said:

The weight of the testimony, exhibits and authorities quoted lead us to agree with the Journal of the American Medical Association that tear gas is not the practically harmless substance it is commonly reputed to be. Rather it is a weapon the use of which may result in severe, lasting, and possibly permanent disabilities.

The report quoted the Lake Erie Chemical Co.'s California salesman, Ignatius H. McCarty, on the effects of sickening gas:

Ten minutes' exposure to it will cause you to vomit for 12 or more hours steady. The New York police had a man with a Thompson machine. He stayed in 10 minutes and he was in the hospital for a week. He could not eat anything for a week. Everything that went down came up. They can stop your vomiting within an hour, but you are going to be a sick boy.

The committee discussed in detail the action of the various types of gas weapons. The following were included: Long-range offense shell, True-Flite long-range gas projectiles, Flite-Rite long-range gas projectile, Jumbo triple chaser gas grenade, Jumper repeater gas grenade, and Green band explosive gas grenade.

The report quoted a gas salesman on the effects of the long-range gas projectiles as follows:

There is no long-range projectile in existence that does not carry a hazard of hurting somebody or killing somebody when it is fired.

One death and three severe facial injuries resulting from the use of long-range gas projectiles were recounted in the report. Extensive hospital records and affidavits were quoted with respect to other serious injuries sustained from gas weapons. Besides the dangerous character
of some of the gas weapons, the report cited the adaptability of gas weapons for infringing civil liberties:

The peculiar characteristics of gas render it the most effective weapon procurable for several different types of use. Chapter V of this report deals in detail with several instances of the use of gas and other industrial munitions by private police forces and professional strike guards. The inherent irresponsibility of gas renders it doubly dangerous in the hands of the vicious and irresponsible agents frequently hired by industry to implement its antilabor policies. Furthermore it renders the strike guard or company policeman doubly effective in carrying out those policies.

The testimony of the head of the country's largest distributor of gas munitions indicates an attitude of indifference toward the potentialities of gas for such lawless use. John W. Young, president of Federal Laboratories, Inc., after being questioned about the use of his products, including the incidents of the Orange vigilantes and the gassing of the relief demonstrators, remarked: "It's pretty hard to improperly use tear gas."

One of the sales methods of the munitions vendors, namely, their relations with law-enforcement agencies, was discussed in the report:

Since about half of the sales of gas equipment are made to or through law-enforcement agencies, it is to the advantage of the munitions companies to secure and preserve the good will and sympathy of local government officials. Efforts to keep in the good graces of such officials frequently overstep the bounds of propriety, and beginning with gifts of small amounts of gas and equipment, extend to the payment of commissions on sales to local governments, and other favors tantamount to bribery.

The record shows that the Lake Erie Chemical Co. in at least two localities paid commissions on local sales to local police officials in New Orleans, La., and St. Louis, Mo.

Relations between Federal Laboratories, Inc., and law-enforcement officials are also discussed, particularly the junket across the country on which the company and its California agent took two San Francisco police officers after an order of almost $14,000 had been secured during the 1934 strike.

The report commented upon the secrecy which often surrounds purchases of munitions:

The fact that industrial purchasers of munitions frequently resort to all manner of subterfuge to conceal their purchase and possession of arms and gas from their own employees is significantly indicative of the purposes for which such munitions are bought.

The munitions companies, in their business methods, accept this state of affairs and carry on their trade in a manner which approximates the secrecy and evasion that characterizes bootlegging. Deliveries are made and invoices are mailed to the homes of officials far from the plants; records are kept in blind or in fragmentary form; payments are made through disreputable intermediaries and in cash; invoices are written up in misleading terms, and sometimes the munitions companies are not even informed of the identity of the actual purchasers. These measures of precaution are not excessive. Knowledge of the presence of large stores of gas, or other munitions, has a pronounced disruptive effect on labor relationships. Employees resent the implied expression of distrust engendered by the state of armed neutrality which prevails when a company stocks up in anticipation of a strike.

Several examples of secret shipments or secret billing instructions were quoted in the report:

The Weirton Steel Co.'s billing instructions are revealed in the correspondence between Federal Laboratories, Inc., and Smith & Wesson, revolver manufacturers: "* * * We have been specifically requested that no invoice specifying revolvers come from us or from any other concern."
"We will send you confirming requisition for your permanent record today, and ask that the invoice be made out to Wierton Steel, but send it to us rather than direct to Weirton Steel; on account of their desire that their employees be not familiar with what they are doing, they require we use great secrecy in the way bills are handled."

