

U. S. DEPARTMENT OF LABOR
JAMES J. DAVIS, Secretary
BUREAU OF LABOR STATISTICS
• ETHELBERG STEWART, Commissioner

BULLETIN OF THE UNITED STATES } . . . { No. 342
BUREAU OF LABOR STATISTICS }

M I S C E L L A N E O U S S E R I E S

INTERNATIONAL SEAMEN'S UNION OF AMERICA
A STUDY OF ITS HISTORY AND PROBLEMS

ARTHUR EMIL ALBRECHT, M. A.



JUNE, 1923

WASHINGTON
GOVERNMENT PRINTING OFFICE
1923

CONTENTS.

	Page.
Introduction.....	1, 2
Chapter I.—History of International Seamen's Union of America, 1892 to 1914.....	3-15
Early history, 1892 to 1899.....	3-7
Origin of existing marine unions.....	3
Formation of National Seamen's Union of America.....	3, 4
Difficulties confronting organization.....	4, 5
Efforts to organize Atlantic district.....	5
Aims and accomplishments.....	6
Early national legislative efforts.....	6
Jurisdictional problem recognized.....	6, 7
Revision of constitution.....	7
Success in early years of the new century, 1900 to 1907.....	7-11
Membership progress.....	7, 8
Strike funds and uniform dues advocated.....	8
Success in organizing Atlantic firemen.....	8, 9
Progressive resolutions passed.....	9
New affiliations and extended activities.....	9, 10
Uniform practices again recommended.....	10
Lower initiation fees urged.....	10, 11
Progress in affiliations and membership.....	11
Retardation and stagnation, 1907 to 1913.....	12-15
Panic of 1907 and its lessons.....	12
Pacific and Atlantic coasts dull.....	12, 13
Strike on Great Lakes.....	13
Steps toward uniform practices.....	13, 14
Reverses on Great Lakes and on Atlantic coast.....	14, 15
Summary.....	15
Chapter II.—History of International Seamen's Union of America, 1914 to 1922.....	16-28
Internal reverses followed by legislative victory, 1914 to 1916.....	16-19
Reorganization on the Atlantic.....	16
Hostility on the Lakes.....	16, 17
Legislative progress and victory.....	17
The seamen's act.....	17
Setbacks in membership and finances.....	17
Progress toward uniform practices.....	18, 19
Unusual activity and progress, 1916 to 1920.....	19-23
Large increase in membership.....	19
The Atlantic war agreement.....	19
Marked increase in membership and wages.....	19, 20
War-time activities.....	20
Situation on the Great Lakes.....	20, 21
Legislative activities.....	21
Progress toward uniformity.....	21, 22
Membership growth continued.....	22
Need of guarding gains emphasized.....	22, 23
Postwar conditions, 1921, 1922.....	23-27
Largest membership.....	23
The need of new policies.....	23
Importance of skill recognized.....	23, 24
Industrial unionism proposed.....	24, 25
Better cooperation among affiliated unions urged.....	25, 26
The fight against radicalism.....	26, 27
The year 1921.....	27
Summary.....	28

	Page.
Chapter III.—The seamen and the law	29-54
Early legislative changes	29-33
Early navigation laws	29
Effect of laws on organization	29, 30
Attempts to change laws	30
Essential features of the Maguire Act	30, 31
The Arago case	31, 32
The decision condemned	32
Legislative efforts renewed	32
The White Act	32, 33
Organization urged	33
Intermediate years, 1900 to 1915	33-39
A public appeal	34
Action begun	34
A political issue	34, 35
A fresh start	35, 36
The seamen's campaign	36, 37
Approval of the seamen's bill	37
Leading provisions of the act	37-39
Penalties removed	37, 38
Money in port	38
Improved working conditions	38
Safety provisions	38, 39
Expressions of the seamen	39
Enforcement of the seamen's act	39-44
The language test	39-41
Hours of labor at sea	41, 42
Forecastle accommodations	42
Wage payment provisions	42-44
Certain criticisms and replies	44-47
Shipowners' leading objections	44, 45
Sections 4 and 7	45
Navigation laws reviewed	45, 46
Replies of the seamen	46, 47
Other alleged discriminatory factors	47
The seamen's denial	47-51
The act and wages	47-51
Subsistence costs	51
Summary	51-54
Conclusions	54
Chapter IV.—The war and after	55-69
The Atlantic coast	55-61
Early war conferences	55
The Atlantic war agreement	55, 56
Calls to sea	56, 57
The marine conference	57
New wage scales	57
Further increases granted	57, 58
Existing wage scales renewed	58, 59
Employers ask for revision of wages	59, 60
Promulgation of new wage scale	60, 61
Further reductions announced	61
The Great Lakes	61-66
Background of situation on Great Lakes	62
Lake strike threatened	62, 63
Continuous discharge book abolished	63
Labor issues become more serious	63, 64
Employment system again considered	64
Training station established	64
Adverse postwar conditions	64, 65
Agreements signed	65
Aid again extended to cooks	65
New wage rates	65, 66
Another strike	66
The Pacific coast	67-69
Early war agreements	67

Chapter IV.—The war and after—Concluded.	
The Pacific coast—Concluded.	Page.
Wage increases in 1918 and 1919	67, 68
Reductions in 1921	68
Further setbacks	68, 69
Summary	69
Chapter V.—International relations	70-83
Early activities	70-74
Early aspirations for international cooperation	70
International federation turned down	70, 71
Affiliation with International Transport Workers' Federation	71
The international strike	71, 72
World-wide transfer system favored	72, 73
International cooperation retarded	73, 74
Atlantic and British cooks arrange transfer system	74
The war and internationalism	74-82
President of international union visits Europe	74, 75
Conference of International Seafarers' Federation	75, 76
Objections to League of Nations and to its conference on international labor legislation	76, 77
Opposition of British seamen to extension of seamen's act	77
Fear of "crystallization"	77
European relations summarized	78
First committee on international relations	78, 79
Special conference of International Seafarers' Federation	79
International Labor Conference of League of Nations	80, 81
Biennial meeting of the International Seafarers' Federation	81, 82
Agreement on transfers	82
Summary	82, 83
Recent steps toward international cooperation	82, 83
Conclusions	83
Chapter VI.—Jurisdictional disputes	84-97
The seamen and the longshoremen	84-91
Pacific coast relations	84, 85
The problem recognized	85, 86
Early attempts at settlement and action of longshoremen	86
Direct dealing with lake firemen	86, 87
Attempted adjudication	87
Decision of Mr. Gompers	87, 88
Longshoremen dissatisfied	88
Agreement between seamen and longshoremen	88
Further trouble but new accord	88, 89
Misunderstandings adjusted	89, 90
Longshoremen again aggressive	90, 91
Present relations	91
The Pacific coast	91
The Great Lakes	91
The Atlantic district	91
The seamen and the cooks	91-93
Disputes with other shore organizations	93
Internal jurisdictional problems	93, 94
The international union and licensed officers	94-96
Summary	96, 97
Marine transport department proposed	96
Attitude of seamen	97
Conclusions	97
Chapter VII.—The fight against radicalism	98-107
The I. W. W. on the Atlantic	98-100
Pre-war activities	98
Spur to radical activity	98
Minority dissatisfaction	99
Open break begun	99
Legal status of Eastern & Gulf Sailors' Association	99, 100
Summary	100
The I. W. W. on the Pacific	100-104
Marine Transport Workers' Federation active	100, 101

Chapter VII.—The fight against radicalism—Concluded.	
The I. W. W. on the Pacific—Concluded.	Page.
Editor warned to change his policies.....	101
Expulsion of radicals.....	101, 102
Revolutionary aim of transport workers.....	102
Perplexing attitude of shipowners.....	102, 103
Summary.....	103, 104
Action of international union against I. W. W.....	104-106
The Seamen's Journal.....	104
Constitutional changes.....	104-106
Provisions as to individual eligibility.....	105
Extended powers of international union.....	105
Cooperation between district unions.....	105, 106
Significance of these changes.....	106
Summary.....	106, 107
Conclusions.....	106, 107
APPENDIX I.—Constitution of International Seamen's Union of America.	
II.—Membership of unions affiliated with the International Seamen's Union of America, 1899 to 1921.....	116
III.—Letter to President Harding—marine strike of 1921.....	117
IV.—Predominant wages paid able seamen and firemen, 1895 to 1922.....	118
V.—Appeal to the world.....	119, 120

BULLETIN OF THE
U. S. BUREAU OF LABOR STATISTICS

NO. 342

WASHINGTON

JUNE, 1923

**INTERNATIONAL SEAMEN'S UNION OF AMERICA: A STUDY OF ITS
HISTORY AND PROBLEMS.**

INTRODUCTION.

In making this study the writer has examined every issue of the Coast Seamen's Journal and of its successor, the Seamen's Journal, since 1895, and has carefully read the printed proceedings of every convention of the International Seamen's Union of America from 1899 to date, in order to secure accurate and definite information on the history of this union.

Attention is centered on the aspirations and activities of the International Seamen's Union of America as such, no attempt being made to take up the history of the various district unions. It is of interest to note that this union is an affiliation of unions which are independent of one another in most of their activities, yet controlled to a limited extent by the international union. For the purpose of administration the country is divided into the Atlantic and Gulf, the Great Lakes, and the Pacific districts. In each district there are unions of sailors, firemen, cooks, and fishermen (sometimes harbor workers), separately chartered by the International Seamen's Union of America. Each union has a headquarters and is permitted to have branches in its particular district. Thus, there are the Marine Firemen, Water Tenders, and Oilers' Union of the Atlantic, the Sailors' Union of the Pacific, etc. In a general way these district unions bear the same relations to the international union as unions affiliated with the American Federation of Labor bear to that organization. It has always been the intention of the officials of the International Seamen's Union to have the relations existing between the various unions function on a voluntary basis. That is, the international union has never dictated a policy but has always outlined and urged acceptable plans. The adherence to this practice explains the long time that was required to effect the acceptance of a uniform transfer system. While this procedure in this instance involved slow progress, it nevertheless permitted the various unions to function as autonomous units and has perhaps prevented the acceptance of other programs that might have involved disintegrating forces. On the other hand, a too individualistic policy would have been fatal to the feeling of brotherhood that is

essential to the life of a national body. Through discussion and adoption of resolutions at annual conventions and by means of educational activities such as those carried on in the Seamen's Journal, there has been a tendency to offset the drawbacks that might come out of uncorrelated, laissez-faire individualism.

The history of the international union has been briefly sketched in the first two chapters of this work and the special activities in succeeding chapters. The outstanding activities of the union have been those connected with changing the laws of contract relating to seamen. Probably in no other American union has so much time, money, and energy been spent in securing desired legislation. The struggle began in 1892 and culminated in 1915 with the passage of the seamen's act. In order to make intelligible this apparently peculiar emphasis of the international union and in order to correct the misinformation that has always surrounded the seamen's act, two chapters have been devoted to these purposes.

The activities of this union in connection with international relations form Chapter V of this bulletin. These relations for the most part grew out of certain conditions peculiar to the work of seamen.

Jurisdictional disputes, the attempts to maintain war-time gains, and the struggle against the I. W. W. form separate chapters.

No attempt has been made to record the minute details of the history of the International Seamen's Union of America, but the intention has been to record the outstanding facts of the past in the light of the present. Wherever possible the author sought to search out the underlying purposes of the various activities. While this work of necessity has been largely descriptive, some attempt has been made to interpret events in the summaries and conclusions of certain chapters.

CHAPTER I.—HISTORY OF INTERNATIONAL SEAMEN'S UNION OF AMERICA, 1892 TO 1914.

EARLY HISTORY, 1892 TO 1899.

As early as the fifties of the last century attempts were made to organize seamen's unions, yet none of the resulting organizations remained in existence long enough to have any influence on the unions which now are part of the International Seamen's Union of America. That the sailors had an organization in the middle of the last century is shown by mention of their presence at an industrial congress in New York City in the New York Daily Tribune of June 7, 1850. In addition, scattered reference to sailors' and firemen's unions may be found in shipping pamphlets issued in the sixties and seventies of the last century. Nothing further, however, is recorded of these unions, which were perhaps local organizations with small memberships.

ORIGIN OF EXISTING MARINE UNIONS.

The Lake Seamen's Union, organized in 1878, was the first Great Lakes union to join the International union. The year 1883 was marked by the inception of marine trade-unionism on the Pacific coast with the formation of the forerunner of the present Marine Firemen, Oilers, and Water Tenders' Union of the Pacific. In 1888 the first permanent organization of seamen of the Atlantic coast was begun. Up to 1891 the work of these unions was effective to a limited extent with regard to wages and local conditions. In that year, at the Birmingham convention of the American Federation of Labor, Mr. Andrew Furuseth, representing the Sailors' Union of the Pacific, outlined his plans for an organization of seamen, which called for the granting of autonomy to affiliated unions, and the "exchanging and extending of mutual privileges, benefits, and protection to bona fide members by general agreement throughout the world."

FORMATION OF NATIONAL SEAMEN'S UNION OF AMERICA.

The records of the headquarters of the Sailors' Union of the Pacific show that on January 18, 1892, that organization voted to refer the question of a national union to its branches. On approval of the affiliated membership a convention was called to form a national organization of seamen, and in due course the National Seamen's Union of America was formally organized in Chicago on April 22, 1892, by seven seamen, representing three districts—the Pacific coast, the Great Lakes, and the Gulf coast of the Atlantic. The Atlantic Coast Seamen's Union, which had been in existence for less than a year, was unable on account of deficiency in funds to send delegates, but sent its fraternal greetings. The difficulty of organizing a national union with centralized authority was recognized at

this time in that the unions in the different sections of the country were not only not organized along the same lines, but each union desired to maintain its local powers. Nevertheless, there was enough unanimity of purpose on the part of the delegates to adopt a constitution, which defined the scope of the new organization as embracing "all unions whose members make a living by following the sea or on the lakes in any capacity in steam or sailing vessels." At the same time the principle was laid down that "membership in one district shall be recognized in another without charge of initiation fee." Provisions were made whereby any member on leaving his district could procure a traveling card from his secretary, which would admit him to membership in any of the other affiliated unions upon payment of the regular monthly dues.

DIFFICULTIES CONFRONTING ORGANIZATION.

Soon after its inception the national officers realized that they had to meet not only the usual organization and financial problems that fall to the lot of officials of a new union but that they would have to meet problems peculiar to the seamen's calling. The first difficulty that confronted them was the existence of the "crimping" system, the origin, development, and evils of which were discussed by the present writer in the Seamen's Journal of July 9, 1919 (p. 1). The leading characteristics of this system were described as follows:

It has long been the custom for crews of ocean and coastwise vessels to be discharged after the completion of a round trip. In the past it was the general practice to rehire only those men actually needed to care for the vessel while it was in port. The rest of the crew was not rehired but had to be replaced a few days before the vessel was ready to leave port. As the men who left the vessel had no home, they secured board and lodging at seamen's boarding houses.

The steamship companies soon found that crews could be secured by turning to the boarding-house keepers. These men soon became known as "crimps," for they not only charged the steamship companies for the men supplied but they also exploited the seamen. While the seamen had ready money the crimp was in no hurry to ship the men. However, when the men had spent all their wages and were indebted to the crimp for board and often for clothes a job was secured for them.

The seaman paid the money due to the crimp by signing an allotment note known as an advance, which was collected by the crimp at the company's office a few hours after the ship had left port. As a result of this iniquitous system many a man toiled the greater part of the voyage not for himself but for the crimp.

When the officials began to cope with the evils of this vicious system they found that at no one time in a period of usual industrial activity could they have the entire membership behind them, as about 60 per cent of their men were at sea under contract and about 15 to 20 per cent were on board vessels in harbors under contract, violations of which were punishable by imprisonment or capture and compulsory labor until the contract was finished. Consequently, only 20 to 25 per cent of the members were left on shore unemployed, yet they were the only ones who could fight for better conditions. Under these circumstances the ordinary trade-union method of strike could not be generally resorted to and the officers of the union were, therefore, forced to study the maritime law as it applied to seamen and to attempt to change it so that the seamen might leave their ves-

sels when in a safe harbor without fear of imprisonment or compulsory labor. The efforts made to abolish the crimping system and to have the various States and Congress change the State and Federal laws so as to abolish imprisonment for desertion are discussed in Chapter III.

At the second annual convention of the National Seamen's Union, held in New Orleans in April, 1893, it was decided to affiliate with the American Federation of Labor.

Owing to extreme business and shipping stagnation throughout the country and also owing to lack of funds on the part of affiliated unions, no convention was held in 1894. The executive board, however, made arrangements for the transfer of members between the maritime unions of this country and the British organization. These arrangements, however, did not get beyond the "paper" stage for several years.

In 1895 it was again thought necessary to hold a formal meeting of representatives in order to cope with conditions existing at that time on the Atlantic seaboard. As that coast was most in need of attention and as the seamen of that section could not afford to send their delegates to any other part of the country, the third annual convention was opened in New York City on December 4, 1895. Eleven delegates were present and represented the following organizations: Sailors' Union of the Pacific, Seamen's Union of British Columbia, Columbia River Fishermen, Lake Seamen's Union, and Atlantic Coast Seamen's Union.

EFFORTS TO ORGANIZE ATLANTIC DISTRICT.

The 1895 convention elected Delegate Andrew Furuseth, of the Sailors' Union of the Pacific, to look after legislation of interest to the seamen in the National Capital, and, in addition, instructed him to help organize the Atlantic coast. At this convention the name of the National Seamen's Union was changed to the International Seamen's Union of America.

No convention was held in 1896, but the following abstract from an editorial in the Coast Seamen's Journal of December 23, 1896, briefly summarizes the work of that year:

Our struggle to improve our condition has been hard and the outlook dull, and the work is not by any means smooth sailing yet, but the past year has given us more encouragement than any of its predecessors. The spirit of unionism is stronger and the union itself is in better condition than for a long time back. Our work in Congress and in the courts has been successful.

During the next few years much attention was given by the executive board of the international union to the organization of seamen of the Atlantic coast, and under its auspices Mr. Andrew Furuseth, of the Sailors' Union of the Pacific, and Mr. Joseph Havelock Wilson, president of the British Seamen's Union, made an organization tour of the Atlantic ports in the latter part of 1897 and in the early part of 1898. In spite of these strenuous efforts to organize the Atlantic coast seamen, shipping was so dull that not enough seamen could be organized to warrant holding another convention until December, 1899.

AIMS AND ACCOMPLISHMENTS.

An editorial published in the *Coast Seamen's Journal* of November 1, 1899, described the aspirations and accomplishments of the International Seamen's Union as follows:

It is the hope and the purpose of men now in that organization to rally firemen, cooks, and stewards—in short, every individual and class of men who make their living by going to sea—in one compact and expansive body. The International Seamen's Union of America, composed of deck hands only, is to-day one of the leading labor organizations in the world. What power might it not wield if its membership embraced all the different classes of labor that properly come under its jurisdiction?

A more critical editorial in the *Coast Seamen's Journal* of the following week, addressed to the delegates of the coming convention, called their attention to the necessity of formulating a plan to organize thoroughly the seamen and to the need of preparing measures for the protection and improvement in the condition of seamen. The writer, in part, said:

So far the work of that organization [the international union] has been in the moral rather than in the maritime field; it has served the purpose of a representative body in which the views of the seamen at large have been focused and directed upon a given point, but it has been unable, through lack of authority and resources, to do anything in the way of practical organizing and relief work.

At the convention the secretary-treasurer reported that the organizations in good standing were the Atlantic Coast Seamen's Union, with 332 members; the Lake Seamen's Union, with 1,012 members; and the Sailors' Union of the Pacific, with 2,026 members. Correspondence with nonassociated marine unions made the secretary hopeful that many of these might soon join the international union.

EARLY NATIONAL LEGISLATIVE EFFORTS.

In the early years of the International Seamen's Union considerable attention was paid to legislative matters. Regarding this branch of its activities, the secretary said:

The work of the International Seamen's Union has necessarily been confined largely to drafting and prosecuting legislative measures in the interest of our craft. As a result of that work, two measures have been enacted by Congress.

The two acts referred to were the Maguire Act of February 18, 1895, and the White Act of December 21, 1898. The most important provision of the Maguire Act was the abolition of imprisonment as a penalty for deserting in the United States from coastwise vessels. The White Act amended the Maguire Act by abolishing the penalty of imprisonment except in the case of American seamen deserting in foreign ports. Foreign seamen deserting in American ports still remained subject to arrest. Both of the foregoing acts embodied certain provisions against the payment of allotment and advances.¹

JURISDICTIONAL PROBLEM RECOGNIZED.

The delegate chosen to represent the International Seamen's Union of America at the American Federation of Labor convention was instructed to arrange with the International Longshoremen's

¹ For further details, see Ch. III.

Union and the Firemen's Union of the Great Lakes to effect the the transfer of the latter organization to the jurisdiction of the International Seamen's Union of America. Out of this effort grew a long-standing dispute with the Longshoremen's Union, which was not settled until 1907.²

REVISION OF CONSTITUTION.

The revision of the constitution in 1899 was another important step in the reorganization of the efforts of the international union. The revised constitution provided for the formation of unions composed of bona fide seamen and divided the country into three geographical districts—the Atlantic, the Pacific, and the Great Lakes. In each of these there was to be only one union of a given craft. (On shipboard there are three distinct departments or crafts—the deck, the engine room, and the cooks' and stewards' departments.) The new organization was thus a federation of affiliated autonomous unions, similar to the American Federation of Labor in structure and function. Provisions were made for each union to have jurisdiction over the workers in its district and over its local affairs. An annual convention was provided for in the constitution, and delegates were to be sent to this convention on the following basis: One delegate for unions having 300 but less than 500 members, three delegates for unions having 500 members, and thereafter one delegate for each additional 500 members. The voting was to be on the basis of one vote for each 100 members. The following powers of the convention were specified in the constitution: To pass upon credentials, to audit all accounts, to elect officers and organizers, to adjust grievances, and to act upon all appeals and upon all measures that might be brought before it. Provisions were made for an executive board, which was to act between sessions of the convention. A president, one vice president, and a secretary-treasurer were to be elected annually. The adoption of this constitution in 1899 was considered by the secretary-treasurer of the international union 10 years later to have been the "real inception or reorganization of the International Seamen's Union of America." This constitution, with certain changes which will be noted later, is still in use.

SUCCESS IN EARLY YEARS OF THE NEW CENTURY, 1900 TO 1907.

MEMBERSHIP PROGRESS.

The first convention of the twentieth century was held in November, 1900, and was marked by a large number of delegates representing an increased membership. The four delegates from the Atlantic coast represented 1,150 members, as compared with only 332 members in 1899; the three delegates from the Pacific coast represented 2,072 members, or only a slight increase over the previous year; while the nine delegates from the Great Lakes represented 3,587 members, or more than three times the number in the previous year.

² The manner in which this dispute was handled, the attempts of the American Federation of Labor to adjudicate it, and its final recommendations are discussed in further detail in Chapter VI.

This large gain in membership was due to the provisions made by the 1899 convention for putting five organizers to work on the Great Lakes and one organizer to work on the Atlantic coast. To defray the expenses incurred in this undertaking the monthly per capita tax was raised in that year from 9 cents to 15 cents.

During the next year the Marine Firemen's Union of the Pacific and the Marine Cooks and Stewards' Union of the Pacific affiliated with the international union, and at the sixth annual convention, held in November, 1901, the secretary of the international union reported that the Pacific Coast Marine Firemen's Union had 1,060 members and the Cooks and Stewards' Union of the Pacific had 500 members. In addition, he reported that the Sailors' Union of the Pacific had 3,633 members; the Lake Seamen's Union, 3,658 members; and the Atlantic Coast Seamen's Union, 2,272 members.

STRIKE FUNDS AND UNIFORM DUES ADVOCATED.

The first step toward the creation of a strike fund controlled by the international union was taken when the committee on constitution recommended that an amendment to the constitution be adopted to give the executive board of the International Seamen's Union power to levy an assessment of not less than \$1 per month in time of a strike. This amendment also provided that no assessments be made for a sympathetic strike unless a majority of the members of unions not on strike approved of such assessment and unless the amount of the assessment was stated on the ballot. The proposed amendment was referred to the vote of the affiliated organizations. So little interest was shown in the matter, however, that, although definite balloting provisions were made by the 1902 and 1903 conventions, less than 10 per cent of the membership had voted on the adoption of the amendment by the time the 1904 convention met. At this gathering the proposed amendment was dropped and another amendment, specifying certain details in the procedure of levying assessments, was substituted and adopted. At the next year's convention this amendment was eliminated and a new one approved. The most important feature of the new amendment was the section that made it obligatory on the part of the affiliated unions to submit unadjustable grievances for redress to the grievance committee. This committee was to attempt to effect a peaceable settlement or to secure the cooperation of other district unions. The amendment also gave the executive board power to suspend disbursements if it found that no advantages could be gained by further payments. This amendment with certain minor changes and additions now forms article 17 of the constitution. (See pp. 114, 115.)

The policy of uniform dues was first advocated at the 1901 convention in a resolution which urged the affiliated unions to raise their monthly dues to a common higher level in order that every member of the International Seamen's Union would be paying the same dues and would receive the same strike or other benefit payments.

SUCCESS IN ORGANIZING ATLANTIC FIREMEN.

At the next annual convention, held in December, 1902, seven unions were represented, the Marine Firemen's Union of the Atlantic

and the Fishermen's Union of the Atlantic having become affiliated with the international union since the previous convention.

The reason for the somewhat later organization of marine firemen is due to the fact that it had been the policy of the international union to attempt to organize the firemen as part of the sailors' unions. The secretary, however, had pointed out the failure of this method at the previous convention, and in consequence five organizers were voted to organize the firemen of the Atlantic coast independently, and the result by the time of the 1902 convention was a new affiliated union from the Atlantic coast.

PROGRESSIVE RESOLUTIONS PASSED.

This gathering again passed resolutions protesting against the penalty of imprisonment of seamen for leaving their vessels when in a safe harbor; it spent a great deal of time in dealing with the jurisdictional dispute with the longshoremen's union; and, as it was reported that the affiliated unions had not as yet acted upon the adoption to the constitution of article 13, which provided for the strike benefit fund, a resolution providing that all unions take a vote on this amendment before July 1, 1903, was adopted. Agitation for uniform regulations and practices among the various affiliated organizations was continued, and the convention issued an appeal to all affiliated unions to adjust their fees, dues, assessments, and benefits uniformly. This step was taken after the committee on organization had shown that membership dues in the affiliated unions ranged from 50 to 75 cents per month. There was also found to be a wide range in the initiation fees and in strike, death, and shipwreck benefits.

