SPEECH OF
HON. ROBERT L. OWEN
OF OKLAHOMA
IN THE
SENATE OF THE UNITED STATES
JUNE 9, 1910
OPPOSING THE PROSECUTION UNDER
THE ANTITRUST LAWS OF LABORING
MEN WHO ORGANIZE TO BETTER THE
CONDITIONS OF LABOR
WASHINGTON
1910
Mr. OWEN said:

Mr. President: I desire to express my regret that the committee should have struck out the proviso of the House bill which provided that the appropriation of $200,000 should not be used in prosecuting labor organizations under the antitrust laws. The House proviso reads:

That no part of this money shall be spent in the prosecution of any organization or individual for entering into any combination or agreement having in view the increasing of wages, shortening of hours or bettering the condition of labor or for any act done in furtherance thereof not in itself unlawful.

That does seem to me to be the description of a most innocent form of organization, and surely such organizations or their legitimate objects could not be within the purpose of the statute of the United States to forbid the formation of great trust organizations to monopolize trade in this country. The antitrust law is intended to prevent great combinations of capital from depriving men of their just rights.

It is true that the labor organizations which have been built up in this country have in some cases been improvident in some of their actions; but they have been in a large measure excited to such efforts in order to protect themselves and obtain a sufficient amount of the proceeds of their own labor to provide the needs of their families. These are organizations of poor men, men who work by the day, who earn their daily bread with their hands. The purpose of the antitrust law was not to suppress organizations of that kind.

I can not help thinking of the American Tobacco Company and the effect upon the people down in the tobacco-raising country. The tobacco trust, having by monopoly become the sole buyer of tobacco, fixes the price below the cost of produc-
tion, and has driven the poor farmers who raise tobacco to desperation, and even to criminal acts, in their blind efforts to make a living. The ordinary laws which operate to suppress criminal acts are in full operation and will punish the poor oppressed farmers. If they burn a barn they are guilty of arson. If they commit a crime through their Night Riders' organization they violate the ordinary criminal laws, and there is abundant punishment for the criminal act.

But the antitrust laws were not intended to suppress labor, but are necessary and were intended to protect the laborer and the consumer from a conspiracy to defraud them. They were intended to prevent labor and the consumers from being oppressed.

This proviso passed by the House of Representatives is certainly a most reasonable interpretation of what the law ought to be and a direction to the Executive not to use the appropriation to prosecute labor organizations for combining to increase wages, and so forth. If they commit any act that is unlawful, there is abundant means of punishment; but to prevent the laboring men of the country from organizing for the protection of themselves and their families in earning a reasonable livelihood, to combine to increase wages, to shorten hours of labor, to better their condition; and to break up those organizations by treating them in the same way as the law treats a great conspiracy of organized capital against which the antitrust laws were directed. I think is unfair and unjust.

I do hope that the committee will not insist upon striking out these words inserted by the House. I think they ought to be allowed to remain, and I hope they will remain.

The huge organizations of capital in restraint of trade, raising prices on the necessities of life and imposing on the people for the mere sake of ambition, greed, or cold and cruel avarice, needs restraint both on moral, ethical, and legal grounds.

Organization of laboring men to protect women and children from starvation, from exposure, sickness, and death, are justified on every standpoint and should be encouraged.

The antitrust laws were not intended to be used against labor so protecting itself; and if they were, you now have an opportunity the Republican party should gladly seize, to correct and amend such laws in the interest of labor if the Republicans really and truly are the friends of labor.

I fear, Mr. President, that organized capital, which contributes money to keep the Republican party in power, will
control the vote of the Senate against the poor laboring organizations. I pray you not to vote against labor.

The result was announced—yeas 34, nays 16, as follows:

**YEAS—34.**

Borah  Carter  Flint  Oliver
Bourne  Clapp  Frye  Perkins
Brandegee  Clark, Wyo.  Gallinger  Smoot
Bristow  Crane  Gamble  Stephens
Brown  Crawford  Hale  Stone
Bulkeley  Cullom  Heyburn  Warren
Burnham  Dick  Kean  Wetmore
Burrows  Dixon  McNary  Nelson
Burton  du Pont

**NAYS—16.**

Bacon  Fletcher  Martin  Percy
Burkeett  Frazier  Newlands  Simmons
Chamberlain  Gore  Owen  Smith, S. C.
Dolliver  Jones  Page  Warner

**NOT VOTING—42.**

Aldrich  Daniel  Lorimer  Root
Bailey  Davis  McCumber  Scott
Bankhead  Depew  Money  Shively
Beveridge  Dillingham  Nixon  Smith, Md.
Bradley  Elkins  Overman  Smith, Mich.
Briggs  Foster  Paynter  Sutherland
Clarke, Ark.  Guggenheim  Penrose  Tailafere
Clay  Hughes  Piles  Taylor
Culberson  Johnston  Purcell  Tillman
Cummins  La Follette  Rayner  Richardson
Curtis  Lodge

So the amendment was agreed to.