Invoices from the Federal Laboratories, Inc., to the Wierton Steel Co., during the latter's strike in September and October 1933 reveal the usual practice of billing insisted upon. These invoices bear no itemization whatever. They carry the sole notation "for special services rendered" and are addressed personally to company officials. During September and October 1933, invoices for $5,000 worth of "special services" were addressed by Federal Laboratories, Inc., to F. A. Hamlin, vice president of the Wierton Steel Co. In May and June of 1934, when a general strike was anticipated in the steel industry, invoices for more than $6,000 of munitions were billed to F. M. Hesse, an official not of the Wierton Steel Co., but of its parent corporation, the National Steel Corporation, at its Pittsburgh office.

The report concluded with respect to the secrecy of the munitions business:

It is clear that these elaborate and devious devices for concealing the purchase of industrial munitions are common practice. The fact that such precautions are taken to insure secrecy in itself indicates that protection of property is not the sole purpose of industrial munitions. Employees and the public generally in industrial communities realize that such munitions are brought in not only for the purpose of protecting industrial premises but also for use on picket lines and other demonstrations. Whatever the justification may be for such use, public opinion condemns intervention by private forces in a field of policing which should be reserved to impartial public authority. Concealment of the purchase of munitions, whether by private or public interest, betrays a purpose to use such arms in an aggressive or partisan fashion.

The common practice of arming company police and professional strike guards with industrial munitions was pointed out by the committee:

An employer's arms, in time of strike, are frequently given into the hands either of the plant or company police force, or of professional strike guards or strikebreakers. The committee found that, in such cases, company police have been charged with the function of spying upon or arranging for espionage within labor unions. During labor-organizing campaigns, they have systematically harassed, shadowed, and beaten union organizers. In strikes they have conducted unprovoked and brutal assaults on crowds of strikers and pickets. It is significant that the officers of such police systems have charge of the industrial arsenals of their employers. James L. Williams, superintendent of the police department of the Republic Steel Corporation arranged for that company's purchase of supplies of gas and their distribution. Williams and his subordinates also placed spies in the unions of Republic employees and received their reports. James M. Woltz, chief of police of The Youngstown Sheet & Tube Co., had custody of its great arsenal. It was the policemen of the Republic Steel Corporation who used its gas guns and shotguns on pickets and crowds of bystanders in the so-called Berger strike in Canton in May 1935. The juxtaposition of spy reports and arms in the hands of company police is no accident. Both are weapons against unionism.

The significance of entrusting arms to professional strikeguards is even more sinister. The committee found that the purpose of the professional strikeguards furnished by detective agencies or employers' associations is to discredit and destroy instruments of collective bargaining and make amicable settlement of disputes an impossibility. Customarily, such strikeguards are armed, and given access to employers' arsenals. The detective agencies make a business of breaking unions, both through espionage and strike services. Not only are the arms supplied to professional strikeguards almost certain to be used in brutal, aggressive, and intimidatory fashion, but the fact that arms are commonly entrusted to such men by antiunion employers illuminates much concerning the practice and purpose of industrial munitioning.
In commenting on the dangers implicit in the arms purchases of a company whose managerial and supervisory staff is schooled in an unbending policy of antiunionism, the committee said:

The deep significance of the unregulated and unlimited purchase of arms by a corporation which harbors such purposes should not be overlooked. Lack of restraint on the part of a foreman, or the whim of a plant policeman, could perfectly well result in arming a mob with gas guns or revolvers from the company’s arsenal, turning a disorderly situation into something very close to civil war.

In view of the fact that other corporations, whose animosity toward the process of union organization has been proven, have large stores, not only of gas but of revolvers, shotguns, and machine guns, the need of taking legislative steps becomes apparent. The use of such stores of ammunition and arms by vigilante groups has been a possibility more than once in the bitter industrial disputes of the last 4 years. What has saved the country from more tragic occurrences has been its good fortune rather than its good sense. Steps should be taken to prevent the possibility that such arms may fall into the hands of lawless groups in the future.