NEW AFFILIATIONS AND EXTENDED ACTIVITIES.

During the next year (1903) all of the old organizations increased in membership, and three new organizations were affiliated—the Inland Seamen's Union, the Fishermen's Union of the Pacific Coast and Alaska, and the Bay and River Steamboat Men's Union. Thus 11 separate unions with 59 branches were represented at the eighth annual convention held in New York City at the end of November, 1903.

An extension of the activities of the international union was provided for in a resolution introduced by the Atlantic Coast Marine Firemen's Union, which recommended that provision be made by the incoming executive board to organize the deck hands on sound and river boats plying on the Atlantic coast. This recommendation was approved by the convention, and the matter was taken up during the following year by the executive board with the Atlantic Coast Seamen's Union, which decided to take in deck hands.

In discussing the work of the International Seamen's Union at the 1904 convention, the president made the following statement concerning the rights and duties of the members of that organization:

Our own conduct as a union should be such that it will inspire confidence in all with whom we have dealings. Our word should be as good as our bond; we should be careful that the power we have gained through organization is not misused; we should respect the rights of others; we should learn to look upon questions from the international point of view as well as from our own. Each

individual member should consider himself a stockholder in our organization, be thoroughly conversant with its affairs, and take an active part in conducting the union.

UNIFORM PRACTICES AGAIN RECOMMENDED.

At the 1904 convention efforts again were made to create a uniform financial system with respect to dues, initiation fees, and benefits among the affiliated unions. Attention was also given to the possibility of creating a uniform transfer system between unions of the same craft. The committee on constitution, to whom resolutions relating to this matter had been referred, while in favor of uniformity in regulations and policies of the affiliated unions, thought that at that time there existed a strong disinclination on the part of the affiliated unions to change their existing customs and practices. The committee, however, recommended that the secretary-treasurer submit the matter during the coming year to the various unions for discussion, and report his findings to the next convention. Progress in the matter of uniformity was retarded, however, for many years, due to lack of interest on the part of the affiliated unions. In fact, the extension of a uniform transfer system was given a setback in 1907 by the action of the Marine Firemen's Union of the Great Lakes, which at the convention of that year introduced a resolution declaring that it did not believe it wise or necessary that there should be any transfer system between that organization and the firemen's unions of the Atlantic and Pacific coasts. This resolution called for an amendment to the section of the constitution providing for transfers so as to read, "but transfers between marine firemen's unions should be only by mutual understanding." The proposed change was approved by the convention, which, perhaps, was willing to make this concession, as the Marine Firemen's Union of the Great Lakes had just been transferred from the jurisdiction of the Longshoremen's Association.

LOWER INITIATION FEES URGED.

The policy of lower initiation fees was strongly advocated at the 1906 convention by the general organizer of the international union. He pointed out that experience had proved there was a direct relationship between the initiation fees of unions and the number of new members secured. He found that the unions which had low initiation fees usually made substantial gains in membership when organization efforts were made, while on the other hand, in spite of membership drives, organizations having high initiation fees showed little progress. As proof of the soundness of the policy of low initiation fees, he showed that as a result of his efforts he was able to induce three times as many men to join a new organization with a \$1 fee as he could induce to join an established organization with a \$5 initiation fee. The immediate outcome of his discussion was the introduction and passage of a resolution which recommended the Atlantic district unions to reduce their initiation fees to \$2.50 and which pointed out that high initiation fees were practically nullifying the organization work of the international union, which was being carried on at a great expense on the Atlantic coast. The resolution

further provided that a new organization, however, need not comply with the recommended reduction during the first six months of its existence. The delegates also requested the Pacific Coast Marine Firemen's Union to submit the question of a reduction of its initiation fee to a vote of its members.

PROGRESS IN AFFILIATIONS AND MEMBERSHIP.

The Marine Cooks and Stewards' Association of the Atlantic and the Inland Seamen's Union again sent delegates to the 1905 convention, while the Bay and River Steamboat Union of California was not represented. At the 1906 convention the place of the Fishermen's Protective Union of the Pacific Coast and Alaska was taken by the United Fishermen's Union of the Pacific, which had been formed in April of that year by an amalgamation of the Fishermen's Protective Union and a nonaffiliated local organization, the Columbia River Fishermen's Protective Union.

During the year 1907 the Marine Firemen, Oilers, and Water Tenders' Union of the Pacific, the Harbor Boatmen's Union of New York, and the Marine Firemen, Oilers, and Water Tenders' Benevolent Association of the Great Lakes became affiliated with the international union. The Marine Firemen, Oilers, and Water Tenders' Union of the Pacific was formed by an amalgamation of an independent firemen's union and the then affiliated Pacific Coast Marine Firemen's Union. Up to that year the firemen of the Great Lakes had been under the jurisdiction of the International Longshoremen's Association, but decided by a referendum vote to withdraw from that association and to affiliate with the International Seamen's Union, which granted the firemen in March, 1907, a charter under the name of Marine Firemen, Oilers, and Water Tenders' Benevolent Association of the Great Lakes.

None of the organizations represented at the previous convention had dropped out, but in addition to the three new unions just mentioned delegates were again seated from the Bay and River Steamboat Men's Protective Union of California. Forty-six delegates, representing 12 affiliated unions with a membership of more than 25,000, were present that year to take up several matters relating to the seamen's welfare. It is of interest to note that this was the first convention at which delegates representing all branches of marine work were present.

The delegates voted to continue the employment of the organizers on the Atlantic coast, sustained the executive board in granting a charter to the New York Harbor Boatmen's Union, and defined the jurisdiction of this organization as extending only to nonself-propelled craft, such as barges, scows, and lighters. Several minor amendments to the constitution were adopted, including the enlargement of the executive board from six to eight members. A resolution was adopted to urge that regular meetings of the various locals be held in the evenings in order that as many members as possible might be able to attend. The convention also urgently recommended the affiliated unions to raise their fees to 75 cents per month in order that they might have adequate treasuries.

RETARDATION AND STAGNATION, 1907 TO 1913.**PANIC OF 1907 AND ITS LESSONS.**

The financial panic and the subsequent industrial depression of 1907, coupled with attempts of certain employers to take advantage of business conditions to lower wages and to disrupt the seamen's organizations, retarded to some extent the progress of the affiliated unions in the latter half of 1907 and in 1908. Although the unions were forced in many instances to accept conditions that were objectionable, all of them succeeded in weathering the storm. The industrial depression sharply brought home to the delegates at the 1908 convention that "the history of the labor movement proves that the presence of a body of unorganized in any community constitutes a standing menace to the organized workers at any time, and particularly during times of disputes with employers." In order to remove this menace a resolution was introduced and passed to urge that affiliated unions fix their initiation fees low enough to enable anyone possessing the other qualifications to become a member. In order to make this suggestion effective, the resolution instructed the executive board to withdraw its funds and its organizers from any union which charged more than a \$10 initiation fee. This resolution was in harmony with the one passed in 1906, which called upon Atlantic district unions to reduce their initiation fees to \$2.50. For the purpose of strengthening the hands of the executive board, an amendment was added to the constitution giving the board power to make its decisions binding between conventions.

PACIFIC AND ATLANTIC COASTS DULL.

At the 1909 convention 10 affiliated unions were represented. During the year various Alaskan branches of the United Fishermen of the Pacific withdrew from that organization and applied to the executive board for a charter as the Alaska Fishermen's Union. The charter was granted, and at this convention its delegates represented 2,218 members. Representatives of the Harbor Boatmen's Union and of the Marine Firemen's Union of the Atlantic were again present after having been absent at the previous year's gathering. The secretary reported that conditions on the Pacific coast were dull and that the only noticeable accomplishment was an agreement with the Puget Sound Shipping Association.

Internal differences in the Atlantic Coast Marine Firemen's Union disrupted that organization, and it became necessary for the international union to confine its work on the Atlantic coast to the organization of a new firemen's union. In spite of this concentrated work and the expenditure of \$8,000, the general organizer reported no great increase in either membership or finances of the new organization. He said, however, that the lack of progress was due to the effects of the industrial panic and to the opposition of some of the officials of the former firemen's organization. A great deal of help in organizing the firemen was given by J. Havelock Wilson and Thomas Chambers, president and treasurer, respectively, of the National Seamen and Firemen's Union of Great Britain.

Vice President Bodine, who had been authorized by the previous convention to reorganize the marine firemen of the Gulf coast, reported that the British fruit ships were gradually replacing American-owned fruiters manned by union crews in New Orleans, and that in consequence he had lent his efforts to the organization of Spanish firemen on other liners sailing from that port. As a result of his activities about 100 had joined. Mr. Bodine also reported that the firemen sailing from Mobile were being reorganized and that wages were being raised.

STRIKE ON GREAT LAKES.

A strike on the Great Lakes was reported at the time of the 1909 convention to be in progress against the establishment of a "welfare plan" by the leading shipping associations. Under this plan each seaman was to receive a certificate extending to him the privileges of the associations' clubrooms and entitling him to share in certain insurance benefits. In addition, the seaman was to be given a "record discharge book," which he was to present when seeking employment at any one of the club or assembly rooms, each of which had a shipping or employment office. When the seaman signed the shipping articles on board the vessel, the discharge book was to be turned over to the master or chief engineer, and on termination of the voyage the executive officer was to enter in the book a statement of the service rendered. The book was to be returned to the seaman if the service was "good" or "fair," otherwise to the office from which the seaman had shipped.

Since the various Lake associations had declared themselves in favor of the open shop, the Lake union officials believed that the record discharge book was designed to discriminate against the seamen who were active on behalf of their union. As a protest against the foregoing system a strike was called on May 1, 1909. Although the strike was not declared off until 1912, it had little influence on shipping conditions after 1910. The welfare plan, however, was again given prominence in October, 1917, when another strike was called on the Great Lakes.³

The financial condition of the Marine Cooks and Stewards' Union of the Great Lakes was so poor on account of the welfare plan strike, that its per capita tax to the international union, at the time of the 1909 convention was in arrears for three quarters. However, it was permitted to be represented by one delegate.

STEPS TOWARD UNIFORM PRACTICES.

The 1909 convention instructed the affiliated unions which were not recognizing the "exchange of cards system" to submit the matter of its adoption to a vote of their members. At the next annual convention, however, the committee to whom the matter had been referred could not state what action had been taken. Upon its recommendation the convention instructed the secretary of the international union to open a discussion in the *Seamen's Journal* and to urge the adoption of a transfer system by those unions which were not yet recognizing transfers.

³ For details regarding the "welfare plan," see Bulletin No. 235 of U. S. Bureau of Labor Statistics. For details regarding the Lake strike in 1917, see pp. 62, 63 of this bulletin.

A further hindrance to uniform practices, as pointed out by the president, was that not all of the unions had reduced their initiation fees in accordance with the policy of the international union and the resolution adopted at the 1908 convention. In urging all unions to adopt the international's policy in this regard he said: "High initiation fees are of the past; they belong to unions that seek to protect their membership against their fellow workers instead of against the greed of employers." He also urged all affiliated organizations to equalize the payment of monthly dues for the reason that "the difference in the payment of monthly dues such as exists in our organization leads to misunderstandings and complications."

A very important step to facilitate the interchange of members from one section of the country to another was initiated at the Detroit convention in 1910, when a plan for a universal membership book was suggested and referred by the convention to a special committee. Such a book was recommended because every union issued a separate and distinct membership book,⁴ and when a member was transferred from his union to a union of his craft in another section of the country it was necessary for his old book to be canceled and a new one to be issued. Uniformity was especially desired in that part of the book where payment of dues, assessments, and dates of voting were recorded, so that transfers might be granted without canceling the holder's original book. The committee to whom this matter had been referred reported after a year's study that the sentiment among the members seemed to be in favor of such a book, and that, furthermore, such a book would not only save time and money but would broaden the feeling of brotherhood and solidarity. The delegates thereupon voted in favor of the proposed book, but referred its final approval to a vote of the affiliated unions. On account of lack of interest, however, on the part of the affiliated unions this subject was dropped by the next convention but was taken up again a few years later.

REVERSES ON GREAT LAKES AND ON ATLANTIC COAST.

In reviewing the relationships existing between the various unions and employers, the president, at the 1911 convention, said that conditions were fairly satisfactory on the Atlantic and Pacific coasts, but that the struggle against the so-called welfare plan was being continued by the unions on the Great Lakes. This strike, which gave the Lake unions a severe setback, was called off in March, 1912.

The year 1912 witnessed the carrying on by the Atlantic unions of an unsuccessful strike, which reduced the funds of the firemen's and sailors' unions and weakened the morale of their members to such an extent that internal dissension developed. The Marine Firemen, Oilers, and Water Tenders' Union, which had been granted a full charter in January, 1911, after a period of internal dissension severed its connection with the International Seamen's Union shortly after the strike, joined the I. W. W., and attempted to affiliate the cooks and sailors. Although the Sailors' Union of the Atlantic had urged the international union to take steps to combat the I. W. W. activities of the firemen, nothing definite had been done.

⁴ Membership books generally contained a copy of the constitution and by-laws of the district union, a certificate of membership, a page for personal description, and a number of pages for an account of dues paid.

The sailors were also having difficulties in that the Sailors' Union of the Atlantic and the Eastern and Gulf Sailors' Association were contesting with each other as to which organization was the "real" union. The International Seamen's Union, at the 1913 convention, pledged itself by resolution to take no part in the dispute. Furthermore, it urged that both unions be recognized by other unions and instructed the executive board to aid either or both unions as it might deem proper in order to unite the seamen on the Atlantic coast.

SUMMARY.

The years 1892 to 1913 were marked by a continual struggle to better the seamen's position through legislation and by attempts to organize all classes of seamen. In the early years, 1892 to 1899, the International Seamen's Union succeeded in having the Maguire Act (1895) and the White Act (1898) enacted. The year 1899 saw important revisions in the constitution.

In the first seven years of the new century there was a large increase in the number of affiliated unions and in their membership. In this period many important strides were made by the various district unions toward uniform and sound practices.

The next period, 1907 to 1913, opened with the panic of 1907 and was marked by other unfortunate events. The panic was followed by retardation and stagnation in activities and by a long drawn out strike on the Great Lakes. Shortly after this strike was called off one was begun on the Atlantic coast. It was not only unsuccessful but was followed by internal dissensions in both the Atlantic firemen's and sailors' unions. The former organization was disrupted by I. W. W. agitators.

CHAPTER II.—HISTORY OF INTERNATIONAL SEAMEN'S UNION OF AMERICA, 1914 TO 1922.

The history of the International Seamen's Union since 1914 may be divided into three periods. The first period covers the years 1914 and 1915 and is marked by very unsatisfactory organization conditions in all districts. On the other hand, this period saw the culmination of the seamen's legislative activities in the enactment of the seamen's act early in 1915. The second period extends from 1916 to 1921 and is marked by the greatest membership growth and progress ever experienced by the international union. The third period dates from 1921 to the present time and is characterized by a loss in membership and the fight against radicalism.

INTERNAL REVERSES FOLLOWED BY LEGISLATIVE VICTORY, 1914 TO 1916.

REORGANIZATION ON THE ATLANTIC.

The outlook for an effective sailors' organization on the Atlantic coast was exceedingly dull at the time of the 1913 convention. As has been indicated, the Sailors' Union of the Atlantic and the Eastern and Gulf Sailors' Association were contending for official indorsement by the International Seamen's Union. To unite the seamen of these districts and to restore harmony, the executive board was instructed by the 1913 convention to act as it might deem proper. Shortly after the convention, the Sailors' Union of the Atlantic changed its name to Sailors' and Firemen's Union of the Atlantic and persistently attacked the International Seamen's Union. Under these attacks the executive board decided to recall the charter of the Atlantic coast seamen held by the Sailors and Firemen's Union of the Atlantic. After this action was taken a charter was granted to the Eastern and Gulf Sailors' Association on August 22, 1913.

The firemen on the Atlantic coast were without a union after their organization joined the I. W. W. and then passed out of existence. In order to reorganize the firemen the executive board granted a charter to the Marine Firemen, Oilers, and Water Tenders' Union of the Atlantic and Gulf in December, 1913. At that time the secretary of the Eastern and Gulf Sailors' Association was instructed to act in the capacity of secretary for the firemen and to permit them to use the sailors' hall.

HOSTILITY ON THE LAKES.

Three organizations of shipowners on the Great Lakes, namely, the Lake Carriers' Association, the Lumber Carriers' Association, and the Association of Passenger Steamship Lines, were all antagonistic to the seamen's organizations. This hostile attitude, coupled with the fact that the navigation season on the Great Lakes is closed in the winter, interfered with effective organization work on the Lakes.

For the purpose of increasing the membership of the Lake and the Atlantic unions, the 1914 convention voted to provide these unions with organizers and financial assistance.

LEGISLATIVE PROGRESS AND VICTORY.

Apart from committee reports, most of the material in the printed proceedings of the 1914 convention deals with legislation which at this time was being given special attention. In view of the fact that the seamen's bill,¹ which had been introduced in the Senate by Senator Robert M. La Follette on April 7, 1913, had made considerable progress, discussions and resolutions concerning it seemed worthy of considerable attention.

THE SEAMEN'S ACT.

The most important announcement made at the next convention (1915) was:

Since our last convention the International Seamen's Union has won a great legislative victory. It has, with the aid of many friends of human liberty, brought to a successful culmination the legislative campaign which was inaugurated by the Sailors' Union of the Pacific more than a score of years ago. The main purpose during these many years was to abolish involuntary servitude which for ages held the seamen in bondage.

With the enactment of this legislation, crystallized in the passage of the La Follette seamen's bill, by the Sixty-third Congress, a new era is dawning in the seamen's status.

SETBACKS IN MEMBERSHIP AND FINANCES.

Although the convention found cause for rejoicing over this legislative victory, business depression and the European War played a large part in creating a slight setback in membership in most of the affiliated unions. The unions of the Great Lakes were reported to have experienced one of the worst seasons in their history as far as employment of their members was concerned. Strikes in the building trades, continuing for more than three months, eliminated practically all shipments of lumber to Lake Michigan ports. This lack of activity, coupled with the general business depression, caused the movement of all commodities on the Great Lakes to be much below normal. Conditions were but little better on the Atlantic coast, as the European war caused the citizens of the belligerents, who had found refuge in the cities on that coast, to overcrowd the seaports to such an extent that the Atlantic coast unions could barely maintain existing wages and conditions. In the matter of membership and income, however, the unions reported a small gain. The unions of the Pacific coast, on the other hand, experienced a slight setback in membership and funds during the year, which again was due to the decrease in water transportation brought on by dullness of trade all over the country and to the European War. In order to cope with these conditions the convention recommended that organization campaigns be started and maintained on the Pacific and Atlantic coasts and on the Great Lakes. To provide the funds necessary for the carrying out of this campaign the executive board was authorized by the convention to call upon the affiliated unions for funds.

¹ For a discussion of the bill, see Ch. III.

PROGRESS TOWARD UNIFORM PRACTICES.

After considering a resolution which provided that "one uniform initiation fee shall prevail in all branches of the International Seamen's Union of America," the committee on constitution recommended nonconcurrence, but nevertheless urged that continued agitation and education be carried on to convince the members that low initiation fees and high dues, which had been the policy of the international union since its inception, were the best assurances of an increased membership.

The possibility of a uniform membership book was again brought to the attention of the delegates by a resolution calling for the adoption of such a book. The committee on constitution, to whom this matter was referred, reported that it had received the attention of previous conventions, and although it had been found expedient to drop the matter in 1913 because of the disinterest on the part of the affiliated unions, it might be desirable to have the unions of one craft, at least, test the efficacy of such a book. On recommendation of the committee the executive board was instructed by the delegates to submit the plan for adoption to the Eastern and Gulf Sailors' Association, the Lake Seamen's Union, and the Sailors' Union of the Pacific.

A very definite forward step was taken at the 1916 convention when a section was inserted in the constitution which provided that the membership books issued by unions composed of sailors should be of the same general form and that they be supplied by the executive board. This section also empowered the board to extend the use of such a book to any affiliated union upon request.

During the ensuing year the uniform membership book was put into operation by the sailors on the Atlantic and Pacific coasts and on the Great Lakes, and the proposal to extend its use to the firemen and cooks was submitted to the respective unions. The Atlantic fishermen and the deep-sea fishermen indicated their willingness to use the book.

The value of this book was brought to the attention of the 1917 convention by the secretary, who said:

It is noticeable that the results [of uniformity] are steadily paving the way for a more thorough and compact international union of seamen, and that by continuing this policy it will eventually bring about uniformity between all districts, making possible the establishment of an international office whose function will be more general in character and whose scope less restricted than that of the present office.

Further progress toward uniform practice was made possible by the action of the 1916 convention, which added two new sections to article 8 of the constitution. One of the new sections provided that no district or local organization could increase its initiation fees without the approval of the International Seamen's Union. This section did not apply, however, to those unions which had initiation fees of less than \$10. The other new section provided that dues could not be reduced without the approval of the international union at a convention. These two amendments were in accordance with the policy of the international union officials and were the outcome of the agitation begun at the 1906 convention, where it was shown that high initiation fees defeated the purposes of member-

ship drives. As has already been pointed out, in 1906 the Atlantic unions were urged to reduce their initiation fees to \$2.50. In 1908 the executive board was ordered to withdraw its funds and its organizers from any union charging more than a \$10 initiation fee, and affiliated organizations were urged to reduce their initiation fees to a reasonable amount. In 1910 the president again restated the policy of the international union, and five years later further education and agitation along these lines were recommended.

UNUSUAL ACTIVITY AND PROGRESS, 1916 TO 1920.

LARGE INCREASE IN MEMBERSHIP.

Growth in membership during 1916 is indicated by the fact that at that year's convention 15 unions with a total membership of 30,000 were represented. During the year the Halibut Fishermen's Union of the Pacific had been rechartered by the executive board as the Deep-Sea Fishermen's Union, and its jurisdiction had been extended. The Bay and River Steamboat Men's Union, which had officially withdrawn in 1911, was readmitted during the year, but with the privilege of only one vote. The New England Coast Fishermen's Union, which had been organized in the latter part of 1915 at Boston, was represented for the first time this year with 10 delegates. As evidence of its progress an agreement made in August with the Bay State Fishing Co. was read to the delegates.

The unusual activity and success of that year were considered by the secretary-treasurer to have been due to three important factors, the most important of which was the seamen's act, which had gone into effect on American vessels on November 4, 1915, and in full effect on foreign vessels on August 1, 1916. The two other important factors were the organization campaign provided for by the previous convention and the unanimity of action between the unions in handling important problems.

THE ATLANTIC WAR AGREEMENT.

The most important feature in the progress made by the seamen during 1917 was considered by the secretary at the 1917 convention to have been the Atlantic war agreement which had been drawn up between the unions of the sailors, firemen, and cooks of the Atlantic coast and most of the shipowners of this seaboard. The agreement was approved by the United States Shipping Board, the Department of Labor, and the Department of Commerce. A tentative approval was given to the agreement in May, 1917, and final ratification was made in August of that year. This subject has been treated in further detail in Chapter IV.

MARKED INCREASE IN MEMBERSHIP AND WAGES.

Early in 1917 the New England Coast Fishermen's Union requested the executive board to change its name to the Fishermen's Union of the Atlantic and to extend its jurisdiction over all men in that industry along the Atlantic coast. This request was granted by the executive board. During the course of the year the Harbor Boatmen's Union had dropped out of the International Seamen's Union

in order to join the International Longshoremen's Association. The Bay and River Steamboat Men's Union ceased to function during the year, although it had been reorganized only in the previous year. Almost all of the larger unions represented at the 1916 convention were represented in 1917 in larger numbers, and the president of the International Seamen's Union complimented the delegates upon the increase in membership and upon the improvement in wages, since the total membership had nearly doubled and in some instances wages had more than doubled. The president considered it a serious error to attribute the increase in wages to war conditions. He held that the increases were due to the passage of the seamen's act and to such enforcement of it as the international union had succeeded in obtaining.

WAR-TIME ACTIVITIES.

The annual convention was omitted in 1918 on account of war conditions, and the next gathering was held in January, 1919. During the interval between the 1917 and the 1919 conventions the most important activity of the international union and its affiliated organizations was the concentration of efforts on the winning of the war.²

At the 1919 convention the international union was reported to have 50,000 members and to be more effectively united than at any time in its history. The secretary-treasurer pointed out that the organization had earned for itself more recognition than it had ever achieved before, and that, although the international union so far had stood its ground under severe tests, the problems growing out of the reconstruction period would have to be dealt with wisely in order to maintain its position.

SITUATION ON THE GREAT LAKES.

On October 1, 1917, a strike was called on all vessels of the Great Lakes for the abolition of the welfare plan and for higher wages as well as to force the shipowners to work in cooperation with the International Seamen's Union and the United States Shipping Board. The strike was postponed, but a new one was called for July 29, 1918. The latter strike was averted by the United States Shipping Board, which ordered the Lake shipping associations to drop the discharge book.³ Conditions relating to wage rates, overtime rates, and the training and developing of young men in seamanship were also agreed upon.⁴

In accordance with instructions of the 1917 convention, the vice president proceeded to the Great Lakes to investigate the situation there and found that active organizers and competent officers were needed to build up the Marine Cooks and Stewards' Association of the Great Lakes. He was elected administrator of the union for the year 1918, and as such appointed a secretary of the organization and tried out various agents at the different branches. Funds to finance the work were furnished by the International Seamen's Union and

² The war activities of the international union are discussed in Ch. IV.

³ For description of discharge book and welfare plan, see p. 13.

⁴ For further details on previous strike against welfare plan, see p. 13. For Lakes' strike of 1917 and 1918, see pp. 62 to 64.

by the Marine Cooks and Stewards' Association of the Atlantic Coast. The quarterly report for the first three months of 1918 showed that there were about 400 members in good standing. It was reported that it would take at least another season to organize thoroughly the passenger boats on the Great Lakes, as most of the people employed in the steward's department on the various passenger lines had no conception of what organization meant. In addition, the Lake Carriers' Association had issued orders to their captains to keep all union delegates off their ships. At a meeting held in July, 1918, the term of the administrator was extended for one year.

LEGISLATIVE ACTIVITIES.

In regard to the matter of legislation, the 1919 convention placed itself on record as being opposed to any and all amendments to the seamen's act that might attempt to repeal that law or which might in any way change the spirit of the law. The convention instructed the executive board to keep itself informed of any cases that might come up under the seamen's act. The cost of taking or contesting appeals was to be borne by the international union. A bill that had been introduced in the Senate by Senator Hiram W. Johnson, relating to seamen's compensation, was approved, and two bills nullifying important features of the seamen's act were condemned.

PROGRESS TOWARD UNIFORMITY.

Substantial progress had been made toward uniformity by the time of the January, 1919, convention. At that time the secretary pointed out that as a result of the international's continued advocacy of a more uniform practice in regard to financial matters, many of the former differences existing among the various affiliated unions had been eliminated. The amount of initiation fees, monthly dues, death, shipwreck, and hospital benefits of the various affiliated unions, as of January, 1919, is shown in the following table, taken from the Proceedings of the International Seamen's Union of America, 1919, page 18:

INITIATION FEES, MONTHLY DUES, AND BENEFITS PAID.

District unions.	Initiation fees.	Monthly dues.	Benefits.		
			Death.	Shipwreck.	Hospital (per week).
Atlantic cooks.....	\$10.00	\$1.08½	\$100.00	\$25.00	\$7.00
British Columbia cooks.....	5.00	1.00	100.00	.....	.....
Great Lakes cooks.....	5.00	1.00	100.00	30.00	.50
Pacific cooks.....	10.00	1.00	75.00	50.00	1.00
Alaska fishermen.....	10.00	.83½	100.00	50.00	1.00
Atlantic fishermen.....	5.00	1.00	100.00	50.00	.50
Deep-sea fishermen.....	5.00	1.00	100.00	50.00	.50
Atlantic firemen.....	5.00	1.00	100.00	50.00	.50
British Columbia firemen.....	5.00	1.00	100.00	.....	.....
Great Lakes firemen.....	5.00	1.00	100.00	30.00	.25
Pacific firemen.....	15.00	1.00	100.00	50.00	1.00
Atlantic sailors.....	5.00	1.00	100.00	50.00	1.00
Great Lakes sailors.....	5.00	1.00	100.00	30.00	.25
Pacific sailors.....	5.00	1.00	75.00	50.00	.50

The dues of the Atlantic cooks were on a higher basis than those of any other organization, as the cooks paid a higher hospital benefit fee. The death benefits of the Pacific cooks and Pacific sailors were lower than all other district unions, because these two organizations had their own cemetery lots for members.

MEMBERSHIP GROWTH CONTINUED.

During 1919 the various affiliated unions added 25,000 men to their membership lists, thus bringing the total membership to 75,000. The marine firemen as a group made the largest gains during the year, while the fishermen experienced a slight loss. The cooks and sailors also showed a gain. The largest progress was made in the Atlantic district. During the year the executive board, on recommendation of the various Lake unions, had granted a charter to a "mixed local" of Canadian seamen on the Great Lakes and had expended \$1,000 in organizing its offices. The new organization became known as the Sailors, Firemen, and Cooks' Union of Canada, and the convention felt that the organization was showing sufficient progress to warrant the expenditure by the international office of an additional \$1,000 for organizing purposes. The policy of admitting mixed locals had been thoroughly discussed at the 1917 convention, and the committee on constitution at that time reported that "the general plan of district organizations with separate district unions of sailors, firemen, cooks, and fishermen is manifestly the best." However, the committee pointed out that "cases may arise in which it may be necessary, in order to safeguard the international union or its district unions or to prevent the discouragement of local men who are attempting to build up an organization, to issue temporary charters to mixed locals." After a brief discussion the recommendation of the committee was adopted.

Another union which had been organized in 1919, the Ferryboat Men's Union of California, was made up in large part of men who had formerly belonged to the Bay and River Steamboat Men's Union. On advice of officials of various Atlantic unions, a charter was granted by the executive board to the Eastern Marine Workers' Association of New Haven, Conn. At the time of the 1920 convention this organization had 300 members.

NEED OF GUARDING GAINS EMPHASIZED.

In summarizing the progress of the various district unions, the secretary reported that in 1919 more advancement in wages and improvement in working conditions had been made than in any other year. He pointed out that equal wages were being paid on the Atlantic and the Pacific coasts and that the "three watch system" (the 8-hour day) and overtime pay had been established on both coasts. He, however, urged that all efforts should not be directed to these problems alone, but that the results of the past years be guarded and maintained. He especially emphasized the need of paying attention to the various unorganized workers in the different crafts and urged that efforts during the next year be made to organize "all seamen engaged on vessels in harbors, bays, and sounds, as well as the men employed in the deep-sea fishing industries."

In view of the very unsettled industrial conditions and after a discussion of seamen and general labor legislation then pending in Congress, the committee of the whole recommended that affiliated unions give careful and painstaking consideration to all movements either to advance or to lower existing wages and working rules.

POSTWAR CONDITIONS, 1921, 1922.

LARGEST MEMBERSHIP.

The year 1920 was marked by maintenance of wages and working conditions on the Atlantic and the Pacific coasts and by a resumption of an antiunion policy on the part of the Lake Carriers' Association on the Great Lakes. The total membership in December, 1920, was 115,000, which was the largest ever recorded.⁵ Nineteen unions, representing all branches of the seamen, were affiliated. The largest district was the Atlantic, with 85,750 members; the Pacific second, with 19,950 members; and the Lakes third, with 9,300 members.

THE NEED OF NEW POLICIES.

The large growth in membership did not, however, give either the president or the secretary a false sense of security. The president, in his opening address at the January, 1921, convention, urged that the members be taught to understand the purposes and the real hopes of the seamen's movement. If this were not done, he warned that in spite of a large membership, destruction would be certain. He also stressed the need of developing skill and a sense of responsibility among the members in the performance of duties aboard ship. In order to further cooperation among the various unions he recommended the fuller use of the universal membership book and the development of uniform practices.

The secretary, in his report to the convention, outlined the splendid progress that the international union had made. In view of the general industrial depression and the very serious slump in shipping which was being experienced, he asked all officers and members to "economize in expenditures and utilize all energy and ability that we possess in order that we may hold what has been gained." In closing his report, he said: "In the year to come our problems and responsibilities will not be lessened. Issues of far-reaching importance must be met by new policies."

IMPORTANCE OF SKILL RECOGNIZED.

A careful study of some of the resolutions introduced shows that the delegates were desirous of responding to the president's and the secretary's suggestions. One of the resolutions unanimously adopted provided for the creation of a new committee, the committee on policy and education, to whom questions of publicity, education, and policy were to be referred during the convention. In its report to the delegates, this committee, after reviewing the opening sections of the president's address, especially called attention to the need of developing seamanship and skill among the members of the international union. With this purpose in mind it presented nine

⁵ For growth in membership, see Appendix II.

recommendations, which were adopted. These recommendations, in brief, provided for securing the services of a vocational expert, who was to make a survey of the entire industry to ascertain its needs in respect to seamanship, general trade skill, and efficiency, and to work out plans whereby this skill might be transmitted to its members. The committee's recommendations further included arrangements for lectures, discussions, pamphlets embodying technical information, and practical training. The responsibility and the authority for carrying out the foregoing educational policy was to be vested in the executive board, and the necessary funds, amounting to about \$15,000, were to be raised by contributions from the affiliated unions. The committee also recommended further organization work for the purpose of inducing seamen to join the union. All of these recommendations were approved by the convention.

In the discussion that preceded the adoption of the foregoing recommendations, it was brought out that the Marine Cooks and Stewards' Association of the Atlantic and the Gulf had already taken steps to establish a school for its members, and that the Sailors' Union of the Pacific had taken similar steps. In urging the adoption of these recommendations the chairman of the committee on policy and education pointed out that the existing business depression, with its tendency toward lower wage rates, which seemed generally to be approved by the public and the press, would again cause attempts to be made to reduce the seamen's wages. It seemed to the chairman that one of the ways shipowners could reduce operating expenses was not to reduce wages but to hire more efficient crews, and that it was the function of the seamen's unions to improve the efficiency of their members. He also said that greater skill on the part of the seamen would make them less helpless in times of business depression when conditions forced them to accept other jobs in which they had to compete with skilled or semiskilled shore workers. The chairman pointed out to the representatives of the firemen that the adoption of the plan would result in a great number of assistant engineers being drawn from the ranks. In consequence, there ultimately would evolve a better understanding between the engineers and the firemen working on the same vessel and among the two organizations.

Although the plans for the improvement of the seamen's skill were unanimously adopted by the delegates to the 1920 convention, the president was compelled to report at the next convention that these plans had not been carried out. "There was neither time nor, unfortunately, was there any inclination to organize any campaign to develop skill."

INDUSTRIAL UNIONISM PROPOSED.

Industrial unionism as a policy for the international union was debated at this convention for the first time. Two delegates of the Marine Firemen's Union of the Atlantic, which had the largest membership of any union in the international union, presented a resolution in which they urged that changes be made in order to amalgamate the sailors, firemen, cooks, and stewards of the three districts. The resolution further proposed the immediate calling of a constitutional convention for the purpose of changing the existing

form of the international union into an industrial union. The committee on organization, to whom the resolution was referred, recommended nonconcurrence on the ground that it conflicted with the constitutions of the respective district unions. The delegate who had introduced the resolution said that he had drawn it up after having heard various delegates plead for greater solidarity, union of action, and tolerance. The delegate of the Deep-Sea Fishermen's Union, in discussing the resolution, said that he believed that its adoption would compel the turning over of the entire affairs of the district unions into the hands of the executive board. In other words, the I. W. W. form of organization would have to be adopted. He pointed out that the existing system was one of democracy, in which each craft decided its own questions, and that a question involving more than one craft was referred to the grievance committee, as provided for by the constitution.

A delegate of the Sailors' Union of the Great Lakes said that the natural way to solve the difficulties of their organizations seemed to be for everybody to get together at the same time and in the same general organization. He said that he was not opposed to this solution in theory on the ground that it was radical but was opposed to it because of his experience. He pointed out, in reviewing the history of the Lake Seamen's Union, that originally that union included every unlicensed seaman on board ship. When the organization consisted of about 300 men there was harmony among the members, but as soon as it became larger the members of each craft felt that their particular problem could be solved only in a union of their calling. In consequence the various crafts on the Great Lakes formed their own unions. He said that, although for years he had stood for greater unification and solidification through the establishment of a greater degree of understanding and good will among the officers and members, he was opposed to great centralized power. On the other hand, he remarked that because of a large membership it was necessary to establish good will and cooperation on a voluntary basis in order ultimately to prevent division within their ranks. He thought it was necessary to make the members feel in some way that the international organization was not a temporary organization that functioned only a few days in the year when conventions were being held. He urged that more attention be devoted to securing complete understanding of the purposes and objects of the international union and that members of the various crafts be made to realize that their organizations had a common fight and a common aim, but that mutual suspicion and antagonism were entirely out of place.

BETTER COOPERATION AMONG AFFILIATED UNIONS URGED.

The president of the international union stated that while grievance committees were provided for by the constitution specifically for the purpose of drawing the different crafts in the same district closer together, one of the great troubles experienced was that these committees did not meet often enough to take up the questions that might lead to suspicion and misunderstanding. A delegate of the Firemen's Union of the Great Lakes believed that the solution of the

problem would be found in the adoption of the universal membership book on the part of all affiliated unions.

Regarding the adequacy of this solution, the following sentence from the report of the secretary may be quoted: "The enthusiasm which existed for the adoption of an international membership book when we were struggling for existence is diminishing as we are gaining in strength." He was of the opinion that the idea of such a book harmonized with the general policies of the union and that such a book was "of great advantage to the individual whose occupation is transitory in character, and its adoption by all the district unions will assist in eliminating local obstacles as well as to broaden the international idea among the membership in general." The committee on resolutions, to whom this part of the secretary's report had been referred, concurred in the expressions of the secretary, but stated that it was only through the initiative of the respective groups in the international union that the purposes of such a book could be realized. The adoption of this report was laid over, because a similar resolution had been referred to the committee on constitution. This committee approved the extended and fuller use of the plan embodied in the secretary's report and offered three technical provisions for the furthering of this plan. These proposals, though approved by the convention, were not made binding upon the various affiliated unions.

To further mutual understanding, the committee on constitution recommended that the unions of the same craft in the various districts have as far as possible uniform by-laws and benefits and "that no more than two delegates from each district union of the same craft be elected, such delegates to suggest a way to draw up uniform constitutions for each department in the international." This recommendation was based upon a suggestion by the president in his opening address. Although the recommendation was adopted by the convention, the possibility of immediate action was considerably weakened by a delegate who, on behalf of the committee, explained that the recommendation had been made with the thought in mind that the delegates would take up the matter for serious consideration on their return and "would get the opinion of the membership of the various groups on it."

THE FIGHT AGAINST RADICALISM.

That the process of "boring from within" by the radicals had already begun was intimated at the 1921 convention by the president, who reported that at a meeting of the Sailors' Union of the Pacific an editor of the Seamen's Journal had been selected "of whose discretion we have no definite knowledge." He, fearing that this editor was likely to make statements which might make the International Seamen's Union responsible in civil and criminal law in that the paper was the official organ of the international union, moved that the Seamen's Journal no longer be considered as the official journal. In making this resolution he pointed out that the Sailors' Union of the Pacific had a perfect right to elect any editor it saw fit, but that it was his duty as president of the international union to protect the membership from having any responsibility whatsoever for anything that might be published in the Seamen's

Journal. Not only did the convention adopt the foregoing resolution, but, in order further to weaken the influence of the editor of the Seamen's Journal, indorsed the recommendations of the committee on constitution, which urged that the section of the constitution providing for the attendance of the editor of the official journal at annual conventions be stricken out and, furthermore, that the editor be dropped from the executive board. It was not until November 9, 1921, that the Seamen's Journal announced that its editor had been expelled on the grounds that he was an advocate of revolutionary doctrines and principles wholly contrary to the policy of the union, and that he had violated the constitution of the Sailors' Union of the Pacific because he was a member of another organization (I. W. W.) which was hostile to the aims and principles of the sailors' union.

At the same time that the activities of the I. W. W. were being directed against the Sailors' Union of the Pacific, an onslaught was also being carried on against the unions of the Atlantic coast. Up to the present time (June, 1923) all organizations have successfully withstood the undermining efforts of the I. W. W.*

THE YEAR 1921.

Since the January, 1921, convention the membership of the International Seamen's Union of America has fallen off from 115,000 to 50,000. A recapitulation of the changes since 1920, by districts and groups, follows:

MEMBERSHIP OF INTERNATIONAL SEAMEN'S UNION OF AMERICA, 1920 AND 1921.

[Source: Proceedings International Seamen's Union of America, 1922, pp. 32, 33. For details of membership, see Appendix II, p. 116.]

Occupation or district.	Membership.			
	1920	1921	Loss, 1920 to 1921.	
			Number.	Per cent.
Occupation:				
Sailors	41,000	20,100	20,900	51.0
Firemen	45,400	15,700	29,700	65.4
Fishermen	9,600	8,800	2,800	29.2
Cooks	17,300	6,400	10,900	63.0
Miscellaneous	1,700	1,000	700	41.2
Total	115,000	50,000	65,000	56.5
District:				
Atlantic	85,750	28,700	59,050	68.9
Pacific	19,950	16,900	3,050	15.3
Great Lakes	9,300	6,400	2,900	31.2
Total	115,000	50,000	65,000	56.5

The great loss in membership is due to the effects of the world-wide industrial depression, the open-shop drive of the various steamship companies, and the efforts of the I. W. W. to disrupt the unions.

* For further details on activities of the I. W. W., see Ch. VII.

SUMMARY.

A brief survey of the history of the International Seamen's Union of America shows that steady progress in membership was made from 1915 to 1920. The severe decline in membership since the latter year has shown the officials of the international union that although their membership has been vast they have failed in certain respects. One of the failures, according to the president, is due to the fact that the membership has not become one body, conscious of its purpose and willing to do its best to attain it. He says:

It is my belief that this failure to educate the membership made it possible for other forces to get in amongst us, to steal our ideas and our purposes, to change them to suit their own ends, and to feed them to those whom we had failed to feed.

We succeeded in repealing the laws that shackled us. Again our education was faulty or inefficient, because while the new freedom attained by us gave to us weapons that we might use effectively, we so little understood the weapons that we couldn't use them.'

' Proceedings International Seamen's Union of America, 1922, p. 11.

CHAPTER III.—THE SEAMEN AND THE LAW.

EARLY LEGISLATIVE CHANGES.

When the I. W. W. and other critics recently belittled the accomplishments of the International Seamen's Union of America, the reply of its president was brief. He said that the outstanding accomplishment of his union was the change that it had wrought in the legal status of the seaman. When the international union was founded, American seamen had the "status of slaves." Gradual improvements of this condition were secured by the union through a number of legislative changes, culminating in the La Follette Seamen's Act in 1915. This act has been termed the Magna Charta of American seamen. The importance which the seamen have attached to their legal position, the activities leading up to the seamen's act, and the subsequent changes which have been effected in the condition of the seamen are discussed in this chapter.

EARLY NAVIGATION LAWS.

Conversance with the essential laws relating to seamen is necessary for an understanding of the legislative changes sought by the International Seamen's Union. The earliest act of importance in this connection was that of June 20, 1790. Under section 7 of this law provision was made for the arrest and detention of deserting seamen until such time as their vessel or vessels were ready to again proceed to sea. The cost of the seamen's commitments could be deducted from their wages.¹ By the act of March 2, 1829, provision was made for the arrest and delivery of foreign seamen deserting in this country upon the application of any consul or vice consul of any foreign Government with which the United States had a treaty to that effect. American citizens were exempt from delivery to foreign vessels.²

By the act of June 7, 1872, desertion was made punishable by imprisonment for not more than three months, by forfeiture of clothes or other effects left on board, and by loss of all or any part of wages earned. For neglecting or refusing to join his vessel without reasonable cause or for being absent without proper leave not amounting to desertion, a seaman could be punished by imprisonment for one month and by forfeiture of two days' wages for each day's absence.³

EFFECT OF LAWS ON ORGANIZATION.

The influence of these laws in preventing the use of the strike as a means toward higher wages and better conditions was soon recog-

¹ U. S. Revised Statutes, 4598, section 7 (second edition), or U. S. Statutes at Large, Vol. I, p. 134.

² U. S. Revised Statutes, 5280 (second edition), or U. S. Statutes at Large, Vol. IV, p. 359.

³ U. S. Revised Statutes, 4596, section 51 (second edition), or U. S. Statutes at Large, Vol. XVII, p. 273.

nized by the seamen. In the case of the Sailors' Union of the Pacific it was found that in normal times about 60 per cent of their members were at sea under contract for varying periods. Secondly, from 15 to 20 per cent were on board vessels in harbor but under contract to start or complete a voyage. Hence, only from 20 to 25 per cent of the membership, which were on shore unemployed, were left to begin a struggle for better conditions.⁴

ATTEMPTS TO CHANGE LAWS.

The foregoing circumstances compelled the seamen to study existing maritime law with a view to changing it so that all those on either incoming or outgoing ships in harbor might drop their work in the advent of a strike, without the penalty of imprisonment. In January, 1892, the Sailors' Union of the Pacific appointed a committee to suggest legislation on behalf of the seamen. The appointment of this committee marked the beginning of those legislative activities which were to become an important part of the work of the International Seamen's Union. Soon after its appointment the legislative committee drew a rough draft of a bill to abolish imprisonment as a penalty for violating contracts on coastwise vessels lying in a safe harbor. A copy of this bill was shown to Judge James G. Maguire, of California, during his first campaign as candidate for Congress. He promised to introduce the bill in the event of his election. Accordingly, he introduced it in the Fifty-third Congress, which, however, failed to pass it. The bill was reintroduced by Congressman Maguire in the next session. The International Seamen's Union sent Mr. Furuseth, then secretary of the Sailors' Union of the Pacific, to Washington to represent its interests. The American Federation of Labor assisted Mr. Furuseth to secure the passage of this bill, which became law on February 18, 1895.

ESSENTIAL FEATURES OF MAGUIRE ACT.

The new act, which became popularly known as the Maguire Act, was the first to modify the penalty of imprisonment of seamen for deserting a merchant vessel. This act amended previous legislation by changing certain sections of the Revised Statutes⁵ which applied to seamen in the coastwise trade when engaged in the presence of a shipping commissioner. "The changes were intended to relieve the seamen from certain of the more drastic disciplinary measures, while extending to them other features of a protective nature."⁶

The most important section of the Maguire Act abolished imprisonment as a penalty for deserting from coastwise vessels. This act also provided for the omission in coastwise shipping articles of any stipulation as to punishment for offenses. Any assignment of wages by seamen in the coastwise trade was prohibited. An additional provision made the attachment of the clothing of seamen

⁴ Proceedings International Seamen's Union of America, 1911, pp. 4, 5.

⁵ For changes see U. S. Statutes at Large, Vol. XXVIII, p. 667, and Vol. XVII, pp. 264, 273.

⁶ Walter Macarthur, *The Seaman's Contract*, J. H. Barry Co., San Francisco, 1919, p. 219.

illegal. The result of these two changes was to grant "seamen in the coastwise trade freedom from the control of their persons and earnings either by their employers or by their 'creditors.'" ⁷

THE ARAGO CASE.

Within a few months after the passage of the Maguire Act the efforts of the International Seamen's Union to change the status of the seamen were transferred to the Federal courts. This sudden shift was due to the arrest of four seamen who had shipped on the American vessel *Arago* at San Francisco in May, 1895. They had signed on for a voyage to Astoria, Oreg., thence to Valparaiso, Chile, and return to San Francisco. On the way to Oregon the seamen became dissatisfied with conditions on board and on arriving at Astoria left the vessel. They were thereupon arrested and imprisoned. At the end of 16 days, when the *Arago* was ready to sail, the seamen were placed on board. They refused to work on the voyage down the coast and the vessel put in at San Francisco, where they were arrested on the charge of refusing to perform their duty. Pending the trial, the International Seamen's Union sought to sue out a writ of habeas corpus on the ground that the seamen were placed aboard the vessel against their will and therefore contrary to the thirteenth amendment to the Federal Constitution, which prohibits involuntary servitude. The writ was dismissed. Finally an appeal was taken to the United States Supreme Court. The Supreme Court rendered its decision ⁸ on January 25, 1897, and sustained the lower courts.

The essence of the Supreme Court's decision was that the enforcement of a seaman's contract by imprisonment or by returning him to his vessel was not involuntary servitude in the sense of the thirteenth amendment to the Constitution. According to the court, this amendment "was not intended to introduce any novel doctrine with respect to certain descriptions of service which have always been treated as exceptional."

The principal grounds of the decision were as follows:

From the earliest historical period the contract of the sailor has been treated as an exceptional one and involving, to a certain extent, the surrender of his personal liberty during the life of the contract. * * * The laws of nearly all maritime nations have made provision for securing the personal attendance of the crew on board and for their criminal punishment for desertion or absence without leave.

The court thereupon referred to the maritime law of the ancient Rhodians, which antedated the birth of Christ by about 900 years, and to other long-standing laws. Finally, the American statutes regarding punishment for desertion, absence without leave, and laws protecting seamen were cited.

Indeed, seamen are treated by Congress * * * as deficient in that full and intelligent responsibility for their acts which is accredited to ordinary adults. * * *

In face of this legislation upon the subject of desertion and absence without leave, which was in force in this country for more than 60 years before the

⁷ Walter Macarthur, *The Seaman's Contract*, J. H. Barry Co., San Francisco, 1919, p. 219.

⁸ U. S. Supreme Court case No. 334, October term, 1896. Appeal from District Court of Northern District of California.

thirteenth amendment was adopted, and similar legislation from time immemorial, it can not be open to doubt that the provision against involuntary servitude was never intended to apply to their contracts.

Justice Gray took no part in the decision and Justice Harlan rendered a dissenting opinion. The concluding part of his opinion read:

In my judgment, the holding of any person in custody, * * * against his will, for the purpose of compelling him to render personal service to another in a private business, places the person so held in custody in a condition of involuntary servitude, forbidden by the Constitution of the United States; consequently that the statute as it now is and under which the appellants were arrested at Astoria * * * is null and void.

THE DECISION CONDEMNED.

The decision of the Supreme Court was immediately condemned in no uncertain terms by the International Seamen's Union and the American Federation of Labor, as well as by affiliated unions. Even the California Legislature passed a joint resolution condemning the decision of the Supreme Court.⁹

President Gompers, in his report to the 1897 convention of the American Federation of Labor, spoke on this matter in part as follows:

In the opinion accompanying the decision the court gave expression and laid down doctrines entirely inimical to the interests of the people, and in so many words invalidated the thirteenth amendment to the Constitution of the United States prohibiting involuntary servitude. Your attention is called to the dissenting opinion of the court in order that the full measure of the wrong may be appreciated. The decision is the most far-reaching which the Supreme Court has issued since its famous Dred Scott decision.¹⁰

LEGISLATIVE EFFORTS RENEWED.

Essentially the decision of the Supreme Court meant that seamen engaged in foreign trade were still subject to the penalty of imprisonment for desertion. The Supreme Court denied a rehearing on the case. Thereupon the International Seamen's Union again turned its attention to legislation as a means of abolishing the imprisonment penalty. A bill to effect this purpose was introduced in the Senate by Stephen M. White, of California, and in the House of Representatives by James G. Maguire, of California. Owing to the war with Spain, which created an immediate need for a large number of seamen, Congress was spurred to action. On being passed, the bill was approved by President William McKinley on December 21, 1898, and became effective February 20, 1899.

THE WHITE ACT.

The new act, commonly known as the White Act, limited the penalty for desertion in any port of the United States, Canada, Newfoundland, the West Indies, and Mexico to forfeiture of wages earned and to loss of clothing left behind on the vessel. In addition, the penalty for deserting in a foreign port was reduced from three

⁹ Coast Seamen's Journal, Mar. 31, 1897, p. 7.

¹⁰ Report of the Proceedings of the Seventeenth Annual Convention of the American Federation of Labor, quoted in Coast Seamen's Journal, Dec. 15, 1897, p. 7.

months' imprisonment to only one month. The signing away of wages as an "advance" or "allotment" was absolutely prohibited in the domestic trade. In the foreign-going trade no more than one month's wage could be signed away to creditors. Any allotments, however, were permitted to be made to wife, children, parents, or other dependent relatives. Wages could not be garnisheed, attached, or seized in any court.

Corporal punishments of seamen by officers were prohibited under penalty of imprisonment. Provisions were also made under the new law for the prompt payment of wages.

The majority of a vessel's crew, exclusive of the officers, was given the power to compel a survey of any vessel believed to be unseaworthy. Improvements were also made in forecabin space and in the food scale.¹¹

ORGANIZATION URGED.

The officials of the International Seamen's Union were the first to realize that the new law would be effective only if the seamen in the foreign trade would compel its enforcement through organization. Thus, an editorial in the *Coast Seamen's Journal* of January 1, 1899, called upon all seamen in the foreign trade to organize. For "if they do this, the new law will benefit them; if they don't, it will be of no more account to them than if it had never been passed."