Among the firms or employers’ associations which have purchased over $1,000 worth of tear or sickening gas and gas equipment during the period, 1933 to 1937, the report listed the following: Alabama Mills, Inc., Birmingham, Ala., $2,772.20; Allegheny Steel Co., Brackenridge, Pa., $1,857.60; American Distilling Co., Pekin, Ill., $1,017.03; American Glanzstoff Corporation, Elizabethton, Tenn., $1,015; American Rolling Mill Co., Middletown, Ohio, $2,817.16; American Stores Co., Wilkes-Barre, Pa., $1,663.80; Anaconda Copper Mining Co., Butte, Mont., $4,470.48; Atlantic Refining Co., Philadelphia, Pa., $1,024.05; Bemis Bros. Bag Co., Talladega, Ala., $1,005.10; Bendix Products Corporation, South Bend, Ind., $4,800.47; Bibb Manufacturing Co., Macon, Ga., $1,365.12; Black & Decker Electric Co., Kent, Ohio, $1,610.16; Briggs Manufacturing Co., Detroit, Mich., $1,004; Bunting Brass & Bronze Co., Toledo, Ohio, $1,145.02; A. M. Byers Co., Pittsburgh, Pa., $1,030.30; California & Hawaiian Sugar Refining Corporation, Crockett, Calif., $2,040.05; California Packing Corporation, San Francisco, Calif., $2,109.64; Cannon Mills Co., Kannapolis, N. C., $1,070.20; Central Tube Co., Ambridge, Pa., $3,386.80; Cleveland Electric Illuminating Co., Cleveland, Ohio, $1,605.30; Commerce Mining & Royalty Co., Miami, Okla., $1,536.50; Continental Oil Co., Ponce City, Okla., $2,263.30; Deerfield Packing Co., Seabrook Farms, Bridgeton, N. J., $2,352.94; E. I. du Pont de Nemours & Co., Wilmington, Del., $1,944.49; employers’ associations: Tacoma Chamber of Commerce, Tacoma, Wash., $1,727.55; Committee of Manufacturers of Alamance County, Burlington, N. C., $1,425.22; Marine Service Bureau, San Pedro, Calif., $1,244.33; Firestone Tire & Rubber Co., Akron, Ohio, $4,191.33; General Tire & Rubber Co., Akron, Ohio, $2,615.55; Great Western Sugar Co., Denver, Colo., $1,773.74; Gulf Refining Co., New York, N. Y., $1,384.47; Hammond Lumber Co., Eureka, Calif., $1,272.02; Harrods Plywood Corporation, Hoquiam, Wash., $1,811.36; George A. Hormel & Co., Austin, Minn., $1,623.97; Industrial Rayon Corporation, Cleveland, Ohio, $1,810.66; Interlake Iron Corporation, Toledo, Ohio, $2,349.61; Jones & Laughlin Steel Corporation, Pittsburgh, Pa., $4,754.67; La Salle Steel Co., Chicago, Ill., $1,092.75; James Lees & Sons Co., Bridgeport, Pa., $1,406.46; Lehigh Valley Coal Co., Wilkes-Barre, Pa., $1,030.50; Lincoln Mills of Alabama, Huntsville, Ala., $1,203.04; Los Angeles Ry. Co., Los Angeles, Calif., $1,717.99; Frank Martin Corporation, Cambridge, Mass., $3,033.35; Milwaukee Electric Railway & Light Co., Milwaukee, Wis., $1,396; John Morrell & Co., Ottumwa, Iowa, $1,147.54; National Dyeing & Printing Co., Philadelphia, Pa., $1,319.63; Ohio Rubber Co., Willoughby, Ohio, $3,792.40; Pittsburgh Plate Glass Co., Barberton, Ohio, $3,151.40; Pittsburgh Steel Co., Pittsburgh, Pa., $1,542.30; Standard Oil Co., $1,721.89; Sun Oil Co., Philadelphia, Pa., $2,431.22; Tallassee Mill Co., Tallassee, Ala., $1,330.80; Texas Co., Port Arthur, Tex., $1,656.50; Thomaston Cotton Mills, Thomaston, Ga., $1,198.47; Union R. R. Co., Pittsburgh, Pa., $1,900.80; West Point Manufacturing Co., West Point, Ga., $1,722.55; Wykoff Drawn Steel Co., Pittsburgh, Pa., $1,364.