INTERMEDIATE YEARS, 1900 TO 1915.

In the first decade of the twentieth century the legislative activities of the International Seamen's Union were for the most part concentrated on the abrogation of the State and Federal laws under which American seamen deserting in foreign ports and foreign seamen deserting in American ports could still be punished by imprisonment and loss of wages and clothing. In addition to working for the abrogation of these laws, the International Seamen's Union advocated also certain changes relating to allotments and working conditions.

In the year 1900 Representative Chandler, of New York, introduced a bill in Congress which included provisions for a 9-hour day in port, a manning scale, payment of one-half wages in any port, an entire abolition of advance payments, and a clause prohibiting the employment of Asiatics on American vessels.

The next few years were barren of any legislation beneficial to the seamen. However, the annual conventions of the International Seamen's Union continued to petition Congress to repeal the laws and to abrogate the treaty provisions under which deserting foreign seamen in American ports could be returned to their vessels and by which American seamen could be imprisoned for deserting in other countries.

On solicitation of the International Seamen's Union, Representative Spight, of Mississippi, in April, 1906, introduced a bill to amend the laws relating to American seamen, to prevent undermanning and inefficient manning of American vessels, and to encourage the training of boys in the merchant marine. The bill was in large part very similar to the Chandler bill which failed of passage in 1902. Al-

¹¹ For further details, see *Coast Seamen's Journal*, Feb. 8, 1899, p. 7, and Apr. 19, 1899, p. 7.

though the Spight bill had the indorsement of the 1906 and subsequent conventions of the International Seamen's Union, it failed to be approved by Congress.

A PUBLIC APPEAL.

At the 1909 convention the Spight bill was not only again indorsed, but a special effort was made to arouse public support for the bill. With this end in view a mass meeting was held in Cooper Union, New York City, on the evening of December 6, 1909, which was a few days previous to the adjournment of the fourteenth annual convention of the International Seamen's Union. The president of the Sailors and Firemen's Union of Great Britain, the president of the American Federation of Labor, the president of the International Seamen's Union, and a delegate from the Great Lakes spoke at this meeting, which was preceded by a parade in which 1,800 seamen marched. The main purpose of the meeting was clearly stated in a resolution, which was adopted, calling "on all peoples and governments to repeal such laws and to abrogate such treaties as before mentioned, to the end that seamen may be the owners, in fact and in law, of their own bodies, and that thus the last vestige of serfdom may be abolished among civilized nations."

ACTION BEGUN.

Soon after the mass meeting in New York, Senator Robert M. La Follette, of Wisconsin, introduced in the Senate a bill (S. 6155) similar to the Spight bill. In May Representative Spight reintroduced his former bill as H. R. 26152. In the course of the year hearings were held on both bills, and at the December, 1910, convention of the International Seamen's Union the president spoke rather encouragingly on legislative matters. He felt that Senator La Follette and Congressman Spight were not only working earnestly on behalf of the seamen, but that the hearings had revealed other friends in both Houses.

The bills were not passed by either House in 1910 and were accordingly reintroduced in the next Congress by Senator La Follette and by Representative William B. Wilson, of Pennsylvania. The bills, which were substantially identical, were both indorsed by the seamen in their 1911 convention. The House bill was generally referred to as the Spight-Wilson bill. In order to further the passage of this bill, the convention of that year, which met in Baltimore, adjourned to Washington, D. C., for a day and appeared before the Committee on the Merchant Marine and Fisheries. On August 3, 1912, the House of Representatives, after holding extensive hearings and revising the original bill, passed the seamen's bill. It met opposition in the Senate, but after extensive hearings in December, 1912, was finally passed and was pocket vetoed by President Taft.

A POLITICAL ISSUE.

In the 1912 national campaign the question of the seamen's status and an adequate manning system for vessels was made a political issue. In the platform of that year the Republican Party inserted the following plank:

We favor the speedy enactment of laws to provide that seamen shall not be compelled to endure involuntary servitude, and that life and property at sea

shall be safeguarded by the ample equipment of vessels with life-saving appliances and with full complements of skilled, able-bodied seamen to operate them.¹²

In the Democratic platform, adopted at Baltimore on July 2, 1912, a similar plank was found:

We urge upon Congress the speedy enactment of laws for the greater security of life and property at sea, and we favor the repeal of all laws and the abrogation of so much of our treaties with other nations as provide for the arrest and imprisonment of seamen charged with desertion or with violation of their contract of service. Such laws and treaties are un-American and violate the spirit, if not the letter, of the Constitution of the United States.¹³

▲ FRESH START.

Senator La Follette, of Wisconsin, slightly modified the House bill which had been passed in 1912, and introduced it as Senate bill 4 on the first day of the new session, April 7, 1913. Senator Nelson, of Minnesota, on the same day introduced a substitute measure which had previously been passed by both Houses but had been "pocket vetoed" by President Taft. About a month later Representative Alexander, of Missouri, introduced practically the same bill which had been passed by the House in August, 1912. The new bill was known as H. R. 4616. Within a few days Senator Burton, of Ohio, introduced S. 2221, which the seamen regarded as a shipowners' bill, as it contained many provisions objected to by the International Seamen's Union.

The La Follette bill was sent by the chairman of the Committee on Commerce to the Departments of Commerce and of Labor for an opinion. Secretary William C. Redfield, of the Department of Commerce, and Secretary William B. Wilson, of the Department of Labor, sent a joint reply in which they stated that the La Follette bill was almost identical with H. R. 23673, passed in the previous Congress. By way of approving the La Follette bill the Secretaries concurred in the report made by the Committee on Merchant Marine in H. R. 23673. The report reads, in part, as follows:

The recent terrible disaster to the steamship *Titanic*, by which many hundreds of lives were lost, has attracted universal attention to the necessity for stricter laws and regulations in order to promote the safety of passengers and crews at sea. Several additions to our laws are needed in order to accomplish that purpose. Among these are * * * a crew with sufficient knowledge of the language of the officers to be able to understand their orders and skill enough to obey those orders when given.

The committee has reported three bills dealing with these subjects: One bill * * * proposes to extend the operation of the thirteenth amendment to seamen, provide a manning scale, and establish a standard of efficiency based upon experience. In the judgment of your committee this bill will be more far-reaching than any measure now pending in Congress. There is no other portion of our citizens or residents who can be compelled, under penalty of imprisonment, to fulfill a civil contract to labor. The seamen alone remain as the last remnant of serfdom. The seaman may be, and is, compelled to sign a contract to labor before he can secure employment, and to fulfill such contract after he has signed it, and the inevitable result has followed, that the self-respecting man or boy prefers employment on land to that of employment at sea, and only those accept a seafaring life who by propinquity or necessity are compelled to do so. * * *

¹² Coast Seamen's Journal, June 26, 1912, p. 7.

¹³ Coast Seamen's Journal, July 10, 1912, p. 6.

By relieving the seaman from any criminal proceedings for violating a contract to labor, leaving only the civil process as a remedy, you place him exactly in the same position as other workmen, and the result would be to gradually improve the standard of the men who go down to the sea, not only of those in our own shipping but of those in all ships entering our ports, until it has reached the same standard as that of workmen on land.

Two things are essential to the building up of our merchant marine—one is * * * an equalization of the operating expenses.

This bill will tend to equalize the operating expenses. Under existing laws men may be and are employed at the ports where the lowest standard of living and wages obtain. The wages in foreign ports are lower than they are in the ports of the United States. Hence the operating expenses of a foreign vessel are lower than the operating expenses of an American vessel. It is not proposed to prevent vessels from employing seamen in ports where they can secure them cheapest; but it is proposed by this bill to give the seamen the right to leave the ship when in a safe harbor, and in time this will result in foreign seamen engaged on vessels coming into ports of the United States being paid the same wages as obtain here, as a means of retaining their crews for the return voyage. That will equalize the cost of operation so that vessels of the United States will not be placed at a disadvantage.¹⁴

In addition to indorsing the bill the Secretaries offered amendments to strengthen the bill and recommended "that this bill (S. 4) be passed at the earliest convenient time."¹⁵ Soon after several provisions of the Nelson bill (S. 136) were incorporated in the La Follette bill (S. 4) and the latter was passed on October 23, 1913.

The bill was then referred to the House Committee on Merchant Marine and Fisheries, which held extended hearings on this bill.

The most bitter opposition was waged against it by the shipowners, not only of the United States but of the whole world. Every financial interest, including local chambers of commerce, brought tremendous opposition to bear against it. On the other hand, the organizations of labor and friends of freedom and justice urged the House of Representatives to pass the La Follette bill providing for greater safety at sea, better working conditions for sailors, and for the abolition of involuntary servitude among seamen.¹⁶

THE SEAMEN'S CAMPAIGN.

In order to offset the campaign of the shipowners against the bill, a series of seven short letters relating to the important provisions of the bill were sent by Mr. Furuseth to Congressmen and newspapers early in 1914.¹⁷ In these letters the passage of the La Follette bill was urged on the grounds that it would put American shipowners on an equal basis with foreign shipowners; that it would build up a merchant marine manned by Americans under better working conditions; and that safety at sea would be more adequately safeguarded. The first letter stated that if foreign ships were deprived of "certain special privileges," the effect would be to equalize the wage cost of operation. An explanation of this proposition was developed in detail in the final letter. He here explained that the "special privileges" were the means by which foreign ships were enabled to hold forcibly on board crews secured at lower wage scales in foreign ports. Under existing laws and treaties the United States Government used its powers, at the request of foreign shipowners, to capture and return

¹⁴ Proceedings International Seamen's Union of America, 1914, p. 76.

¹⁵ For copy of letter, see Proceedings International Seamen's Union of America, 1914, pp. 75-80.

¹⁶ Proceedings International Seamen's Union of America, 1915, p. 28.

¹⁷ For copies of letters, see Proceedings International Seamen's Union of America, 1914, pp. 107-113.

seamen who left their ships while in this country. In this way the wage rate of foreign ships was kept down below American levels.

This marks the one advantage which foreign ships now hold over American ships in the foreign trade, and which prevents the proper growth of our merchant marine. * * * If conditions can be brought about whereby the wage cost of operation will be equalized, the development of our merchant marine and our sea power will be unhampered.

* * * The remedy is to set free the economic laws governing wages * * * which in their application to seamen are now obstructed by treaties and statute law.¹⁸

To clarify the idea of how equalization of wages would be brought about, Mr. Furuseth in his letter asks the reader to imagine an American vessel and a foreign vessel docked near each other at New York. The assumption is that the crew of the American vessel has been hired at New York at wages prevailing in that port, and that the crew of the foreign vessel signed on in a low-wage Mediterranean port. Normally the two crews would come in contact and learn the wages and conditions of each other. "Unless prevented by force the crew of the foreign vessel would either get the same wages as paid on the American vessel or they would quit. The foreigner would then have to hire a new crew at the wages of the port." Under such conditions foreign shipowners would pay their crews the American scale in advance of arrival in an American port, so as to prevent desertion and delay when the vessel arrived in America.

The effect of abolishing the penalty of imprisonment in the foreign trade would, according to Mr. Furuseth, remove the taint of slavery from the seamen's calling. "Then the United States will have the pick of the world's best seamen, while it is developing a much-needed native personnel." Under the proposed law improved conditions would further encourage American seamen by providing for a shorter working day, namely, 8 hours for firemen and 12 hours for sailors. Safety at sea was also to be provided for through a scale prescribing the number and qualifications of seamen for various classes of vessels.

APPROVAL OF THE SEAMEN'S BILL.

The Committee on Merchant Marine and Fisheries of the House of Representatives finally reported the bill in an amended form to the House on June 19, 1914. It was then passed by the House on August 27, 1914, and was referred to the Senate Committee on Commerce. After considerable disagreement the Senate and the House, in January, 1915, appointed five conferees each to consider the possibility of drawing up a bill acceptable to both bodies. On February 25, 1915, the report of the conferees was agreed to by the House and on February 27 by the Senate, and on March 4, 1915, the bill was signed by President Wilson.¹⁹

LEADING PROVISIONS OF THE ACT.

PENALTIES REMOVED.

The provisions in the new act of most importance to the seamen were those which abolished imprisonment for desertion. Section 16

¹⁸ Proceedings International Seamen's Union of America, 1914, p. 112.

¹⁹ For detailed chronology, see Proceedings International Seamen's Union of America, 1915, pp. 28, 29, 83, 84. *Idem*, 1914, pp. 28-30.

called for the abrogation of those treaties with foreign Governments which provided for the arrest and imprisonment of seamen deserting from merchant vessels of the United States in foreign countries, and for the arrest and imprisonment of seamen deserting from merchant vessels of foreign nations in the United States.

By section 17 the existing laws were modified to conform with the changes provided for in section 16. Section 8 abolished the power of consuls to arrest seamen deserting in foreign ports. By section 7 the penalty of imprisonment in foreign ports was abolished, and various penalties for disobedience, neglecting to join, or quitting a vessel were reduced.

MONEY IN PORT.

Under the law of December 21, 1898 (R. S. 4530), seamen were entitled to one-half of the wages which were due them at any port where the vessels might stop before the expiration of the voyage unless the contrary was "expressly stipulated in the contract." In practice "the contrary" was usually stipulated and the intent of the law defeated. The La Follette Act provided (sec. 4) that "all stipulations in the contract to the contrary shall be void." Under the new law seamen could demand payment of one-half their wages not oftener than once in five days. Failure of the master to comply with the seaman's demand was to be deemed a violation of contract and the seaman thereupon became entitled to full payment of the wages earned. The new provisions also applied to foreign vessels in the harbors of this country.

Under section 11 allotments to original creditors were abolished, and in the coastwise trade the right to make allotments to certain relatives was permitted.

IMPROVED WORKING CONDITIONS.

By section 2 of the La Follette Act provision was made for dividing the sailors into at least two watches at sea (12-hour day) and the firemen into at least three watches at sea (8-hour day). Nine hours were to constitute a day's work in port, and no work was to be required in port on Sunday or on certain specified holidays, except on vessels ready to proceed to sea. It was also provided by this section that seamen were not to work alternately in the fireroom and on deck.

Working and living conditions were made more attractive by so amending existing laws as to raise the minimum daily food requirements (sec. 10) and by providing larger forecables, hospital space, wash rooms, mess rooms, and emergency exits (sec. 6).

In any suit for damages by injured seamen, officers were held by section 20 not to be fellow servants.

SAFETY PROVISIONS.

In order to provide for greater safety at sea, the La Follette Act made certain new provisions as to the qualifications of seamen. Section 13 provided for an increasing number of able seamen in the deck department. Four years after the approval of the act 65 per cent of the deck department, exclusive of officers and apprentices, were to consist of able seamen. The qualifications for rating as an able seaman were also specified in this section.

It was further provided that no vessel was to be permitted to leave any port of the United States unless not less than 75 per cent of the members of each department were able to understand any order given by the officers.

The Secretary of Commerce was given the power to make the necessary rules and regulations to carry out the foregoing provisions.

Under section 14 the number and character of lifeboats and other life-saving appliances were fixed, as well as a manning scale for passenger vessels.

EXPRESSIONS OF THE SEAMEN.

The passage of the La Follette Act was hailed as a great legislative victory and as the emancipation proclamation of the seamen. As a result of the new act a new era was said to be dawning in the seamen's status after a campaign of more than 20 years. After another year the secretary of the International Seamen's Union said:

It is impossible * * * to describe all the improvements that have taken place. The change has been not alone in improved safety, in the working conditions, and to some extent in the wages of the men, but the whole life on ship-board has been improved, and instead of the old spirit of bitterness and hatred * * * there is an air of freedom and a growing recognition of rights and responsibilities on the part of everybody connected with the ship.²⁰

ENFORCEMENT OF THE SEAMEN'S ACT.

In December, 1916, at the first convention of the International Seamen's Union held after the beginning of the operation of the La Follette Act, the legislative committee, elected by the 1915 convention to report on marine legislation, maintained that the new act was not being properly enforced. The Department of Commerce, according to the committee, had construed many important sections of the act in such a way as to prevent the improvements sought by its provisions. The attempts of the International Seamen's Union to obtain more friendly interpretations of the La Follette Act stretched over a period of years. Discussion of controversies regarding the enforcement of the more important provisions of the act will be found in the following paragraphs:

THE LANGUAGE TEST.

Instructions concerning section 13 of the seamen's act, relating to the language test, were issued by the Department of Commerce on September 18, 1915. The interpretation of this section by the department was unsatisfactory to the seamen and continued to be so for six years. Section 13 provided, among other matters, that on certain classes of vessels not less than 75 per cent of the crew in each department should be able "to understand any order given by the officers." According to the Department of Commerce, the quoted words referred only to such orders as might—

normally be given to members of the crew in each department * * * in the course of the usual performance of their regular duties. Among these duties, however, should be included lifeboat work or emergency work for such members of the crew as might be called upon to perform these classes of work. * * *

²⁰ Proceedings International Seamen's Union of America, 1916, p. 32.

A demonstration in the presence of the customs collector or his deputy, by the proper proportion of the crew, in executing the actual orders of an officer would be sufficient proof of compliance with the law. It will be noted that the orders are to be given "by the officers" and not by the customs collector or any one acting in his behalf.²²

The International Seamen's Union took exception to this ruling on the ground that it defeated the intentions of the seamen's act. The seamen held that the language clause was designed to test the understanding of emergency orders rather than customary commands. Objection was also made to the section that prohibited the customs collector from conducting the examination, on the ground that this prohibition prevented the collector from ascertaining whether the crew was properly qualified. Moreover, the ruling further ordered that examinations of the crew be held at such times as not to delay any vessel's sailing time. To the seamen this provision was interpreted as giving masters a loophole to escape the law. The International Seamen's Union maintained that if a master engages a crew that can not meet the requirements of the law, then he should suffer the penalties and the administrative officers should not be concerned about the inconvenience to which the ship may be subjected. The seamen wanted the regulations so drawn as to compel compliance by permitting an examination of the crew at any time when there might be ground for belief that the crew was not qualified.

In order to clarify some of the matters left in doubt by its original ruling the Department of Commerce issued a second edition of Circular No. 265 on July 1, 1919. In addition to the changes which were made, chiefly in phraseology, two new provisions were contained in the revised circular. The collectors of customs were authorized to direct the ship's officers to give such orders as might be deemed necessary by the collectors. This provision was designed to prevent coaching of the crew by the officers beforehand. The other new provision permitted collectors themselves to examine any seaman who was signed on to take the place of anyone previously rejected.

These revisions met with the approval of the officials of the International Seamen's Union. However, as no instructions had ever been given as to a definite procedure to be followed in conducting the language tests, collectors in the various ports continued to use their own discretion. The International Seamen's Union called upon the Department of Commerce to remedy this situation. After an investigation of the current practices, Secretary Hoover, of the Department of Commerce, on November 12, 1921, issued instructions amending the second edition of Circular No. 265 of July 1, 1919. Under the new regulations, effective January 12, 1922, it was provided that—

The order should be given directly by the officers to each member of the crew, and not through an interpreter or interpreters; signs, gestures, or signals should not be used in making the test. The collector of customs or his representative should suggest to the officers of the vessel the orders to be given, which should touch upon matters ordinarily arising in the daily routine work of the crew in each department, as well as orders involving fire drills, boat

²² Circular No. 265, U. S. Department of Commerce, Sept. 18, 1915.

drills, the handling of boats, and orders involving any emergencies that may be expected to arise in handling, operating, or navigating the ship.²²

The rulings of Secretary Hoover were received with satisfaction by the officials of the International Seamen's Union. The editor of the *Seaman* maintained that if the instructions were properly carried out it would no longer be possible for foreign ships coming to American ports to employ cheap Asiatic seamen. For example, if a foreign vessel manned by an Asiatic crew which could understand its officers only through interpreters arrived at an American port after January 12, 1922, it would have to discharge the Asiatics, make provision for their return to their home ports, and hire a new crew of seamen who were able to understand the language of the officers. Since the law applied to all vessels leaving American ports, regardless of the flags under which such vessels were sailing, the tendency would be to nationalize the personnel of each vessel in accord with the nationality of its officers who were citizens of the country's flag under which they sailed. Thus, English and American vessels would be compelled to carry English-speaking crews, German vessels would carry Germans, and French vessels Frenchmen. By thus eliminating the cheap Asiatic crews from foreign vessels competing with American vessels, the wage costs on the former would tend to be raised somewhat nearer the American level.²³

HOURS OF LABOR AT SEA.

The legislative committee at the 1916 convention reported that the Department of Commerce had also improperly construed that part of section 2 of the La Follette Act which provided that "the sailors shall, while at sea, be divided into at least two, and the firemen, oilers, and water tenders into at least three watches [shifts], which shall be kept on duty successively for the performance of ordinary work." This clause had been inserted by Congress, according to the committee, in order to increase safety by compelling vessels to have one-half of their deck crew on duty at sea at all times, so as to be able to meet any emergency.

The decision of the Department of Commerce, however, was that—the clause in question contemplates only equality in the length of time of the required watches and does not prescribe that each shall consist of an equal number of persons. Its purpose is to insure equal watch hours to all employees, irrespective of how they may be divided as to number. In other words, if there are 10 sailors they must be divided into at least two equal watches as to time but not as to number; i. e., seven may serve in one watch and three in the other. The same applies to the watches prescribed for the firemen, oilers, and water tenders. The division as to numbers is a matter to be determined by the officers of the vessel.²⁴

A protest against this construction was drawn up by Mr. Furuseth and printed as Senate Document 693 of the Sixty-fourth Congress, second session, under the title "Watch and watch at sea." In his

²² Amendment to second edition of department's Circular No. 265, dated July 1, 1919, Dept. of Com., Nov. 12, 1921.

²³ For further discussion, see *To Amend Merchant Marine Act of 1920*, joint hearings before the Committee on Commerce, United States Senate, and Committee on the Merchant Marine and Fisheries, House of Representatives, Sixty-seventh Congress, second session, May, 1922, Vol. II, pp. 1362, 1363, 1457, 1458, 1474, 1475. (Hereinafter referred to as joint hearings, 1922.)

²⁴ Circular letter, Mar. 9, 1916, U. S. Department of Commerce, Steamboat-Inspection Service.

protest he stated that from time immemorial it had been the custom to divide the deck crew into two watches or shifts and, as far as possible, with an equal number of sailors on each watch. The division of the firemen into three watches, with an equal number on each watch, was a modification demanded by consideration for the men's health. This protest was of no avail and lacked sufficient support of the membership to make it desirable to carry the interpretation of the Department of Commerce to court for proper determination.²⁵

FORECASTLE ACCOMMODATIONS.

A dispute as to the time of the application of the act grew out of section 6, which related to enlarged forecastle accommodations. This section read—

That section 2 of the act entitled "An act to amend the laws relating to navigation," approved March 3, 1897, be, and is hereby, amended to read as follows:

"Sec. 2. That on all merchant vessels of the United States the construction of which shall be begun after the passage of this act. * * *"

The Department of Commerce notified collectors of customs that this section would apply to all vessels whose keels were laid after March 4, 1915.²⁶ The officials of the International Seamen's Union, on the other hand, insisted that the words "this act" in the phrase "after the passage of this act" was intended to mean the act of March 3, 1897, and not that of March 4, 1915.

Soon after the department's circular letter of March 9, 1915, had been issued, Mr. Furuseth petitioned President Wilson to submit the question as to the proper construction of the section to the Attorney General. This was done, and that officer decided that the seamen were correct in their contention. Accordingly a revised circular letter, conforming with the opinion of the Attorney General, was issued by the Department of Commerce.²⁷

However, upon appeal to the courts by the New York & Porto Rican Steamship Co., the opinion of the Attorney General was overruled. Enlarged forecastle space, therefore, must be provided only on vessels built after November 4, 1915, the date when the La Follette Act went into effect on American vessels.

WAGE-PAYMENT PROVISIONS.

The seamen soon experienced strenuous opposition, especially among foreign shipowners, to section 4 of the seamen's act, which stated:

Every seaman on a vessel of the United States shall be entitled to receive on demand * * * one-half part of the wages which he shall have then earned at every port where such vessel * * * shall load or deliver cargo before the voyage is ended. * * *

Such a demand shall not be made before the expiration of nor oftener than once in five days. Any failure on the part of the master to comply with this demand shall release the seaman from his contract and he shall be entitled to full payment of wages earned. * * *

²⁵ See joint hearings, 1922, Vol. II, pp. 1403, 1404.

²⁶ Forecastle accommodations. Department Circular No. 258, Department of Commerce, Washington, Mar. 9, 1915.

²⁷ Circular letter under date of Jan. 5, 1917. Department of Commerce, Steamboat-Inspection Service.

This section shall apply to seamen on foreign vessels while in harbors of the United States, and the courts of the United States shall be open to such seamen for its enforcement.

This section the seamen soon found difficult of enforcement. When seamen asked for half pay in other than home ports and were refused they informed the masters that their contract had been violated and that they were therefore entitled to full pay. In a number of cases where payments were refused the seamen took the matter into the courts and were told that they would have to put up bonds for the costs. The seamen protested against this condition, which was later remedied by an amendment in a sundry civil appropriation bill which provided that the courts of the United States be open without bonds for the purpose of prosecuting suits arising in the line of their work.

This section was especially objectionable to foreign shipowners, who were of the opinion that Congress had exceeded its powers in extending to foreign seamen in American ports the privilege of asking for one-half of their wages earned. This matter soon came into the courts for a decision. In May, 1916, a British subject shipped at Liverpool. His contract provided for a voyage not exceeding three years, with wages payable at the end of the voyage. In July, 1916, the ship arrived at Pensacola, Fla., and while in that port he demanded one-half of the wages which he had earned up to that time, but payment was refused. He then filed in the United States district court a libel against the ship, claiming \$125. The district court found against the seaman, but the United States Circuit Court of Appeals (fifth circuit) reversed the decision. The shipowners, by a writ of certiorari, brought the decree of the court of appeals before the United States Supreme Court, which, on March 29, 1920, upheld the constitutionality of those sections of the seamen's act which permitted seamen to demand one-half of their wages earned, at any port at which the vessel stopped. The court also upheld that part of the section which extended this privilege to foreign seamen on foreign vessels.

In reply to the contention of the shipowners that the provision in question should be limited to American seamen, the court said:

Such limited construction would have a tendency to prevent the employment of American seamen and to promote the engagement of those who were not entitled to sue for one-half wages under the provisions of the law. But, taking the provisions of the act as the same are written, we think it plain that it manifests the purpose of Congress to place American and foreign seamen on an equality of right in so far as the privileges of this section are concerned, with equal opportunity to resort to the courts of the United States for the enforcement of the act.

With regard to the contention that this construction would render the statute unconstitutional, as destructive of contract rights, the court held:

We have no doubt as to the authority of Congress to pass a statute of this sort applicable to foreign vessels in our ports and controlling the employment and payment of seamen as a condition of the right of such vessels to enter and use the ports of the United States.²³

²³ *Dillon v. Strathearn* (256 Fed. 631). See also *Monthly Labor Review*, June, 1920, pp. 187-189.

The seamen hailed this decision as of far-reaching importance, because foreign seamen were in a position to demand in American ports one-half of their wages earned. They were assured of enough money to maintain themselves until they could get another job on ships paying higher wages. In this way foreign shipowners, it was said, would be forced to pay higher wages to prevent their men from deserting in American ports. Accordingly the seamen held that foreign wages would tend to be equal to American wages and American ships would be in a position to compete successfully with foreign ships.²⁹

Although this decision was in favor of the seamen and clarified section 4 of the seamen's act, we are told that they later found that the effectiveness of the section had been whittled away by various constructions until it became necessary to amend that section of the law. This was done by section 31 of the merchant marine act of 1920, which made the existing section more definite and clear as to its intent.³⁰

CERTAIN CRITICISMS AND REPLIES.

Most of the opposition in the courts against the seamen's act came from foreign shipowners or from those supported by foreign interests. The lack of opposition on the part of the American shipowner is perhaps due to the fact that he has learned that the act "is placing him on an equality with his competitors, and he is not looking to have it destroyed."³¹ A close scanning of the literature issued by American shipowners and shippers shows that the foregoing statement is generally true regarding what Mr. Furuseth calls the main principles of the seamen's act. American shipowners have, however, protested against what they call "the discriminatory provisions" of the act.

SHIPOWNERS' LEADING OBJECTIONS.

The criticism and opposition of shipowners have, therefore, been concentrated on sections 13 and 14. Section 13, it will be recalled, specifies certain qualifications as to the skill, experience, and age required of able seamen. This section also imposes a language test on vessels leaving American ports. Section 14 specifies the number and character of lifeboats and fixes the manning scale for passenger vessels. Shipowners are generally opposed to these provisions, as they require a longer term of service than owners deem necessary before an ordinary seaman can receive his certificate as an able seaman or as a lifeboat man. Owners also object to these provisions on the ground that larger crews are required on American vessels than on foreign vessels of the same size.³² These criticisms may be regarded as typical, as they were made by a committee of 16, representing shipping and foreign trade interests.

²⁹ The Survey, May 1, 1920, p. 192.

³⁰ Joint hearings, 1922, Vol. II, p. 1267. It is of interest to note that sec. 10 of the Jones Act made an important amendment to the seamen's act by providing, among other matters, that if any advances or allotments were made in a foreign country, seamen could demand that they be repaid if they were paid off in the United States.

³¹ From Mr. Furuseth's annual report in Proceedings International Seamen's Union of America, 1921, p. 24.

³² Merchant Marine. Report of the Merchant Marine Committee of the United States Chamber of Commerce. Washington, D. C., April, 1922, p. 13.

An editorial in *Everybody's Magazine* (May, 1916, p. 656), while in general approving sections 13 and 14, because they raised standards on vessels leaving American ports, pointed out what it considered a real discrimination which had for the most part been overlooked. The editorial stated that if an American vessel carried a cargo to Buenos Aires under American manning standards its costs would be greater than those of a vessel from London sailing under less drastic English standards. The *Outlook* (May 17, 1915, p. 602), criticized the seamen's act in that it was too detailed in its scope and therefore practically unworkable.

SECTIONS 4 AND 7.

There was also some criticism against section 7, which abolished the penalty for imprisonment in foreign ports, and against section 4, which provided for payment of one-half the wages earned and due to seamen. Opposition was based on the ground that the compulsory payment of these wages to seamen in foreign ports seriously affected discipline and involved expensive delays. Protests from 40 consular representatives in foreign ports against the continuance of such large payments of wages abroad were said to have been received by the State Department.³³

NAVIGATION LAWS REVIEWED.

In addition to the alleged discriminatory provisions of the seamen's act which have been outlined in the foregoing paragraphs, American shipowners found other sections in the navigation laws which needed revision. This dissatisfaction with the prevailing maritime laws was brought to the attention of the United States Shipping Board, who appointed a committee to study and recommend any necessary revisions of the law. This committee, in October, 1919, and in April, 1920, made special reports on the seamen's act. One of the recommendations urged that section 13 of the seamen's act be amended so as to reduce the preliminary period of service required before men could be rated as able seamen and to reduce the percentage of able seamen required in the deck crews. Another recommendation in part provided that American vessels be placed at no disadvantage with foreign vessels in the number of men in their crews.

Regarding section 4 of the seamen's act, the committee recommended principally that it be changed so as to provide for the payment of only one-fourth of the wages earned, instead of one-half. This change was urged because "of the use which the seaman made of his money, especially in foreign ports, rather than upon the number of desertions."³⁴

The committee also urged the repeal of that part of the law which entitled seamen who had signed an agreement and who had been discharged before the commencement of the voyage to a month's wage.

³³ J. Parker Kirlin. *The Operating Problem of the American Merchant Marine* (pamphlet American Steamship Owners' Association, New York, 1920), p. 9. For digest of consular reports referred to, see *Proceedings International Seamen's Union of America, 1921*, pp. 377-379.

³⁴ Letter to the writer from Lawrence B. Evans, counsel for the codification of the navigation laws, U. S. Shipping Board, No. 14, 1922.

A continuous discharge book was recommended in place of the existing certificate of discharge. The codification of existing maritime laws was also strongly urged.

The recommendations of the navigation laws committee were carefully examined by the United States Shipping Board, which reached the conclusion that—

While our navigation laws, including the seaman's act, need some revision or modification, they do not constitute as serious a handicap upon American shipping as they are often represented to be.

The additional cost to American shipping companies resulting from the alleged disabilities in our navigation laws is not an important item in the cost of operation of American ships.³⁵

REPLIES OF THE SEAMEN.

Mr. Furuseth, who was a member of the navigation laws revision committee, lost no time in drawing up a minority report in opposition to the proposals of the majority. His first objection was directed against any amendment of the law intended to reduce the qualifications needed for an able seaman's certificate. He was also opposed to any reduction in the number of able seamen required to be carried on passenger vessels. His objections to these changes were based on the fact that the existing laws had been found necessary by Congress for safety at sea. He also took exception to the generally accepted point of view that the employment of competent able seamen meant high operating costs. He argued that it was real economy to employ skilled men who knew how to handle and keep a vessel's gear in repair as well as how to keep the vessel itself in proper order. According to him, the nation having the highest proportion of skilled men was in the most advantageous position to meet competition. In reply to the popular contention that there were not enough able seamen to keep vessels running in compliance with the law, he stated that reports of the Department of Commerce showed that there were about twice as many men with able seamen certificates as were necessary for our merchant marine.³⁶

With reference to the recommendation that American vessels should not be placed at any disadvantage with foreign vessels in the number of men carried, Mr. Furuseth replied that when American shipowners learn to use the crew to the best advantage they will carry more men than they now do. He proposed that efficient seamen be given continuous employment instead of being discharged at the end of every voyage.³⁷

The relatively high manning scale specified by the seamen's act was further defended by Mr. Furuseth at the joint hearings in the spring of 1922. At this time he pointed out that section 14 provided that "foreign vessels leaving ports of the United States shall comply with the rules * * * as to life-saving appliances, equipment, and the manning of same." He felt that if this section were properly enforced foreign passenger vessels coming to American ports would have to come up to the requirements specified on American vessels.³⁸

³⁵ Governmental aid to Merchant Shipping. Prepared and multigraphed by U. S. Shipping Board, Washington, D. C., 1922, pp. 75, 76.

³⁶ For details of Mr. Furuseth's contentions, see Proceedings International Seamen's Union of America, 1921, pp. 324-332.

³⁷ Minority report, April, 1920, reprinted in Proceedings International Seamen's Union of America, 1921, p. 374.

³⁸ Joint hearings, 1922, Vol. II, p. 1458.

The proposal to alter section 4 so that no more than one-fourth of the wages earned could be demanded was especially criticized by Mr. Furuseth, who thought that the change would have the effect of wiping the seamen's act from the statute books. He felt that under the proposed amendment the sum to which a deserting seaman would be entitled would be too small to make it possible for him to desert his ship.³⁹

OTHER ALLEGED DISCRIMINATORY FACTORS.

Although shipowners have called attention to the importance of making certain changes in the maritime law, they have attached more emphasis to certain economic differentials which have been working against the success of the American merchant marine. It has been said that the disabilities imposed on American shipping by the seamen's act and by earlier laws are minor when compared with the differences in fixed charges (due to higher initial construction costs), wages, and subsistence costs against which American ships are compelled to operate. The first factor—higher fixed charges—has no relation to either the International Seamen's Union or the seamen's act, and its consideration has therefore been omitted as not coming within the scope of this work.

Shipowners are unanimous in their contention that it costs more to operate American vessels than foreign vessels. This condition is said to be due in most part to higher wages and higher subsistence expenses on American vessels. The United States Shipping Board holds that the higher wages and larger subsistence charges on American vessels are not due to any legislative enactments, but are merely a reflection of the higher wages and better living standards that prevail generally throughout this country as compared with those prevailing in other countries. The Bureau of Foreign and Domestic Commerce likewise believes that the general higher average of American wages affects the wages of seamen sailing from American ports.

THE SEAMEN'S DENIAL.

The contention that wages are higher on American vessels than on foreign vessels has been denied time and again in no uncertain terms by Mr. Furuseth. If American wages have been higher than foreign wages since 1915, then the seamen's act has admittedly failed in its purpose. It must be recalled that when the passage of the seamen's bill was being urged, Mr. Furuseth asserted that one of its chief aims was to raise foreign sea wages to American levels.

In the following pages the writer has essayed to present the point of view of the officers of the International Seamen's Union, whose belief in the soundness of the "equalization theory" remains unshaken.

THE ACT AND WAGES.

Shortly after the seamen's act went into operation on foreign vessels, Mr. Furuseth found evidence which demonstrated to him the success of the act, which had been hailed as a new *Magna Charta*. Thus at the December, 1917 convention of the International Sea-

³⁹ Minority report, April, 1920, reprinted in *Proceedings International Seamen's Union of America, 1921*, pp. 372, 373.

men's Union, Mr. Furuseth stated that there was a distinct tendency toward higher wages, due to the operation of the seamen's act. He found proof of this in the 1917 report of the seaman's branch of the New York Legal Aid Society, which read in part:

As a rule, seamen on foreign vessels demand one-half their wages and then quit. The result is the foreign ship's master must furnish his vessel with a crew before leaving. To do this he must apply to shipping masters or one of the seamen's institutions who supply seamen, but he has to pay the going rate of wages in whatever port he happens to be. The seamen then take the precaution to see that there is incorporated in their contracts a provision that assures them that they will always be discharged in a port paying wages as high as the ones in the United States or that they shall be returned by such foreign owners to ports of the United States where they will again have an opportunity of securing the best rate of wages.

The most recent explanations and evidences in support of the seamen's act by the officials of the International Seamen's Union were advanced at the joint hearings of the House and Senate held in May, 1922, when bills were being considered to amend the merchant marine act of 1920. In support of his contention that the seamen's act had brought about an equalization of wages, Mr. Furuseth, at the hearings, submitted a copy of a report that had been prepared by the United States Shipping Board for President Wilson in 1918.⁴⁰ This report was based on a study of American wages made by the United States Shipping Board, the United States Bureau of Labor Statistics, and the Bureau of Navigation. The figures were checked with those furnished by various union officials.

In the case of foreign wages it was not possible to get figures comparable in completeness with those presented for American vessels. In the report there may be found, in addition to American and foreign wage data, wage agreements, and other miscellaneous matter. In no place, however, is there an attempt made to summarize the wage data or draw conclusions from them. Some of the wages presented in the report are herewith summarized in tabular form:

MONTHLY WAGES OF AMERICAN AND FOREIGN ABLE SEAMEN.

Date.	American.	British.	Swedish.	Danish.	Dutch.
1914.					
July.....	\$30.00	\$30.00			\$27.00
August.....			\$17.55		
1915.					
July.....	30.00	30.00			
November.....	30.00		20.25		28.00
December.....	30.00			\$30.00	
1916.					
March.....	30.00	30.00			
April.....			20.25		
June.....	45.00			45.00	
July.....	45.00	45.00	20.25		45.00
1917.					
March.....	45.00			45.00	65.00
April.....	60.00	45.00			
May.....	60.00			60.00	
November.....			20.25		
1918.					
March.....			20.25		
October.....	75.00	75.00		75.00	
November.....	75.00				70.00

⁴⁰ See joint hearings, 1922, Vol. II, pp. 1271-1289.

Mr. Furuseth's conclusions from the wage statistics, which have been summarized in the foregoing table, are that wages on European vessels followed the American "as a cart follows a horse." Somewhat later in his testimony he explained the foregoing remark a little more fully. He said that on the Atlantic, wages out of American ports before the seamen's act ranged from \$25 to \$35 per month for able seamen and remained so for nearly two years after the war began in Europe. The seamen's act became effective on American vessels on November 4, 1915, and wages approximated \$35 a month in February, 1916. Three months later they were increased to \$45. In September of that year seamen began to receive a war-zone bonus of 25 per cent of each trip's wages.

On foreign vessels the act went into effect on June 4, 1916, and by August 1, 1916, wages on British vessels were equal to those paid on American ships. Mr. Furuseth said that this equalization was effected by British seamen demanding one-half of their wages when they landed at American ports. If they received them they quit and shipped on some other vessel at wages prevailing in the American port at which they deserted their ships. If their demands for one-half of their wages were refused, they quit, nevertheless, and took proceedings against their vessels in the United States courts.⁴¹

An extract from a report by the Investigation and Inspection Service of the Federal Department of Labor was also approvingly quoted by Mr. Furuseth. According to this report the high cost of living and the increased perils of submarine warfare brought about substantial increases in 1917 and resulted in wages being equalized, first on American ships and later, especially in 1918, on practically all foreign vessels. "The American rate led the pace, and foreign rates soon equalized with the exception of the French. This exception is due to the fact that the French merchant marine was controlled by the French Government."

Mr. Furuseth found further evidences of the practical working out of the seamen's act in a statement made by a court in Copenhagen, Denmark, and from another made by a police court in Southampton, England. He also quoted from an article in the Liverpool Journal of Commerce of January 27, 1921. The Danish court concerned itself with four Danish seamen who came to American ports and used the seamen's act to demand higher wages from their captain. After a dispute higher wages were paid, but on arrival in Copenhagen the seamen were arrested under the Danish law for desertion. As the seamen had deserted under pressure of the International Seamen's Union, the court decided to release the seamen with small fines.

In the Southampton police court three seamen were prosecuted for "jumping" the *Imperator* at New York and signing on another English vessel for a return trip at a higher rate. The ship's master, in testifying against the seamen, said that on its first trip as an English vessel from Southampton, the *Imperator* had lost 107 men by desertion at New York. In punishing the prisoners with the choice of a fine of £20 (\$97.33, par) or two months' imprisonment, the judge remarked that he was determined to stop desertion in American ports.

⁴¹ For complete testimony of Mr. Furuseth, see joint hearings, 1922, Vol. II, pp. 1308, 1309.

The Liverpool Journal of Commerce was quoted to show that British shipowners were complaining that the seamen's act had caused wholesale desertion of British crews in contravention of their articles of agreement.

These three incidents were cited as evidence that foreign seamen took advantage of the seamen's act to raise their wages when American wages were higher. Further testimony regarding this matter was presented by a field representative of the International Seamen's Union. He informed the joint committee that the unions had made special efforts to make foreign seamen cognizant of the privileges of the seamen's act. They were told of the higher American wages and were helped in the courts. In many instances habeas corpus proceedings were secured to release men who wished to leave their vessels under rights granted them by the seamen's act but denied to them by their captain. These steps had been taken by the unions because calculations for the success of the act were based upon the equalization of foreign and American marine wages.

As additional evidence of the functioning of the seamen's act, Mr. Furuseth called attention at the joint hearings to the reduction in marine wages which were being effected by American and foreign shipowners. He cited the United States Shipping Board⁴² as authority for the statement that in recent years steamship owners in Great Britain had generally awaited announcements of wage reductions on American vessels before reducing wages on their own vessels. According to Mr. Furuseth, British owners allowed American owners to take the initiative in reducing wages because the former wished to minimize or to prevent the desertion of British seamen visiting American ports. In other words, the seamen's act also acted as a wage leveler in times of depression because foreign wages followed American wages in their downward course.

From time to time various articles have appeared in the Seamen's Journal and other periodicals purporting to show how the seamen's act was responsible for raising wages on foreign vessels. One of the most recent and most comprehensive appeared in the Seamen's Journal of March 8, 1922 (pp. 1, 2). The most important part of this article criticized one appearing in the October 17, 1921, issue of the Commerce Reports (pp. 421, 422) of the Federal Department of Commerce. The Government report showed that the wages of an American crew on a 7,500 dead-weight ton coal-burning steamer were 50 per cent greater than on a similar British vessel, with the pound sterling converted at \$3.73. Data for the American vessel were based upon the wage scale effective May 1, 1921, and for the British vessel upon the scale in use during July, 1921.

To these statements the writer in the Seaman's Journal took exception. In the first place he pointed out that American wages were given at the rate set May 1, 1921, a rate soon greatly undercut by private owners, especially on the Atlantic. In the second place British wages were not stated to be for vessels touching American ports. This was held to be fundamental, as only ships touching American ports (i. e., directly competing with American vessels) were effected by the seamen's act.

⁴² Report on Marine and Dock Industrial Relations, p. 27.

Testimony by Mr. Raymond B. Stevens, of the United States Shipping Board, and by various shipowners at congressional hearings was quoted to show that wages on foreign ships in the Atlantic trade had tended to approach American levels. The writer of the article concluded, however, by stating that the seamen's act had not been fully used by foreign seamen on the Pacific coast.

The preference of American shipowners to ship oriental crews rather than carry Americans at American wages; the Chinese exclusion laws; the restraint of Japanese seamen for fear of giving offense on the ground of violating the "gentlemen's agreement"; the influence brought to bear upon Japanese seamen in urging them to postpone taking advantage of the law pending decisions of the United States Supreme Court—[On November 13, 1922, the United States Supreme Court decided that Japanese could not become naturalized citizens]—all these factors have prevented the full operation of the act and the equalization of wages in trans-Pacific shipping.⁴³

In conclusion, it may be stated that the seamen still believe that any existing difference in wages between American ships and foreign ships coming to American ports is due to local, temporary, or abnormal conditions, and that on the return of normal times, with an increased demand for seamen, the free play of economic forces will tend automatically to bring foreign wages up to the American standard.

Furthermore, the seamen are "convinced that the enforcement of the different clauses of the seamen's act will bring wages of seamen under all nations' flags to an equality. A very small differential may exist, because men may determine to stay by the vessel on which they are employed if the differential between wages received and wages expected would not be sufficient to bring a gain by leaving and obtaining employment on some other vessel."⁴⁴

SUBSISTENCE COSTS.

Regarding the statement that the cost of subsistence is higher on American than on British vessels, Mr. Furuseth recently said:⁴⁵

The same contention was made many years ago. The present American scale of provision was arranged by the Marine Hospital Service for the Committee on the Merchant Marine and Fisheries, and it is in the form in which it was reported to the committee and enacted in 1898, with this exception, that 1 ounce of butter and 1 quart of water per day were added with the passage of the seamen's act. The English scale of provision was enacted in 1906.

The differential between them in cost, if there is any differential, considering that each vessel buys provisions where it can buy cheapest, might be said to be microscopic. It has been continually said here [at the hearings] that the American shipowner feeds his men above the scale. There are some shipowners who do, there are some shipowners who do not; and the best evidence of that is that we have had to go to court several times to compel some of the shipowners to pay extra money because they did not come up to the scale.

SUMMARY.

In this chapter the writer has attempted to present the leading activities of the International Seamen's Union in the legislative field and to show how that union sought to improve the conditions

⁴³ The Seamen's Journal, Mar. 8, 1922, p. 2. See also joint hearings, 1922, Vol. II, p. 1322.

⁴⁴ From a letter of Mr. Furuseth to President Harding, Jan. 28, 1922, quoted in joint hearings, 1922, Vol. II, pp. 1264, 1265.

⁴⁵ Joint hearings, 1922, Vol. II, p. 1298.

of American seamen by modifications in the marine law. The changes brought about, beginning with the Maguire Act in 1895 and culminating with the seamen's act in 1915, are fundamentally the embodiment in law of the economic theories of Mr. Furuseth. For this reason citations from his articles, reports, and addresses were rather numerous throughout this chapter. In his efforts to effect the changes he, however, has been loyally supported by the officials and general membership of the International Seamen's Union.

In the opinion of the writer, Mr. Furuseth's program for change rests on the following basis: That in any given market at any given time there can be only one price for the same article. In other words, if the world's labor markets for seamen are openly and freely competitive, then a uniform wage will be paid for the same class of work. When the International Seamen's Union was founded, the world's markets were not freely competitive, as American seamen were not permitted to desert in foreign ports and foreign seamen were not permitted to desert in American ports. The former circumstance, according to Mr. Furuseth, kept Americans from going to sea. The latter prevented wages on foreign vessels from reaching the somewhat higher American levels and so discriminated against American vessels. In order that foreign wages might approximate American wages, Mr. Furuseth proposed that the penalty of imprisonment for desertion in American ports by foreign seamen be abolished. This purpose was the outstanding feature of the seamen's act. Permitting seamen to demand one-half of their wages earned, abolishing certain advances, and calling upon the President to abrogate treaties conflicting with the main intention of the act were merely subsidiary provisions to make the "equalization process" effective.

The seamen's act was never given a real opportunity to demonstrate its effectiveness because of the opposition of foreign shipowners in American courts and because of interpretations and constructions by the Department of Commerce unfavorable to the seamen's understanding of the law. These circumstances caused the seamen to understand that the seamen's law was not an end but merely a means which, if properly used, could improve working and living conditions. After the passage of this act the legislative committee of the International Seamen's Union had to be continuously on guard in order to prevent unfavorable rulings from nullifying the main provisions of the act. Attempts to secure an acceptable interpretation of the language provision stretched over a period of years. At the present time the seamen find that it is difficult to enforce this provision, owing to the fact that agents of the union find it almost impossible to board vessels to detect any violations.

In spite of strenuous efforts the legislative committee of the International Seamen's Union was not able to secure a favorable interpretation from the Department of Commerce regarding equal wages at sea, nor was its point of view regarding fore-castle accommodations sustained by the courts.

The seamen found especially strenuous opposition among foreign shipowners against the provisions of the act which made it possible for seamen to secure the payment of one-half their wages earned.

The United States Supreme Court, however, in March, 1920, finally upheld the constitutionality of the seamen's act so far as it related to these provisions. Even the effectiveness of this decision was gradually destroyed by various technical interpretations. It was subsequently found necessary to clarify the meaning of the seamen's act by certain amendments in the merchant marine law of 1920. A recent court interpretation upheld the amendment in the foregoing act.

In addition to the above-mentioned objections to the seamen's act, there are some which were advanced primarily by American shipowners. Their criticisms and the replies of the seamen are considered in this chapter.

As a class, American shipowners have not criticized what the seamen regard as the leading principles of the seamen's act. The shipowners have, however, concentrated their criticism and opposition on those provisions of the seamen's act which lay down certain specifications as to skill, experience, age, and number of seamen to be carried. According to the owners these provisions make the operating labor costs higher on American than on foreign vessels.

The seamen assert that while American legal standards are above those of foreign countries, American shipowners suffer no discrimination, as the seamen's act provides that foreign vessels touching American ports must comply with the regulations applying to American vessels. The International Seamen's Union maintains that the proper enforcement of the seamen's act will thus bring standards on foreign vessels up to the American requirements. Shipowners, on the other hand, are of the opinion that the only way to equalize American and foreign standards is to reduce those required by the seamen's act to European standards. To this proposal the seamen reply that the existing standards are necessary to the safety of life and property at sea. Moreover, they hold that wages are only a small proportion of the total operating expenses⁴⁶ and that lower wages and inferior living and working standards would result in inefficiency and perhaps in a larger number of disasters. A recent report of the navigation laws revisions committee of the United States Shipping Board shows that the existing navigation laws are not so great a handicap as they are frequently represented to be.

Reports of the Federal Department of Labor and of the Shipping Board show that during the war wages on foreign vessels tended to approach those on American vessels. Furthermore, desertions of foreign seamen in American ports were frequent and numerous enough to attract unfavorable comment in foreign countries.

After the armistice foreign shipowners seemed to have awaited announcement of American wage reductions before reducing wages of their own seamen. American shipowners were permitted this initiative because foreign owners wished to minimize the desertion of their seamen in American ports. More recently it has been difficult to trace the effects of the seamen's act on wages, as both foreign and domestic seamen have not been in a position to avail themselves of the privileges of the act. In general, it appears that the wages on vessels directly operated by the United States Shipping Board

⁴⁶ According to the U. S. Shipping Board labor wages aboard ship represent less than 10 per cent of the total cost of operation. (Report on Marine and Dock Industrial Relations, U. S. Shipping Board, Washington, D. C., March, 1922, p. 20.)

have recently been somewhat higher than those prevailing on British vessels, while the actual wages on privately operated vessels have been lower than on British vessels. The indications, however, are for somewhat higher wage rates on American vessels, as rates here have been too low to maintain competent American seamen at sea.

One of the indications favorable to the seamen is the amendment of certain sections of the seamen's act by the Jones Act of 1920. Accordingly, a revival of the shipping industry will find the International Seamen's Union in a better legal position than in 1915 to demonstrate the effectiveness of the seamen's act as a means to improved working conditions and as a means to a better American merchant marine.

CONCLUSIONS.

To the International Seamen's Union the La Follette Act means primarily that seamen are no longer "slaves" but freemen, and that by their own efforts wages can be equalized on American and competing foreign vessels. American shipowners, who attach no significance to these statements, charge that the act means larger crews and higher operating costs. They hold that American marine wages must be higher than foreign marine wages because of the higher wages generally prevailing in America. The seamen, on the other hand, assert that American and foreign wages must tend toward an equality, provided that seamen receiving lower wages can bring these up to higher levels by leaving their vessels in higher-wage ports. It is important to note that the effectiveness of the seamen's act can be fairly judged only if all of its provisions are properly enforced.

The recent reverses in the tide of the International Seamen's Union will prove serviceable if the present members of that organization have learned that the seamen's act is a means toward a desired end and not an end in itself. On the return of more normal conditions the present loyal members may prove a valuable nucleus around which an informed membership may be created.

Chapter V will show that the International Seamen's Union is attempting to have the seamen's unions throughout the world urge the passage, in each of the maritime nations, of a law similar to the seamen's act. The International Seamen's Union realizes that uniform conditions must ultimately prevail all over the world or attempts to abrogate the seamen's act may be successful.

CHAPTER IV.—THE WAR AND AFTER.

THE ATLANTIC COAST.

EARLY WAR CONFERENCES.

Soon after the declaration of war against Germany by Congress on April 6, 1917, the necessity for an adequate number of seamen for the manning of transport and supply ships began to be realized. Initial steps were taken as early as May 8, 1917, toward insuring the requisite number of seamen. On that day a conference was held between the members of the United States Shipping Board, the steamship owners sitting on the shipping committee of the Council of National Defense, and representatives of the International Seamen's Union of America. The conference entered into a tentative agreement out of which grew what later became the Atlantic war agreement.

On June 29, 1917, the Secretary of Commerce and the Secretary of Labor issued a joint call for a conference between officials of their departments, officials of the Shipping Board, and representatives of the shipowners and seamen of the Atlantic, Pacific, Gulf, and Great Lakes. The conference was held in Washington, D. C., on August 1 and 2, 1917. The meeting was called for the purpose of "considering the whole subject of the training * * * of the necessary seamen for the merchant vessels of the United States and its allies trading in American ports, and all questions affecting the same."

The first important outcome of this conference was the appointment of a standing committee composed of six members representing the shipowners, six representing the employees, one the Department of Commerce, one the Department of Labor, and one the Shipping Board. The committee, according to Mr. Furuseth, could not be considered as representing the shipowners of the Pacific coast because they were not appreciably represented in the conference which appointed the committee. Moreover, the committee could not be considered as representing the shipowners of the Great Lakes because these employers were entirely unrepresented at the conference.

THE ATLANTIC WAR AGREEMENT.

The second accomplishment of the conference was the readoption of the tentative agreement of May 8, 1917, with certain changes regarding overtime and wages of cooks and stewards. The agreement, dated August 8, 1917, was approved on August 17 by the Secretary of Commerce and by the Secretary of Labor. This compact, which is generally referred to as the Atlantic war agreement, was the first ever made between the Atlantic shipowners as a body and the International Seamen's Union. With certain modifications,

this instrument constituted the basis for marine war-time adjustments on the Atlantic coast. By its terms a standard scale of wages,¹ overtime, and a war-zone bonus of 50 per cent of the wages were agreed upon; also representatives of the seamen's unions were permitted access to docks and vessels. The seamen's unions agreed to join with the shipowners in an appeal urging seamen then employed on shore to come back to sea. Furthermore, the seamen were to cooperate with the ships' officers to teach seamanship to boys and ordinary seamen and were to permit 40 per cent of the deck crew to be made up of ordinary seamen and boys.² This latter proposal was originally submitted by Mr. Furuseth, who guaranteed that the organized seamen would do everything that could be done to teach boys and ordinary seamen the work of able seamen if the shipowners would cooperate by admitting the representatives of the seamen's unions to the docks and ships.

CALLS TO SEA.

In order to encourage men to join the new merchant marine, the standing committee drafted a "call to sea," which read in part as follows:

The United States Government, the shipowners, the seamen jointly issue this call to the sea.

The message to those who have left the sea is this: The conditions which caused you to leave no longer exist. Seamen are no longer bound by laws to the vessels on which they serve. The seamen's act has conferred this and many other blessings upon them. Economic and working conditions affecting the calling have been immeasurably improved. Attractive wages are being paid.

The message to the young man, the novice, is this: You can give ear to the call of the sea and respond to its lure with confidence that upon the sea a career is again a possibility. The improvement in the conditions affecting the seaman's calling has necessarily increased its opportunities for the ambitious and industrious to secure advancement. Conditions on board vessels have been materially improved. When vessels are in port the seamen are as free as men ashore.

The message to all followers or would-be followers of the sea is this: The United States of America, above all other countries, has proven itself the friend of the seaman. That Nation needs you now. Our country is building many steamers and it needs the men and the officers to man them as never before.

An agreement has been reached between the shipowners and the seamen concerning conditions and wages, calculated to assure adequate recompense and reasonable comfort to those who return to the sea or for the first time respond to its lure, and such agreement has been countersigned by the Secretary of Labor, the Secretary of Commerce, and the chairman of the Shipping Board of the United States Government.³

As this call failed to get the signature of the shipowners, the seamen, when they met in their annual convention in December, 1917, adopted a call, which was made public in *The Seamen's Journal* and in other publications of the international union. This call read, in part:

The Nation that proclaimed your freedom now needs your services. America is at war. Thousands of skilled seamen, seafaring men of all capacities, who

¹ Sailors and firemen were granted \$60 a month; coal heavers, \$50; oilers and water tenders, \$65; boatswains, \$70; carpenters, \$75.

² For full text of agreement, see *Marine and Dock Labor*, U. S. Shipping Board. Washington, 1919, pp. 169-171.

³ *Proceedings International Seamen's Union of America, 1917, pp. 31, 32.*

left the sea in years gone by as a protest against the serfdom from which no flag then offered relief, have now an opportunity to return to their former calling, sail as freemen, and serve our country.

America has the right, a far greater right than any other nation, to call upon the seamen of all the world for service. By responding to this call now you can demonstrate your practical appreciation of freedom won.

THE MARINE CONFERENCE.

While the Atlantic agreement marked a good beginning in the adjustment of marine labor problems, it had the shortcoming of applying only to the Atlantic and Gulf coasts. Moreover, changing conditions were making certain provisions obsolete. To handle some of the new problems, the United States Shipping Board called another marine conference, to which were invited representatives of the shipowners, officers, and crews from every section of the United States. The conference met in Washington, D. C., from April 29 to May 4, 1918. The chief outcome of this gathering was the agreement to leave to the Shipping Board the fixing of all rates of pay and the determination of working conditions on the Atlantic and the Gulf. In order that the Shipping Board might be in a position to act intelligently on matters relating to the recruiting of seamen and their living conditions, the marine conference arranged for the creation of a standing committee of five, representing employers, employees, and the Shipping Board. This committee took up such questions as the establishment of a system of employment offices, the putting of forecastles in sanitary condition, and the operation of the selective draft with respect to seamen.

NEW WAGE SCALES.

Shortly after the determination of wage scales and working conditions had been left to the Shipping Board, it issued (May 18, 1918) a wage scale for unlicensed members of the deck and engine room departments. Wages of able seamen were fixed at \$75 a month, ordinary seamen at \$55, boatswains at \$85, and carpenters at \$90. In the engine room department wages of coal passers were set at \$65 a month, firemen at \$75, and oilers and water tenders at \$80. On vessels sailing into the war zone the war bonus of 50 per cent was continued. On June 1, 1918, an award covering the stewards' department gave a \$20 flat increase to all chief stewards and a \$15 flat increase to all other members of the stewards' department, retroactive to May 4, 1918. The war bonus of 50 per cent was continued on vessels sailing into the war zone.⁴

FURTHER INCREASES GRANTED.

Early in 1919 the various Atlantic unions requested several changes in working conditions. The 8-hour day in port and the three watches at sea (equivalent to the 8-hour day) were requested for sailors, as it was said that several European nations had adopted these conditions. The firemen asked that the number of fires each had to handle be reduced and that wages be increased. The Shipping Board, early in June, called a meeting, to which were invited

⁴ For full text of awards, see Marine and Dock Labor, U. S. Shipping Board, Washington, 1919, pp. 184-186.

representatives of the shipowners of the Atlantic, Pacific, and the Lakes, of the licensed officers' associations, and of the seamen's unions. The shipowners in their tentative proposals gave no preference to union men. The seamen, however, demanded the preferential union shop. As the various parties could not agree, the meeting ended without accord, and a strike lasting about 20 days ensued.⁵

In the meantime negotiations were reopened, and on July 26, 1919, a committee representing the American Steamship Owners' Association and a committee representing the sailors', firemen's, and stewards' unions of the Atlantic coast came to an agreement with regard to wages and working conditions. On July 29, the United States Shipping Board approved this settlement, which was to run for one year. The new provisions called for an increase of \$15 a month over the May, 1918, scale for all members of the fireroom with the exception of coal passers and wipers, to whom an increase of \$10 was granted. All members of the deck department were given a flat increase of \$10 a month except boys, who received no increase. On freight ships the chief stewards and chief cooks were awarded a \$15 increase and all other members of the stewards' department a \$10 increase. On passenger ships an increase of 20 per cent was granted to chief stewards, 15 per cent to chief cooks and bakers, and \$10 a month to all other members of this department except waiters and stewardesses, who received an increase of \$5.

The section on working conditions provided for an 8-hour workday in port for members of the deck department and an 8-hour workday at sea under certain conditions. Access to the piers was granted to the delegates of the seamen's unions.⁶

EXISTING WAGE SCALES RENEWED.

About two months before the expiration of this agreement negotiations for a new one were begun between the shipowners, the Shipping Board, and the seamen's unions. The negotiations were successful, and on May 1, 1920, the American Steamship Owners' Association and the United States Shipping Board signed agreements with each of the Atlantic unions. Although wages were not changed, certain revisions were made in working rules, one of which provided for increased subsistence and lodging allowances to the men when not eating or sleeping on board in port—75 cents a meal and 75 cents a night for a room being allowed as against the earlier rates of 50 cents for a meal and 50 cents for a room. Each of the agreements ran for one year. Provision was also made for a grievance committee to interpret the agreements and to prevent small but troublesome misunderstandings.⁷

At the time these agreements were signed, the chairman of the committee of the American Steamship Owners' Association on wages and working conditions is reported as having said that he

⁵ Proceedings International Seamen's Union of America, 1920, p. 28; cf. Fourth Annual Report of the U. S. Shipping Board, Washington, 1920, p. 69.

⁶ Mimeographed report of settlement of U. S. Shipping Board of July 30, 1919 (no title).

⁷ For full text of agreements, see Appendixes C, D, and E, Proceedings International Seamen's Union of America, 1921, pp. 185-193; cf. Wages and Working Conditions, 1920-21 (published by the American Steamship Owners' Association, New York), pp. 9-16.

was impressed with the sincere and fearless manner with which the union leaders had approached the questions involved. He believed that the negotiations had brought about a distinct improvement in the relations between the shipowners and the unions.

EMPLOYERS ASK FOR REVISION OF WAGES.

A revision of existing wage scales and working agreements was asked for by the American Steamship Owners' Association in January, 1921. At that time the association asked the unions to make provisions for an immediate elimination of overtime, a readjustment of subsistence and room allowances, and a substantial reduction in wages. These revisions were urged by the shipowners in order that they might be in a position to meet the serious depression in the shipping trade caused by the general decline in overseas trade and to meet successfully the wage costs of foreign competitors.

To the proposals of the shipowners the Atlantic district unions replied that they did not believe a revision of the wages and working conditions would have any influence on the volume of sea-borne of foreign vessels operated at lower costs, seemed to the seamen to commerce. The shipowners' second reason, the intensive competition have some merit. The unions, therefore, suggested the calling of a conference to go into the matter.

No conference, however, was held until April 19, 1921, when the shipowners and the United States Shipping Board proposed a reduction of about 25 per cent in the basic wage, the abolition of overtime pay, and a reduction in subsistence. No mention was made of the three watches for sailors nor of admission of union officials to the docks and vessels. The seamen found especially objectionable a new proposal which stated that there would be no discrimination against the employment of anyone on account of affiliation or nonaffiliation with any labor organization.

On receiving these new conditions the unions submitted six counterproposals. Three of these proposals referred to the proper enforcement of certain sections of the seamen's act; one asked for the abolition of the Sea Service Bureau (operated by the Shipping Board as an employment bureau for seamen); and another called for preference being given to union men "for the purpose of developing efficiency." Under the terms of the sixth proposal the unions were not to admit to membership anybody who was not reasonably efficient.

At the next meeting, on April 25, the shipowners replied that the enforcement of the seamen's act rested with the Government, and the maintenance or abolition of the Sea Service Bureau was a matter to be determined by the Shipping Board. In addition, the shipowners refused to grant preference to union men. In other words, the seamen's proposals were entirely rejected.

A few days later Admiral William S. Benson called a meeting of the shipowners and seamen in Washington, D. C. At this conference he presented his terms, which, in brief, provided for the continuance of the Sea Service Bureau and the rejection of any preferential employment of union men. He held that the seamen's act should be

enforced by the department charged with its enforcement (the Department of Commerce).⁸ He also declared for a reduction of 15 per cent in wages and the abolition of all overtime. Discussion started by the seamen also brought out the fact that the sailors would not be permitted to retain their three watches. This conference thereupon broke up without any agreement between the shipowners and the seamen or the Shipping Board and the seamen.

The seamen then wrote to President Harding for his intervention in the impending strike.⁹ The President did not intervene and the Shipping Board put its new wage rates and rulings into effect on May 1, 1921. All seamen who wanted to sail after that date had to sign articles that contained the new terms. Those who refused to do so were not permitted to sail.

PROMULGATION OF NEW WAGE SCALE.

The new wage scale and the new working conditions, effective May 1, 1921, were made public by the United States Shipping Board in a multigraphed bulletin, entitled "Wages and Working Conditions Aboard Ship." The new wage scale reduced the wages of able seamen from \$85 a month (the rate prevailing since July, 1919) to \$72.50 a month; ordinary seamen were reduced from \$65 a month to \$52.50. Boatswains were to receive \$80 and carpenters \$85, instead of \$95 and \$100 a month, respectively. Firemen were reduced from \$90 a month to \$75; coal passers and wipers were to be paid \$65 instead of \$75. Oilers and water tenders were reduced from \$95 to \$80. All grades of cooks and stewards were reduced \$10 a month. All overtime pay was eliminated and subsistence rates were reduced from 75 cents to 60 cents a meal for each man. No mention was made of many details as to working conditions contained in former agreements. There was included, however, a new provision: "There shall be no discrimination against the employment of any man on account of affiliation or nonaffiliation with any labor organization."

A strike followed. When three boat lines were reported to have renewed their agreements with the seamen at the old rate of pay the Shipping Board insisted that the scale of wages promulgated May 1, involving the proposed reduction, be observed on all Shipping Board vessels.

The Marine Engineers' Beneficial Association, which had also refused to accept the drastic reductions in wages and radical revisions in working conditions, struck on May 1. During the course of the strike the efforts of the Shipping Board and the Department of Labor were centered upon securing a settlement with this union, which was the backbone of the strike. After disagreements within their own ranks the engineers signed an agreement with the Shipping Board on June 15, 1921, and accepted a 15 per cent reduction in wages and other conditions laid down by the Shipping Board.¹⁰

The unlicensed seamen remained out a few weeks longer, but by the end of June they decided by a referendum vote to return to work. When the struggle was over the Shipping Board continued to pay the wages which it had offered, but the private owners did

⁸ Proposals of Admiral Benson printed in pamphlet, *Statement of Facts Concerning the Present Lockout in the Merchant Marine*. I. S. U., Washington, D. C., 1921, p. 34.

⁹ *New York World*, Apr. 30, 1921; for letter to President Harding, see Appendix III.

¹⁰ *Journal of Commerce* (New York), June 14, 1921.

not consider themselves bound by any conditions and reduced wages to any levels that were accepted by those who sailed. One of the unfortunate results of this strike was the internal dissension that developed in the ranks of the Atlantic unions. This condition made it easy for the I. W. W. to take hold on that coast. (See Chapter VII.)

FURTHER REDUCTIONS ANNOUNCED.

Toward the end of the year 1921 the employers again discussed among themselves the need for further reductions. Wage revisions were urged on the ground that the extreme depression in the marine industry and the necessity for meeting foreign competition compelled such steps. Early in December conferences began between the American Steamship Owners' Association and the United States Shipping Board for the purpose of adopting a uniform readjustment of wages after January 1, 1922. The outcome of these conferences was the adoption by the American Steamship Owners' Association of a uniform scale for privately owned vessels on the Atlantic coast. The association promulgated, on January 5, 1922, the following rates without conferring with any of the seamen's unions:¹¹ Able seamen, \$47.50; ordinary seamen, \$35; boatswains, \$65; carpenters, \$70; firemen, \$50; coal passers, \$40; water tenders and oilers, \$55.¹²

The United States Shipping Board, early in January, 1922, promulgated a revised set of wage scales and working conditions, effective February 6. The reductions ranged from 15 to 25 per cent, but were less drastic than those made by the American Steamship Owners' Association.

The board's new scale made the following changes from the May 1, 1921, scale: Able seamen were reduced from \$72.50 a month to \$55; ordinary seamen, from \$52.50 to \$40; boatswains, from \$80 to \$65; and carpenters, from \$85 to \$70. The wages of firemen were reduced from \$75 a month to \$57.50; coal passers, from \$65 to \$50; water tenders and oilers, from \$80 to \$65.¹³ A comparison of the new rates with those established in the Atlantic wage agreement in August, 1917, shows that the wages of sailors, firemen, boatswains, and carpenters are about \$5 a month less under the new scale. The wages of coal passers, oilers, and water tenders are identical.¹⁴

THE GREAT LAKES.

The situation on the Great Lakes was very different from that on the Atlantic coast for the reason that—

On the Great Lakes marine labor issues have centered very largely around the policy of the Lake Carriers' Association. The vessels of this association carry the iron ore and other bulk cargo, which constitute about four-fifths of the total Lake tonnage; and whatever action the Lake Carriers' Association takes is naturally of vital significance to everybody, including unaffiliated lines.¹⁵

¹¹ Report on Marine and Dock Industrial Relations, U. S. Shipping Board, Washington, 1922, p. 17.

¹² For wage scale on other ratings of unlicensed personnel, see Wages and Working Conditions Aboard Ship, adopted Jan. 5, 1922 (published by the American Steamship Owners' Association, New York); pp. 6-8.

¹³ For wage scale on other ratings of unlicensed personnel, see Report on Marine and Dock Industrial Relations, U. S. Shipping Board, Washington, 1922, pp. 50-54.

¹⁴ For wage rates of able seamen and firemen from 1895 to 1922, see Appendix IV.

¹⁵ Marine and Dock Labor, U. S. Shipping Board, Washington, 1919, p. 23.

BACKGROUND OF SITUATION ON GREAT LAKES.

In 1903 the Lake Seamen's Union entered into an agreement with the Lake Carriers' Association regarding hours, wages, and working conditions. Agreements were renewed every year until the spring of 1908, when the association announced an open-shop policy, with which were coupled a new employment system and a "welfare plan."¹⁶ As a protest against the action of the association, the Lake Seamen's Union called a strike on May 1, 1909. This strike, which was not successful, lasted until 1912.

At the December, 1916, convention of the International Seamen's Union of America, the Lake Seamen's Union again demanded the abolition of the association's employment system and threatened that its continuation would bring about a serious strike on the Great Lakes.

LAKE STRIKE THREATENED.

Upon the outbreak of the war with Germany, the maintenance of uninterrupted traffic on the Great Lakes became the task of the Shipping Board. The prevention of strikes and lockouts was imperative, as the Lake vessels carried ore essential to the munition and ship-building industries and wheat necessary to feed our overseas forces. Soon after the outbreak of the war there was noticeable a sharp difference between the Lake Carriers' Association and the Lake Seamen's Union as to what should constitute a patriotic attitude toward the war. The association had not signed the "Call to the Sea," and had refused to enter into any arrangement similar to the Atlantic war agreement. It had not cooperated with the Lake unions in developing a system of recruiting and training, although it had given such cooperation to the Naval Reserve.¹⁷

In order that an agreement regarding the manning of vessels, the recruiting of seamen, and the wages of seamen might be entered into with the Lake Carriers' Association and other associations, the Lake Seamen's Union demanded that the various associations meet it in conference by October 1, 1917. In the event of refusal or failure of any association to agree to the conference, the seamen were to refuse to continue to sail on the vessels of such an association until a conference with the union was agreed to.¹⁸ By the end of September, 1917, none of the associations had announced its desire for a conference, and accordingly a strike was announced to begin on October 1, 1917.

In view of the existing war emergency Vice Chairman R. B. Stevens, of the United States Shipping Board, effected a prompt settlement of the wage dispute. Effective October 1, 1917, wages were fixed at \$95 a month for all members of the deck and engine crew, except ordinary seamen and coal passers, whose rates were fixed at \$60 a month.¹⁹

According to the Shipping Board, wages were not the real issue of the dispute, as the Lake Carriers' Association paid relatively high

¹⁶ For discussion of this system and plan, see p. 13 and Bulletin No. 235, of U. S. Bureau of Labor Statistics.

¹⁷ Marine and Dock Labor, U. S. Shipping Board, Washington, 1919, p. 25.

¹⁸ For full text of the demands of the Lake Seamen's Union, see Proceedings International Seamen's Union of America, 1917, pp. 33, 34.

¹⁹ Marine and Dock Labor, U. S. Shipping Board, Washington, 1919, p. 120.

wages. To remove the more fundamental grievances, Mr. Stevens announced that the Shipping Board would investigate the association's employment system, of which the continuous discharge book system was an important part. The union leaders thereupon ordered an indefinite postponement of the strike.

CONTINUOUS DISCHARGE BOOK ABOLISHED.

After an investigation the Shipping Board announced on November 21, 1917, that what had been known as the continuous discharge book should be abolished. In its place individual certificates of discharge might still be issued; but only such specified data could be given as would describe the seaman and the nature of his service, thereby eliminating the objectionable "personal opinion" feature or any other notation that might indicate a seamen's union activities. By this regulation it was hoped that the good features of the Lake Carriers' welfare plan might be saved, but that the possible use of its records as a "black-listing device" might be prevented.²⁰

LABOR ISSUES BECOME MORE SERIOUS.

With the opening of navigation the next spring the Shipping Board found that marine labor issues on the Lakes had become more serious. The seamen complained that while the Lake Carriers' Association had abolished the continuous discharge book, it was nevertheless violating the order of the Shipping Board. In place of the book the association had substituted a "certificate of membership." Each certificate contained a pocket to be used as a container for individual discharge certificates issued at the end of each voyage. On signing up for a trip all certificates had to be deposited with the ship's officer. The seamen believed that the new device was intended to serve exactly the same purpose as the former continuous discharge book.

The aversion to the Lake Carriers' Association by the seamen was further intensified by the fact that the association had refused to take part in the Washington marine conference of May, 1918. The association declined to be represented on the ground that attendance would mean the recognition of the seamen's unions as representatives of their employees.

The issuance by the Lake Carriers' Association of the certificates of membership, the refusal of that association to meet the seamen, and its unwillingness to sign the "Call to the Sea" aroused the Lake Seamen's Union and the Marine Firemen, Oilers, and Water Tenders' Union of the Great Lakes. By a referendum vote a strike was declared by these unions, effective July 29, 1918—

Until such time as the said Lake Carriers' Association shall express its willingness to abide by the decisions of the United States Shipping Board, and to give its full support to the Government of the United States, by cooperating with all maritime agencies now endeavoring to safeguard the interests of the Nation.²¹

In addition, an increased wage scale was demanded for members of the deck and engine departments. The unions, however, expressed their willingness to submit the adjudication of wage questions to the Shipping Board for decision. Accordingly, on August 9, 1918, the board announced a new wage scale, retroactive to July 29,

²⁰ Marine and Dock Labor, U. S. Shipping Board, Washington, 1919, p. 24.

²¹ From joint strike resolution printed in Proceedings International Seamen's Union of America, 1919, pp. 27-29.

on vessels operated by independent (nonassociation) operators. By this award the wages of ordinary seamen and coal passers were increased \$10 a month. This increase brought their rate up to \$70. By a \$5 increase the wages of all other deck and engine employees were brought up to \$100 a month. Wage increases of from \$10 to \$20 a month were authorized in the stewards' department. The foregoing scales were subsequently put into operation on the vessels of the Lake Carriers' Association. Ordinary seamen, however, were paid \$72 a month by the association instead of \$70, and lower members of the stewards' department were also given slightly higher increases.²²

EMPLOYMENT SYSTEM AGAIN CONSIDERED.

In the meanwhile the Shipping Board again had taken up the much disputed employment system. In the early summer of 1918 the board suggested, and in July ordered, that the certificate of membership should not be accompanied by any container. It further ordered that there should be a statement on the face of each discharge certificate that it was the property of the man to whom it was issued. The order also stipulated that it was "the intent of this finding that seamen should be employed solely with reference to their fitness for the work and not with reference to membership in the welfare plan, nor with reference to affiliation with or activity in any union."²³

TRAINING STATION ESTABLISHED.

The demands of the unions regarding the recruiting and the training of seamen were met a few days before the strike was to become effective, which was on July 29, 1918. Two days previous to this date the Shipping Board announced the establishment of a training station on the Lakes and instructed all lake associations and shipowners to cooperate with that school. The next day Chairman E. N. Hurley, of the United States Shipping Board, directed the Lake Carriers' Association to sign the "Call to the Sea" and recommended the temporary discontinuance of registering seamen in the Lake Carriers' assembly halls.

The various aforementioned orders and recommendations disposed of most of the reasons advanced by the unions for a strike, and on July 28, 1918, the strike was declared off.

ADVERSE POSTWAR CONDITIONS.

The termination of the European war in November, 1918, brought with it the discontinuance of munition manufacturing and shipbuilding. In consequence the movement of ore on the Great Lakes was greatly reduced in 1919. The subsequent light shipping reduced the employment of seamen and retarded the rapid growth in membership of the three Lake unions. By the end of the year 1919 the Marine Cooks and Stewards' Union had the same number of men on its rolls as at the end of the previous year. The Marine Firemen, Oilers, and Water Tenders' Union and the Sailors' Union each had added only 200 members to its membership list in 1919. Wages, however, generally remained unchanged.

²² Marine and Dock Labor, U. S. Shipping Board, Washington, 1919, p. 120.

²³ Order summarized in Marine and Dock Labor, U. S. Shipping Board, Washington, 1919, p. 26.

In order to assist the Lake unions in their membership campaigns, the executive board of the International Seamen's Union was authorized by the January, 1920, convention of this union to expend \$4,000. Furthermore, the services of two organizers for a period of six months were granted to the Marine Cooks and Stewards' Union of the Great Lakes.

AGREEMENTS SIGNED.

In April, 1920, the three Lake unions signed a joint agreement, running one year, with the Great Lakes Transit Corporation. This agreement gave an increase of 25 per cent over the 1919 scale to all unlicensed employees. The wages of all deck and engine room employees were thus brought up to \$125 a month, with the exception of ordinary seamen and coal passers, who were increased to \$87.50 a month. The eight-hour day in port and the three-watch system in the deck and engine departments were also specified.²⁴ Similar agreements were entered into with the Lumber Carriers' Association, the Passenger Boat Managers' Association, the Car Ferry Managers, and vessels of the United States Shipping Board. It was impossible to secure any agreement with the Lake Carriers' Association, the largest organization of shipowners on the Great Lakes.

AID AGAIN EXTENDED TO COOKS.

In the year 1920 the Marine Cooks and Stewards' Union and the Marine Firemen, Oilers, and Water Tenders' Union lost 100 members each. The Sailors' Union neither gained nor lost any men. In view of these conditions the 1921 convention of the International Seamen's Union continued the services of the two organizers for the cooks, but recommended that the cooks "make a special effort to reduce the expenses of their union." In spite of this aid, figures for the end of the year 1921 show that the cooks had 1,500 members at that time as compared with 1,600 at the end of the previous year. The firemen lost 1,100 men in 1921, and had at the end of that year a membership of 2,200. The Sailors' Union had 2,000 members at the end of 1921 as compared with 3,200 at the end of 1920.

NEW WAGE RATES.

The conditions prevailing on the Great Lakes during the 1921 season were described in a joint report made by the three unions of that district. The secretary of the International Seamen's Union summarized this report in his annual convention message. The summary shows that the Lake Carriers' Association cut wages 36 per cent in 1921. This reduction brought the wages of wheelmen down from \$130 a month, the prevailing rate on vessels of the Lake Carriers' Association in 1920, to \$85 a month. In 1920 Canadian wheelmen received \$110 a month. On recommendation of the Canada Board of Conciliation this rate was reduced in 1921 to \$99.

In spite of the great reduction on the association's vessels, the three unions signed agreements in August, 1921, with the managers

²⁴ For full text of agreement, see Proceedings International Seamen's Union of America, 1921, p. 183.

of the steamers operated by the Grand Trunk Railroad, the Pere Marquette Railroad, the Ann Arbor Railroad, and the Wabash Railroad for a wage rate of \$100 a month for wheelmen, able-seamen, and firemen, and \$70 a month for ordinary seamen and coal passers. The wages of cooks and stewards were also somewhat reduced from the previous season. The three-watch system and the eight-hour day for the deck and engine room crews were retained. These agreements were effective until April 16, 1922. At about that time the agreements were renewed. Satisfactory wage rates were secured and the three-watch system for the deck and engine departments was again granted. A similar agreement was concluded with the Passenger Boat Managers' Association of the Great Lakes.

The Lake Carriers' Association continued its open-shop campaign, and accordingly reduced wages to \$80 a month for experienced men and to \$55 a month for inexperienced men. Moreover, in the spring of 1922 the Lake Carriers' Association reintroduced the "continuous discharge book." Without this book no one can sail on any of the association's vessels.²⁵

ANOTHER STRIKE.

In August, 1922, plans were laid for a strike to bring about the eight-hour shift for deck crews and higher wages on the vessels of the Lake Carriers' Association. The membership of the three Lake unions, in a referendum vote, practically unanimously indorsed the calling of the strike. At the request of the United States Department of Labor the executive officers of the sailors', firemen's, and cooks' unions were asked to come to Washington for a conference with the Secretary of Labor. After hearing the grievances of the seamen, the Secretary invited the officers of the Lake Carriers' Association to Washington in order to meet the representatives of the seamen. After a few days the association replied that it stood by the open-shop policy that it had adopted in 1908. While it refused to meet the officials of the seamen's unions, it, however, announced an increase of \$15 per month, effective September 1, 1922.²⁶ Upon receipt of this information the officers of the union referred to its members the calling of a strike regarding the eight-hour working day. In the meantime the I. W. W. had advised its members to get aboard the lake boats.²⁷

In spite of the increase in pay and the possible menace of the strike-breaking I. W. W., the Lake seamen voted for a strike to begin on October 1 on vessels of the Lake Carriers' Association. This date was held to be very opportune, because at that time shipments of grain to the East and coal to the West were at their peak.²⁸ This strike was still unsettled at the close of navigation on the Great Lakes. The union intends to renew the strike with the opening of navigation in the spring of 1923.²⁹

²⁵ The foregoing information was received by the writer from Secretary T. A. Hanson in a letter of May 25, 1922.

²⁶ In August the Lumber Carriers' Association announced that the wages of all unlicensed men on the steamers and mates, sailors, and cooks on the barges would be increased \$15 per month, effective Sept. 1. (Buffalo Courier, Aug. 17, 1922.)

²⁷ The Seamen's Journal, September, 1922, pp. 3, 4.

²⁸ New York Times, Sept. 26, 1922.

²⁹ The Seamen's Journal, December, 1922, p. 8.

THE PACIFIC COAST.

A majority of the individual employers and most of the shipowners' associations on the Pacific coast, prior to the war, entered into agreements from time to time with the various seamen's unions. During the war the seamen and the shipowners made their own agreements as to wages and working rules. The conditions so determined were accepted by the Shipping Board for its own Pacific vessels.³⁰

EARLY WAR AGREEMENTS.

The Pacific unions jointly, in May, 1917, met their employers and succeeded in obtaining considerable improvement in working conditions and increases in overtime pay and wages. The new agreements called for \$60 a month for sailors and all unlicensed members of the fireroom,³¹ and increases in the stewards' department in the coastwise trade. The exclusive employment of union men, whenever available, was also stipulated.

After these agreements had been in operation for a few months, it was found that not enough seamen were being recruited on the Pacific coast. To increase the number of new seamen, the unions agreed to a proposal for the dilution of labor similar to that contained in the Atlantic war agreement. In accordance with this plan the proportion of boys and ordinary seamen to able seamen was increased. As the proper operation of this plan made it necessary for the seamen to relinquish the closed shop, they did so. This voluntary surrender was especially noteworthy because, at the outbreak of the war, the Pacific seamen were understood to have been 95 per cent organized.

WAGE INCREASES IN 1918 AND 1919. .

During 1918 the wages of sailors and firemen were increased 25 per cent. Wages of able seamen and all members of the fireroom were thus brought to \$75 a month. Members of the stewards' department received increases of \$15 a month. These increases were granted by the shipowners and were, in due course, approved by the Shipping Board. Increases in overtime pay and in subsistence money, and improved working conditions were also allowed.³²

Further wage increases and improvements in working conditions were secured by the Pacific unions by agreements with shipowners on August 1, 1919. Wages of able seamen and firemen were increased by this agreement from \$75 to \$90 a month and wages in the stewards' department were again increased \$15 a month. A notable improvement in working rules was made for the crews of all sailing vessels by the introduction of a regular Saturday half holiday, both at sea and in port. Increases were again made in overtime and subsistence rates. Similar agreements were made with the United States Shipping Board.

The advances in wages and improvements in other respects were, according to the editor of the Seamen's Journal, largely due to "the

³⁰ Marine and Dock Labor, U. S. Shipping Board, Washington, 1919, p. 23.

³¹ For copy of working rules of Marine Firemen, Oilers, and Water Tenders' Union of the Pacific, see Proceedings International Seamen's Union of America, 1917, pp. 143-147.

³² Proceedings International Seamen's Union of America, 1919, pp. 58-61.

fact that the three unions involved have faithfully observed the terms of previous agreements. The organized seafarers on the Pacific coast have been frank in recognizing that collective bargaining with employers creates obligations and responsibilities no less than advantages."³³

REDUCTIONS IN 1921.

Early in 1921 the agreements made in 1919 and renewed in 1920, with the customary optional 30-day revocation clause, were still in effect. After notice given by the employers of the termination of the Pacific coast agreements, negotiations were held with representatives of the seamen's unions. These resulted in a deadlock and settlements were postponed until after wages and working conditions had been decided upon on the Atlantic coast.

In April an employers' meeting was held between "the Pacific Steamship Association, the American Steamship Owners' Association on the Atlantic, and the United States Shipping Board, at which it was decided that a 15 per cent general reduction ought to be made on May 1, together with certain modifications in working rules."³⁴ These conditions, which were offered to the affiliated unions of the International Seamen's Union and to the Marine Engineers' Beneficial Association, were rejected, and a strike was begun on May 1, 1921. The strike was lost on both the Atlantic and the Pacific coasts.

The wage scale which was promulgated by the Shipping Board for the Atlantic coast was also made to apply to the Pacific coast, and, effective May 1, 1921, able seamen were reduced to \$72.50 a month and firemen to \$75 a month.³⁵

One of the unfortunate outcomes of the strike was the dissatisfaction that its loss caused among the members of the Sailors' Union of the Pacific. The newly elected editor of the Seamen's Journal and other radicals held that the strike was another failure to be charged against craft unionism and against the alleged conservative leaders of the union. After a few months, when the rank and file had in turn become dissatisfied with the new doctrines, this editor and other advocates of the I. W. W. policies were expelled from the union.³⁶

FURTHER SETBACKS.

On February 6, 1922, the Shipping Board simultaneously reduced wages on the Atlantic and on the Pacific coasts. Able seamen were reduced to \$55 a month and firemen to \$57.50. Prevailing rates before this reduction were \$72.50 a month (since May 1, 1921) for able seamen and \$75 for firemen. The newly promulgated rates were somewhat lower than those established in May, 1917. At that time wages for unlicensed members of the deck and engine departments were established at \$60 a month.

³³ For details, see *The Seamen's Journal*, Aug. 20, 1919, p. 6.

³⁴ Report on Marine and Dock Industrial Relations, U. S. Shipping Board, Washington, 1922, pp. 14, 15.

³⁵ See p. 60; also *Wages and Working Conditions Aboard Ship*, a multigraphed report of rates effective in summer, 1921, issued by U. S. Shipping Board.

³⁶ For further details, see Ch. VII.

In the spring of 1922 some shipowners on the Pacific coast increased wages about 15 per cent. Overtime pay and former working rules, however, were not restored. Furthermore, in the period following the unsuccessful strike in May, 1921, the union book was superseded by a "record book" similar to that in use on the Great Lakes vessels of the Lake Carriers' Association.

SUMMARY.

Owing to the stimulus of the war and the opportunity for higher wages under collective agreements, men were attracted to ship on the Great Lakes and on the Atlantic and the Pacific. In the course of five years (1915 to 1920) the membership of the International Seamen's Union grew from 20,000 to 115,000. Unsuccessful strikes against reductions in wages in 1921 and the stagnation of shipping in that year not only caused a sharp drop in membership but gave an opening to the advocates of industrial unionism. These circumstances weakened the efforts of the International Seamen's Union to resist further wage cuts and led to the breaking down of working conditions. In turn, the membership dwindled to lower levels.

Among these setbacks the seamen find a redeeming feature in the fact that "the policy of the shipowners is daily proving the helplessness of the seamen in the absence of the power of self-protection."³⁷ Although the membership has been considerably reduced within the past few years, it is felt that the remaining members are those that are convinced that the International Seamen's Union is based on sound principles.

The future of the various unions depends on how well the seamen get together in the coming months to take advantage of the expected industrial revival.

³⁷ The Seamen's Journal, May, 1922, p. 4.

CHAPTER V.—INTERNATIONAL RELATIONS.

EARLY ACTIVITIES.

EARLY ASPIRATIONS FOR INTERNATIONAL COOPERATION.

The word "International" in the title of the International Seamen's Union of America means more than when used in connection with other American unions. The broader understanding of that word by the seamen may be traced partly to the inheritance of the idea of international cooperation and brotherhood by the International Seamen's Union from its parent union, the Sailors' Union of the Pacific. In 1890 the latter organization sent three members to a convention of the British Seamen's Union in England in order to effect a world-wide federation. The plan for such an organization was premature and therefore failed, but the aspiration for cooperation with organized marine workers of other countries persisted. Perhaps the strongest impetus to cooperation with foreign unions may be found in certain conditions peculiar to the work of seamen. Occasionally American seamen, through shipwreck or other accident, found themselves stranded in foreign ports with little or no money. If they desired to return to their home port, they were compelled to find work on a vessel sailing to the United States. In an unorganized port the finding of a new job on such a vessel was relatively simple; in a well-organized port it was practically impossible without first joining the foreign maritime union. To so join was a hardship to seamen with little money and almost an impossibility to seamen with no money.

The existence of these conditions was known to the officials of the Sailors' Union of the Pacific, who sought to remedy the situation by the establishment of a transfer system. Under this system any maritime union was to recognize the membership cards of any other bona fide seamen's union and was to transfer any member holding a paid-up card to its own organization. Within a few years after its first attempt at a world-wide federation the Sailors' Union of the Pacific effected such transfer arrangements with the Australian maritime Unions. A few years after the formation of the International Seamen's Union the idea of cooperation was further extended and arrangements were made for the recognition of transfers between the Atlantic Coast Seamen's Union and the British Union of Sailors and Firemen. These arrangements, however, did not get beyond the "paper" stage for a good many years.

INTERNATIONAL FEDERATION TURNED DOWN.

In 1896 the matter of affiliation of the International Seamen's Union with the seamen of other countries was brought to the attention of the international union by the British Seamen's Union. In discussing this matter the secretary of the international union wrote

in the October 7, 1896, number of the *Coast Seamen's Journal* (p. 7) : "The unanimous opinion of the executive board is that, while heartily in favor of a world-wide federation, the first need is for federation among ourselves." An editorial in the *Coast Seamen's Journal* of January 12, 1898, on the invitation of the International Transport Workers' Federation¹ to the International Seamen's Union stressed the same point: "As a necessary preliminary to international federation, the work of strengthening the local organization is now receiving the largest share of attention." In order to hasten American-British cooperation, Mr. J. Havelock Wilson, of the British Sailors and Firemen's Union, assisted in the organization work on the Atlantic coast.

AFFILIATION WITH INTERNATIONAL TRANSPORT WORKERS' FEDERATION.

Although the officers of the international union had begun to consider the question of affiliating with the International Transport Workers' Federation in 1898, important matters relating to internal organization overshadowed consideration of international subjects until 1904. That year's convention referred the matter of affiliation with the International Transport Workers' Federation to a referendum vote of the affiliated unions. Affiliation with the federation, however, did not greatly interest the rank and file, as only about 5 per cent of the total membership had voted on the matter by the time the delegates again assembled. An interval of another year did not dampen the enthusiasm of the delegates, and in 1906 they voted to affiliate with the International Transport Workers' Federation, beginning with January 1, 1907. By the time the 1907 convention met the International Seamen's Union was reported as part of the federation, and international matters had aroused such interest that the president of the international union was not only elected representative to the International Transport Workers' Federation convention in Vienna, but was further instructed to visit the different seamen's unions in Europe to secure information on the general movement of the organized seamen. At the Vienna conference he introduced a petition entitled "Appeal to the World," which called attention to the status of the seamen throughout the world. The petition urged that the seamen be made "freemen and that the blighting disgrace of bondage be removed from our labor." His appeal was voted down by the federation as a "Utopian dream." It was, however, adopted at a mass meeting of American seamen in Cooper Union, New York City, in 1909, and approved by the convention of that year. In 1910 it was again submitted to the International Transport Workers' Federation at Copenhagen and was adopted by a narrow margin.

THE INTERNATIONAL STRIKE.

After considering the report on the Vienna convention and on European conditions, the 1908 convention decided to arrange for the holding of an international seamen's conference. Following in-

¹The object of this organization was to support affiliated national organizations in their efforts toward improvement and regulation of wage and working conditions. Any organization of transport workers, either on land or sea, was entitled to affiliation in the federation.

structions to arrange the details for this meeting, the secretary at the 1909 convention reported that the various seamen's unions throughout the world would meet in Copenhagen in 1910 under the auspices of the International Transport Workers' Federation. The purpose of this meeting was primarily to work out means whereby the seamen of the world might unite to remove the legislative disadvantages under which they worked. The work of the convention, which met at the specified time and place, may be summarized as follows:

The International Transport Workers' convention at Copenhagen recommended that each country shall submit demands upon the shipowners for a conference to consider and remove at least some of the greatest evils imposed upon seamen by the International Shipping Federation, and failing to obtain such conference or conciliation to enter upon a strike in all countries at the same date, the date to be set later. From information received, it appears that the shipowners have refused and that this international strike will take place in the spring.¹

As the shipowners of the various countries did not adjust matters to the satisfaction of the seamen, an international strike was called on June 14, 1911. After a struggle that was well led in England the strike in that country was formally settled on July 3, and as a result the seamen of Great Britain won recognition and secured certain wage increases. The Belgian and Dutch seamen also secured certain satisfactory settlements. The Danish and German seamen settled with their employers early in the course of the strike.

In America the Atlantic coast unions also struck, and a telegram quoted in the *Coast Seamen's Journal*, June 28, 1911 (p. 6), from Secretary William H. Frazier, reported that the union had won "a victory over the Morgan, Clyde-Mallory, Old Dominion, and Savannah Lines. The concessions gained from these lines establish a new standard to which all shipping must conform. Our comrades on the Atlantic coast have waited long and patiently for the improvements which they have now gained."

WORLD-WIDE TRANSFER SYSTEM FAVORED.

The participation of the International Seamen's Union in the Copenhagen conference and in the subsequent international strike did not hinder that organization from taking certain practical steps to further international cooperation and solidarity. For example, the Marine Firemen's Union of the Atlantic and Gulf was instructed by the 1909 convention of the International Seamen's Union to transfer members from any firemen's union in the world. Furthermore, all affiliated organizations were recommended to give "friendly consideration" to the policy of issuing transfers to foreign bona fide union seamen who desired to join any of the district unions. In addition to advocating consistently the "brotherhood of the sea," the president of the international union, in 1910, recommended that membership cards from any foreign bona fide seamen's union be recognized and that the holder be admitted to membership in the union of his craft without payment of initiation fee, if he understood sufficient English to obey commands aboard ship. In accordance with this

¹ Proceedings International Seamen's Union of America, 1910, p. 7.

suggestion the convention adopted a resolution stating that the international union favored a free system of transfers on the part of the affiliated unions to all foreign bona fide union seamen.

The extent of international cooperation on the part of American maritime unions and the common aspirations, difficulties, and struggles of all seamen were eloquently expressed in 1911 by the president of the International Seamen's Union in his annual convention address:

Nearly all of our affiliated unions recognize the membership cards, and transfer without initiation fee members of seamen's unions of all European countries. Most of them do the same with our members. Their struggle is the same as ours; they work under the same conditions as we do; they are subject to the same legal discriminations. Our condition and the oceans bring us together, though we may be divided by national boundaries and differences in language. Our condition, our hopes, and aspirations are the same, and the slight differences in the forms of organization neither can nor will keep us apart.

The presence of delegates from the British maritime unions at the 1911 convention of the International Seamen's Union inspired that gathering to return the courtesy by electing one delegate to the next convention of the British Seamen's Union.

INTERNATIONAL COOPERATION RETARDED.

During the next few years the intense struggle of the International Seamen's Union for the passage of the seamen's bill did not leave much time or energy for the consideration of detailed arrangements necessary for international cooperation. Indeed, in 1917, the American firemen on the Atlantic coast found that certain British administrative details interfered with the carrying out of the spirit of good will and of the brotherhood of the sea.

At different times during 1917 various members of the Marine Firemen's Union of the Atlantic found themselves stranded in British ports. In order to return to this country they were compelled to transfer their paid-up American union membership books for British books at a charge of from 10 shillings to £1 (\$2.43 to \$4.87, par). This practice was thought by officials of the Marine Firemen's Union of the Atlantic to work an unnecessary hardship on stranded American firemen. They therefore introduced at the 1917 convention a resolution calling upon the British union to eliminate this practice. So as not to rebuke officially the British union, the committee on resolutions, to whom the resolution had been referred, recommended that the matter be brought to the executive board's attention "for investigation and such action as may be deemed advisable." The committee's recommendation was adopted. The executive board, however, was unable to make any satisfactory settlement and therefore the firemen's delegates at the next convention warned the officials of the International Seamen's Union that if they did not take immediate action the Atlantic firemen would adopt retaliatory measures. They were persuaded, however, to allow the secretary of the international union to communicate directly with the secretary of the British union with a view to having him settle the grievances of which the Atlantic firemen had complained. Although several efforts were made by the secretary of the international union during the next year to adjust this problem, no

satisfactory results were obtained. It was finally settled by mutual agreement at the 1920 meeting of the International Seafarers' Federation.

ATLANTIC AND BRITISH COOKS ARRANGE TRANSFER SYSTEM.

During the year 1919 the Marine Cooks and Stewards' Association of the Atlantic and Gulf and the British National Union of Ships' Stewards, Cooks, Butchers, and Bakers entered into an agreement covering the transfer of members. This agreement provided that members of the British union who were signed on and paid off in ports of the Atlantic and the Gulf were, after one trip, to transfer their union books to the American union. Members of the British union who had paid up one year's membership were to be entitled to a free transfer. Likewise, members of the American union sailing on ships out of British ports were to transfer their books to the British union after one trip. This transfer was to be provided free to those men who were fully paid up for one year in the American union. The British union agreed to render any necessary legal assistance to American cooks and stewards in England and the American union pledged itself to extend the same privileges to British members in America.³

THE WAR AND INTERNATIONALISM.

The European war acted as a drawback to the development of international cooperation, as all the warring nations had, upon the outbreak of the war, impressed their seamen to serve their respective countries. The hatred felt by the seamen of the allied countries against the German seamen was extremely great on account of the German submarine policy. Nevertheless, at the December, 1917, conference of the International Seamen's Union a resolution was introduced which favored the calling of "a conference of all seamen immediately upon the termination of the present war for the purpose of initiating such measures as may be deemed essential for the elimination of dissension and hatred among men of our calling." The resolution further instructed the international secretary, "if peace should be declared during the ensuing year, to communicate with all the seamen's organizations of the world with the purpose in view as set forth by these resolutions." This resolution was adopted after the committee on resolutions, to whom it had been referred, called special attention to the following excerpt from the president's address:

Our organization's chief concern ought to be directed to prevent any hatred of seamen by seamen. Seamen have no choice but to obey. He is not morally responsible for his action under command in war. By hating he will become morally responsible. Hatred once developed does not cease with the war and will then be used by shipowners to pit seamen against seamen.

PRESIDENT OF INTERNATIONAL UNION VISITS EUROPE.

Five days after the armistice the president of the international union held that the Peace Conference would "in some way seek to either wholly or partly nullify the seamen's act," and elaborated this

³ For full text of this agreement, see Proceedings International Seamen's Union of America, 1920, p. 311.

idea in a letter of November 16, 1918, to President Wilson. After consultation with the executive board of the International Seamen's Union, its president left for Europe on December 5, 1918, to present the case of the seamen to the Peace Conference. Soon after his arrival in London he attended a meeting of the executive board of the British Seamen's Union and reported on the effect of the seamen's act on the welfare of American seamen. The purpose of his visit was to show the British seamen the need of indorsing and working for a similar law in their country. The executive board, however, agreed with their president, who said that although his organization would do everything possible to support the seamen's act in the United States, it would not indorse a similar act for British seamen.

Immediately after this meeting Mr. Furuseth left for France and interviewed the representatives of the French seamen, who stated that they desired the principles of the seamen's act made applicable to France. In addition, he saw various secretaries and representatives of the American commissioners to the Peace Conference in order to protest in advance against any efforts that might be made by any foreign shipping interests or by foreign Governments to nullify the seamen's act by means of an international treaty. During a short trip to Norway Mr. Furuseth saw the premier and the minister of the merchant marine, to both of whom he explained the seamen's act. While in that country he had published an explanation of the seamen's act, which was given wide publicity.

CONFERENCE OF INTERNATIONAL SEAFARERS' FEDERATION.

While Mr. Furuseth was in Europe the annual convention of the International Seamen's Union (January, 1919) decided to affiliate with the International Seafarers' Federation, which was to hold a convention in London in February, 1919. As the International Seamen's Union felt that the London convention might have great influence on the delegates at the Peace Conference, it elected four members as representatives to the London convention. When the federation conference met, delegates from the United States, Denmark, Norway, Sweden, England, France, and Italy were present. The conference unanimously adopted a resolution acknowledging the great value of the seamen's act to American seamen and to all other seamen visiting the United States, and, in addition, protested against any treaty or other agreement which might interfere with the operation of that act in the United States or in any country which might adopt its principles. The resolution, however, left the extension of the principles of the seamen's act to the "judgment and efforts of the organized seamen of each respective country."⁴ Another resolution was adopted indorsing the language clause of the seamen's act, while a third pledged the seamen of all nations to fight for the wages of American seamen as an international standard. One of the resolutions, which was fought by the American delegates to the utmost but which nevertheless was passed, asked the Peace

⁴ For full text of resolution, see Proceedings International Seamen's Union of America, 1920, pp. 226, 227.

Conference to create a commission empowered to make laws governing seamen. This commission was to be made up of one Government delegate from each nation, one delegate from each country to represent the shipowners, and one delegate from each country to represent the seamen.

The convention lasted for seven days and adjourned to meet again in Paris on March 11, 1919. At the session in Paris no business of special importance to American seamen was considered.

OBJECTIONS TO LEAGUE OF NATIONS AND TO ITS CONFERENCE ON INTERNATIONAL LABOR LEGISLATION.

On arrival in Paris the American delegates studied copies of the covenant of the League of Nations and a copy of the proposed constitution of the Conference on International Labor Legislation. The delegates of the International Seamen's Union objected to Article XX of the covenant⁵ and, after studying the proposed constitution of the Conference on International Labor Legislation,⁶ criticized the latter document on the general ground that too much power was given to the various nations as such, to the employer representatives, and to the British Empire. Their report in part read:

We respectfully protest against the whole draft and fervently pray that God in His mercy may save the working people of the world, the working people of the United States, but more especially the seamen.

If we might suggest something, we would beg tentatively to propose that an international labor bureau be instructed to collect information to be collated under supervision of the governing body. Let it be submitted to a yearly conference to make their recommendations to the several nations, there to be dealt with as might be thought wise under pressure of public opinion. Let the facts be obtained and the recommendations be advisory, leaving to each nation its sovereignty and to each nation's workpeople their hope and possible power of influencing their own legislative authorities without waiting the pleasure of the most backward of nations. Let it try to lift the lowest instead of depressing the highest.⁷

After having read a revised copy of the proposed constitution of the Conference on Labor Legislation, Mr. Furuseth drew up a memorandum to the American delegates to the Peace Conference, in which he protested against the whole constitution, which, however, was adopted. He felt that Great Britain, which was opposed to the seamen's act, would seek to nullify it through the Conference on Labor Legislation. He felt that his suspicions regarding the British shipping interests were shown to be well founded when the conference refused to adopt an amendment prohibiting slavery or involuntary servitude, and when, in addition, because of the opposition, principally of Great Britain, it refused to adopt an amendment providing "that a seaman shall not be punished by imprisonment for leaving his vessel in a safe harbor, nor shall he be arrested, de-

⁵ The proposed article read as follows: "The high contracting parties will endeavor to secure and maintain fair and humane conditions of labor for men, women, and children, both in their own countries and in all countries to which their commercial and industrial relations extend; and to that end agree to establish as part of the organization of the league a permanent bureau of labor."

This article, with certain changes and additions, forms Article XXIII of the present covenant.

⁶ For text of proposed constitution, see Proceedings International Seamen's Union of America, 1920, pp. 213-217.

⁷ Quoted in Proceedings International Seamen's Union of America, 1920, pp. 218, 219.

tained, or surrendered to his vessel." However, the convention adopted the following as a protocol to be added to Article XIX of the constitution:

In no case shall any of the high contracting powers be asked or required, as a result of the adoption by the conference of any recommendation or draft convention, to diminish the protection afforded by its existing legislation to the workers concerned.

In commenting on the foregoing amendment, Mr. Furuseth wrote:

It seems that the seamen's act is safe, together with such higher standards for other workpeople as have been attained in the several other countries, but there is nothing definite here. The conference and the nations to which its draft conventions are submitted will, of course, be the parties to determine what is to be considered as diminishing the protection afforded by existing standards to the workers concerned.⁸

OPPOSITION OF BRITISH SEAMEN TO EXTENSION OF SEAMEN'S ACT.

A few days later, in order to ascertain for a certainty the opinion of the British Seamen's Union regarding imprisonment as a penalty for desertion, Mr. Furuseth again came before the executive board of that union and asked:

Are you in favor of a seaman being punished by imprisonment—in addition to losing his earned wages—for leaving his vessel in safe harbor? Secondly, are you in favor that he shall be arrested, detained, and surrendered to his vessel? If you are in favor of the seaman being so treated, you will answer "Yes" on both questions; if you are not in favor you will answer "No."

The board, however, did not answer with "Yes" or "No" but reaffirmed the resolution adopted by the International Seafarers' Federation Conference in London on February 27, 1919. This resolution approved the seamen's act for American seamen but left its extension to the organized seamen of the various countries.

FEAR OF "CRYSTALLIZATION."

In a letter of May 7, 1919, the president of the International Seamen's Union summarized the then existing situation by writing that the best he could say about the constitution-making conference on international labor legislation was that it endeavored to crystallize existing labor conditions, including those among seamen. He believed that if the League of Nations became a reality, "European nations would not be in a position to change the status of their seamen after they go into the League of Nations."

The president brought his fears to the attention of the Norwegian people so that they might abrogate, before their country became a member of the league, the laws which imprisoned seamen for desertion. As a result of his activities in Norway, a meeting of seamen of all crafts was called and a resolution was adopted praying for the abolition of arrest and punishment of seamen who left their vessels in a safe harbor. This resolution was given wide publicity and was sent to the Norwegian Government and to the headquarters of all labor organizations, which were urged to approve it and to call upon their Government to act.⁹

⁸ Proceedings International Seamen's Union of America, 1920, pp. 223, 224.

⁹ A cablegram in January, 1921, from an official of the Norwegian seamen's union stated that the seamen in Scandinavia had not succeeded in having their laws changed.

EUROPEAN REACTIONS SUMMARIZED.

After his European trip Mr. Furuseth felt that the seamen's act had few friends among shipowners or Government officials in either England or France because they feared that its operation might take away from them by desertion their best seamen. He felt that the seamen in France did not understand the act and that the British seamen were hostile to its extension.¹⁰

While shipowners in Norway were hostile to the act, Danish shipowners were said to be willing to have the existing laws changed in the seamen's favor.

In a letter to the secretary of the International Seamen's Union, the president of this union expressed himself regarding the European situation as follows:

Judging by what can be gathered from public men and from the press, it appears that if the seamen were to ask for big things, to exhibit a knowledge of why they ask, and insist upon it, they could get those things from most countries now or in the near future. If they ask for small things, it will please the givers better, and they will get that. The real unfortunate thing is that it appears that the officials of the seamen, at least, have neither the vision to see nor the courage to ask.¹¹

FIRST COMMITTEE ON INTERNATIONAL RELATIONS.

The foregoing reports of the president of the International Seamen's Union were submitted at the time of his address to the 1920 convention, and were published in the proceedings. So important did this convention regard international matters that for the first time, on motion of the delegates, a committee on international relations was appointed by the chairman. This committee, in discussing the potential danger to the seamen's act from the labor clause of the League of Nations, recommended that the executive board of the International Seamen's Union be authorized to use its best judgment in dealing with this situation, and it further recommended that the board be empowered in case of a crisis to call a special convention to formulate a plan of action. All of these recommendations were adopted. The committee called particular attention to the following section of the president's report:

To accomplish our purpose we must be associated with the seamen of the world and send delegates to the gatherings of the representatives of the seamen from different countries. We need them. They need us. We all need the strength that comes from knowing each other, and the help that we can give to each other industrially and legislatively. We must all become free, or we shall again all become slaves.¹²

Although the committee regarded the outlook for a greater and a more effective world-wide seamen's movement as encouraging, it felt that the seamen of America had to take an active part in changing

¹⁰ President J. Havelock Wilson, of the British Seamen's Union, has held that he prefers to have seamen punished by imprisonment for violation of their contracts rather than to have them go free after having violated them. The executive board of the British Seamen's Union has on all occasions sustained Mr. Wilson's stand. At a conference of the International Seafarers' Federation in August, 1921, it was decided to work in all countries for the abolition of penalties for desertion. It is reported that Mr. Wilson, who is also a member of the House of Commons, changed his position and drafted a bill to that effect.

¹¹ Proceedings International Seamen's Union of America, 1920, p. 211.

¹² Idem, p. 119.

the status of all seamen "from bondmen to freemen." Upon its recommendation a resolution approving the selection of three delegates to the August, 1920, convention of the International Seafarers' Federation was adopted.

SPECIAL CONFERENCE OF INTERNATIONAL SEAFARERS' FEDERATION.

During the summer of 1920 there were three international meetings relating to seamen, two of which were held in Genoa and one in Brussels. The first meeting in Genoa was a special conference called by the International Seafarers' Federation a few days before the convention under the auspices of the League of Nations was opened. This preliminary conference was one to which unions of all grades of seamen, including licensed officers, were invited regardless of affiliation with the federation. The specific purpose of the conference was to make it possible for the seamen of all countries to present a solid front at the League of Nations meeting. Twelve nations were represented at this conference, which was open without limit to the number of delegates from any one organization.

It is important to notice that "there were some rather serious differences of opinion upon the ideals and aspirations of the organized seamen, and these differences were of such a fundamental nature that compromise was out of the question."¹³

A very lengthy and heated discussion followed the introduction by the American delegates of the resolution calling upon all maritime nations to repeal the laws and to abrogate the treaties which provided for the arrest and return of deserting merchant seamen. The resolution also requested the coming League of Nations meeting to recommend the foregoing changes to the respective Governments. A roll call on the resolution showed that 15 delegates were for the resolution, 28 against, 5 not voting, and 10 absent. With the elimination of the votes cast by the various ships' officers, the different countries were reported to have expressed themselves as follows:

For the American resolution—Italy, Holland, Norway, Sweden, Germany, Japan. Against the American resolution—Great Britain, France, Belgium. Not properly recorded—Denmark, Spain, Greece.

The American delegate said regarding this vote that after "taking into consideration all phases of this controversy, the seamen of America should be quite well satisfied with the net results to date. The great principle which found concrete expression through the enactment of the American seamen's law of 1915 is marching on."

The matter of a shorter working-day had to be compromised, and the following resolution was adopted:

The conference insists upon the principle of the 8-hour day and the 48-hour week, and refers the working out of the details to each country, in a manner best suited for its own trade, and apply them in the shortest possible time, with the understanding that work in port shall be on the 44-hour week basis, i. e., of 8 hours' work for the first 5 days of the week and of 4 hours' work on Saturday in order to respect the English system regarding the Saturday afternoon."¹⁴

¹³ Quoted from report of American delegate. For his full report, see Proceedings International Seamen's Union of America, 1921, pp. 301-304.

¹⁴ Proceedings International Seamen's Union of America, 1921, p. 303.

INTERNATIONAL LABOR CONFERENCE OF LEAGUE OF NATIONS.

The preliminary conference called by the International Seafarers' Federation was adjourned after four days' deliberation in order to enable the delegates to attend the International Labor Conference, held under the auspices of the League of Nations, to consider the problems of seamen. The conference was opened in Genoa on June 15, 1920, in conformity with a resolution adopted in the October, 1919, International Labor Conference of the League of Nations in Washington, D. C. Four delegates from each nation, of whom two were appointed by the Government, one by the shipowners, and one by the seamen, attended the Genoa conference.¹⁵ The results of the deliberations of this meeting were expressed in two ways—in recommendations and in draft conventions. The conference made four recommendations to member and nonleague member nations to enact legislation and adopted three "draft conventions," i. e., treaties made ready for adoption by the various member nations.

Throughout the progress of the League of Nations' meeting reports were sent by the representatives of the International Seamen's Union to its secretary. These reports were placed in the hands of the committee on international relations at the January, 1921, convention of the International Seamen's Union. This committee made a synopsis of the work of the International Labor Conference and presented the draft conventions and resolutions to the delegates for consideration and action. The committee was gratified to note that with reference to fishermen an 8-hour day and a 48-hour week (with certain limitations) were recommended at the Genoa conference.¹⁶

An important recommendation of the Genoa conference provided "that each member of the international labor organization undertake the embodiment, in a seamen's code, of all its laws and regulations relating to seamen in their activities as such" to be used for preparing an international seamen's code.¹⁷ The international relations committee of the seamen's union viewed "with suspicion this attempt at this time to bring about an international code for seamen" on the ground that "the backwardness of the laws of some of the nations of the league will retard and hinder the adoption of real progressive laws and measures for seamen." The convention agreed with this interpretation and adopted the report of the committee.

The draft convention relating to employment provided that "the business of finding employment for seamen shall not be carried on by any person, company, or other agency as a commercial enterprise. Committees consisting of an equal number of representatives of shipowners and seamen shall be constituted to advise on matters concerning the carrying on of offices for the purpose of providing employment for seamen." The committee on international relations was opposed to the foregoing provisions, which were coupled with unemployment insurance for seamen, on the ground that the possibility

¹⁵ Delegates from the United States were present only as observers.

¹⁶ The first item of the agenda of the Genoa conference, which related to limiting the hours of seamen to 8 per day and 48 per week, failed to secure by a small fraction the necessary two-thirds majority.

¹⁷ An instruction to the code commission provided that imprisonment for desertion and the right to place men back on vessels by force, to labor against their will, be omitted from such a code. (Statement of Mr. Furuseth to the writer; see *The International Seamen's Code*, International Labor Office, Geneva, 1921, Ch. IV.)

of establishing an effective blacklist system was great. The committee was sustained by the convention in its hope that this draft convention would not be ratified by the various nations.

In discussing the draft convention which fixed the minimum age for children employed at sea at 14 years, the committee on international relations regretted that the Genoa conference "did not see the necessity of raising the age limit of children employed at sea to 16 years."¹⁵

The committee on international relations had no direct report to make on the draft convention which provided for indemnity in case of loss or foundering of the ship, or regarding the recommendation of the League of Nations' conference that the different nations using the same waterways enter into agreements about the hours of work of persons employed on inland waterways.

BIENNIAL MEETING OF INTERNATIONAL SEAFARERS' FEDERATION."

The international labor conference of the League of Nations was adjourned on July 10, 1920, and was followed a month later (August 9) in Brussels by the biennial meeting of the International Seafarers' Federation, which was the third gathering held that summer for the consideration of problems relating to seamen. At this conference there were present 45 delegates from 14 affiliated seamen's unions representing the unlicensed personnel in various parts of the world.

The general secretary of the federation in his report said in regard to the League of Nations' conference: "The seamen did not obtain much of value at the last-mentioned conference, but I am of the opinion that the conference helped all seamen to see the necessity of combining in a strong seafarers' federation."

An early indication of the fact that the seamen were not satisfied with the league's work was the attack by the president of the International Seamen's Union on the draft convention which provided for the establishment of employment offices for seamen. He introduced the following resolution, which was adopted by the federation:

Whereas the "draft convention" about employment of seamen prohibits employment of seamen, except (a) through an office maintained jointly by shipowners and seamen with an independent chairman, or (b) through an office under the sole control of the nation's Government, any violation to be punished by imprisonment; and

Whereas there is nothing to hinder the shipowners from establishing offices to find men for their vessels; and

Whereas this "draft convention" is very dangerous to the seamen and their organizations because the latter will in all probability be classified as illegal employment agencies: Therefore be it

Resolved, That this conference of the International Seafarers' Federation protest against said "draft convention" and pray that it be rejected by the separate nations.

The struggle for a wider application of the principles of the American seamen's act was furthered by the federation's approval

¹⁵ Proceedings International Seamen's Union of America, 1921, p. 113. It is of interest to note that the assembly of the International Labor Conference in November, 1921, adopted two draft conventions relating to the work of young persons on ships. The first prohibited the employment of persons under 18 years of age as trimmers and stokers; the second provided for the medical examination of those under 18 years employed on ships.

¹⁶ For account of this meeting, see Proceedings International Seamen's Union, 1921, p. 312.

of the following proposals, which were introduced by the American delegates:

1. A request to the separate nations to repeal all laws under which seamen are or may be arrested and imprisoned for violation of the shipping articles when a vessel is in a safe harbor.
2. The abrogation of all treaties under which seamen are arrested, detained, and surrendered back to the vessel from which they have deserted.
3. That the seaman shall be placed upon the same level with the shipowner, i. e., that violation of a contract to labor shall be a civil in lieu of a criminal offense.
4. That the seaman's clothes shall at all times be exempt from attachment by the vessel or the master.

A resolution was adopted providing for the taking of immediate steps to force the various Governments to grant the demands for a shorter working day by means of legislation.

After prolonged debate on the establishment of an international standard rate of wages, the determination of such a standard was referred to the secretariat, with the understanding that the highest rate paid in Europe should be the standard rate.

AGREEMENT ON TRANSFERS.

At this convention the following agreement in reference to the transfer of members was also agreed upon:

That a member of any affiliated union joining a vessel of another nationality, other than that of the union of which he is a member, should be permitted to sail for three months, or one voyage if longer than three months, without being compelled to transfer. At the end of three months, or at the end of the voyage, such member be requested to transfer, but without payment of entrance fee, all contributions due to be the property of the union to which he is transferred.

At the 1921 convention of the International Seamen's Union the foregoing resolution was made an addition to the constitution.

SUMMARY.

RECENT STEPS TOWARD INTERNATIONAL COOPERATION.

In order to secure closer cooperation with foreign seamen's organizations, the 1921 convention of the international union instructed its secretary to communicate with the principal seamen's unions of the world and to procure literature from them for distribution by all the branches of the International Seamen's Union.

Early in 1920 the Dutch seamen became involved in a strike for what was termed "international wages" and requested the assistance of the International Seafarers' Federation, which, in turn, called on its affiliated bodies. With the object of demonstrating "by action that its motto 'The Brotherhood of the Sea' is not merely a theory," the International Seamen's Union raised \$7,500 for the Dutch seamen. In support of the Danish seamen who were also striking at this time \$1,000 was contributed by the treasury of the International Seamen's Union.

In order to keep in touch with the European situation the convention held it necessary to send a delegate only once a year to the executive council of the International Seafarers' Federation, and at this time one delegate was elected to the August, 1921, conference.²⁰ The

²⁰ For report of delegate, see Proceedings International Seamen's Union of America, 1922, pp. 69-71, 100-106.

question of representation at the International Seafarers' Federation convention at Geneva in August, 1922, was referred to the 1922 convention. This convention elected Mr. Furuseth delegate to the annual congress of the Seafarers' Federation.

CONCLUSIONS.

In its early history the International Seamen's Union of America had but few relations with foreign organizations. It was not until 1907 that it joined the International Transport Workers' Federation. The American unions have always favored the recognition of membership cards held by members of bona fide foreign unions. Although attempts were made as early as 1909 to effect an international transfer system, it was not until 1919 that completely satisfactory arrangements were made with the British unions.

The European war and the intense struggle of the International Seamen's Union for the passage of the seamen's bill did not leave much time or energy for international cooperation. The international activities of this union in the period following the armistice can be understood only in connection with the attempts of its president to defend the seamen's act from the attacks of foreign shipowners and in connection with his attempts to spread an understanding of the act among European seamen. He succeeded in preventing the Peace Conference from adopting any measures unfavorable to the seamen's act. On the other hand, he was not entirely successful in persuading European seamen that the act should be universally adopted. Opposition to the extension of the act was especially strong among English seamen. Mr. Furuseth was generally opposed to the labor provisions in the covenant of the League of Nations on the ground that too much power was given to the various Governments as such, to employers, and to the British Empire.

The American unions expect progress to come only through voluntary joint action with the seamen of the various European countries. Thus, in 1921, the International Seafarer's Federation finally decided to work in all countries for the abolition of penalties for desertion. The American seamen deem the universal abolition of penalties for desertion essential to the life of the seamen's act. If foreign seamen on return to their home ports continue to be punished for deserting in American ports, then they will be unlikely to take advantage of the seamen's act. Should this condition continue and be general, then the "equalization" of foreign wages up to American levels will be seriously impeded.

In other words, conditions, wages, and terms of employment must be brought up to American standards. These changes, American seamen feel, can not be brought about through the International Labor Office or any other body on which employers are represented, but must be effected by the cooperation of the seamen themselves. Union legislative activities, similar to those used in urging the passage of the seamen's act, are urged for each country by the American unions.²¹

²¹ Effective Jan. 1, 1923, imprisonment for desertion from Swedish vessels is allowed only in cases where the safety of a vessel has been endangered. This law was drawn up in cooperation with Norway, Denmark, and Finland. It is expected that these countries will pass similar laws. (Monthly Labor Review of U. S. Bureau of Labor Statistics, October, 1922, pp. 191, 192.)

CHAPTER VI.—JURISDICTIONAL DISPUTES.

The most serious and the longest standing jurisdictional dispute of the International Seamen's Union of America was that with the International Longshoremen's Association. Although this jurisdictional problem was recognized at the fourth annual convention of the International Seamen's Union in 1899, its genesis may be found in the early history of the Sailors' Union of the Pacific. The dispute was finally settled by an arbitration decision in July, 1907. After that date there were only occasional disputes between the longshoremen and the seamen, and at the present time their relations are reported to be fairly harmonious.

At various times during its existence the International Seamen's Union has felt the encroachments of several other organizations. None of the disputes, however, assumed the bitterness or the magnitude that existed in the struggle with the longshoremen. The relations between the seamen and the shore workers have been stated as follows:

The effort to win and keep the good will and cooperation of the men on shore failed in exact proportion of the distance that the seamen worked near the shore workers. If the men on shore had no real interest in the seaman and his work, the sympathy flowed naturally toward the seamen; but if the work done by the men ashore was near to the seamen, the sympathy decreased with the reduced distance. If the work was competitive—if the work was really seamen's work—the feeling degenerated into downright hostility.¹

THE SEAMEN AND THE LONGSHOREMEN.

PACIFIC COAST RELATIONS.

Jurisdictional disputes between the seamen and the shore workers began early in the history of the Sailors' Union of the Pacific. Shortly after the organization of this union the longshoremen, who worked at discharging lumber from large vessels only, asked the seamen to refuse to discharge smaller vessels. In return, the longshoremen promised not to discharge vessels which were manned by nonunion crews. The seamen consented, and on coming into port left the vessels. The shipowners thereupon refused to pay the seamen for any of their work on the ground that their contracts were not finished until after the cargo had been discharged. The result was that the sailors' wages earned on the trip were paid to the longshoremen who unloaded the vessels. The seamen, having lost individually up to \$50 and collectively up to nearly \$40,000, sued for their wages, but the court dismissed the case.

It was the common practice for longshoremen on the Pacific coast to discharge and load deep-water vessels, whereas this work was generally done by the crew on coastwise vessels. In San Francisco,

¹ Andrew Furuseth. Second Message to Seamen (pamphlet published by the International Seamen's Union), Chicago, 1919, p. 21.

however, longshoremen discharged nearly all large coastwise vessels, especially those carrying lumber. The seamen generally unloaded the smaller vessels which carried less than 250,000 feet of lumber. When the Sailors' Union of the Pacific sought permission from the longshoremen to discharge cargoes up to 400,000 feet, the longshoremen refused to give their consent. The seamen remembered this incident, and when a few years later the longshoremen asked the seamen to join them in a sympathetic strike they declined. The strike was lost and the shipowners succeeded in breaking up nearly all the longshoremen's organizations.

As the seamen gradually gained strength in the nineties, the longshoremen again came to them for assistance. This was granted as—

It was much more pleasant to work with union men and much safer. The longshoremen were now willing to recognize the seamen as their equals. They needed help, they received it, and the feeling was good. Agreements [between the seamen and longshoremen] were entered into in San Francisco in 1900. This agreement acknowledged the seamen's first right to do all work within the rail of the vessel, the longshoremen's right to all work on the dock, and the first right to help on the vessel when help was needed. There was a further clause to the effect that neither should receive cargo from or deliver cargo to nonunion men. Agreements were entered into in nearly all ports along the coast as the longshoremen organized.

The agreement signed by the San Francisco longshoremen was violated through a secret understanding with the teamsters, who consented to refuse to deliver cargo destined for the Hawaiian Islands to anybody but longshoremen, thus boycotting the vessels until the seamen were dismissed. Of course the dismissal was prompt. Fortunately there were not many of those vessels, and the seamen consented to overlook the treachery. A new agreement was patched up. Shortly after this occurrence—in less than one year—the so-called teamsters' strike broke out. The employers in San Francisco had combined to crush all the labor unions in the State, and they arranged so that the struggle began with the teamsters. All the water-front unions finally had to come out. There was no choice. The struggle lasted for two months and a half and ended in a "draw."

The result was the organization of the City Front Federation. There was an effort to make the seamen carry the whole burden by providing that no one should take cargo from or deliver cargo to any nonunion man. Since the seamen received the cargo at the rail and delivered it at the rail, it would, of course, fall on the seamen to fight for all the men on shore. Under this arrangement the seamen could have no union as long as there was anybody left on shore who was unorganized or on strike. The seamen finally saw through the enthusiasm of their friends and refused to comply. Of course the popularity of the seamen began at once to pass away. When they were not willing to be called on strike by anybody and everybody, their usefulness was at an end. The seamen began to insist strongly that they must be consulted before they were expected to quit work, that they would not join any strike except after a secret ballot taken by the seamen themselves after proper discussion within their own organizations. The longshoremen along the Pacific coast disregarded their agreements with the seamen at their own whim or supposed interest, and the seamen's organization was attacked and vilified in every way.²

THE PROBLEM RECOGNIZED.

The foregoing problems were handled by the Sailors' Union of the Pacific and were not discussed in the conventions of the International Seamen's Union until a jurisdictional issue on the Great Lakes had received the attention of the fourth annual convention in 1899. The first steps to handle a jurisdictional problem were taken at this gathering, when the delegates to the American Federation of Labor

² Andrew Furuseth. Second Message to Seamen, pp. 20, 22, 23.

convention were instructed "to amicably arrange, if possible, with the International Longshoremen's Union and the Firemen's Union [of the Great Lakes] for the transfer of said Firemen's Union to the jurisdiction of the International Seamen's Union of America, and that should such effort fail, then the delegates are instructed to enter protest with the American Federation of Labor."³ The conciliatory spirit of the International Seamen's Union during the early status of the dispute is shown in the following resolution, which was approved by the delegates at the 1900 convention:

Resolved, That the delegates to the American Federation of Labor convention be instructed to endeavor to make some arrangements with the International Longshoremen's Association of America by which these two organizations can mutually assist each other on the coast and on the Great Lakes.⁴

EARLY ATTEMPTS AT SETTLEMENT AND ACTION OF LONGSHOREMEN.

The attempted arrangements for mutual assistance did not succeed, and in consequence the 1901 convention instructed the secretary of the International Seamen's Union to inform the International Longshoremen's Association that, according to the maritime law of the United States, all employees aboard ship are regarded as seamen. The International Longshoremen's Association not only took no notice of this communication but early in 1902 changed its name to the International Longshoremen, Marine, and Transport Workers' Association of North and South America and the Island Possessions. Had this change in name and extension of jurisdiction been approved by the American Federation of Labor, it would have resulted ultimately in the abolition of the International Seamen's Union as an independent organization. This proposed change in name and the subsequently expected extension of jurisdiction caused the International Seamen's Union much apprehension. The 1902 convention accordingly spent a great deal of time in discussing the attempt of the longshoremen to obtain jurisdiction over all marine and transport workers. A detailed report, defining the word "Seamen" and quoting section 4612 of the United States Revised Statutes, was adopted. This section defined "every person (apprentices excepted) who shall be employed or engaged to serve in any capacity on board the same [any vessel] shall be deemed and taken to be 'a seaman'; and the term 'vessel' shall be understood to comprehend every description of vessel navigating on any sea or channel, lake or river."

Attention was also called to Article I of the constitution of the International Seamen's Union, which defined all those who worked on the sea, lakes, or rivers (with the exception of licensed officers) as seamen. The action of the convention and its disapproval of the attempted extension of the jurisdiction of the International Longshoremen's Association were communicated to the officials of that association, who, however, again ignored the protests of the seamen.

DIRECT DEALING WITH LAKE FIREMEN.

In order to persuade the officers of the Lake Firemen's Union to change their affiliation, direct negotiation with them was decided upon by the 1902 convention. To effect this purpose, two members of the

³ Proceedings International Seamen's Union of America, 1899, p. 45.

⁴ Coast Seamen's Journal, Jan. 16, 1901, p. 7.

Atlantic Firemen's Union and one member of the Pacific Firemen's Union were appointed to visit the various officials and branches of the Lake Firemen's Union. Although the three firemen visited the ports on the Great Lakes and were well received, the firemen of that district had not, by the time of the next convention, decided to change their affiliation. Indeed, it was not until 1907 that they decided by referendum vote to do so. In that year a charter was issued by the International Seamen's Union to them under the name of Marine Firemen, Oilers, and Water Tenders' Benevolent Association of the Great Lakes. This change in affiliation on the part of the firemen was the culmination of efforts begun by the International Seamen's Union at its convention in 1899.

ATTEMPTED ADJUDICATION.

Besides communicating with the International Longshoremen's Association and dealing directly with the Lake Firemen's Union, the International Seamen's Union (at the 1902 convention of the American Federation of Labor) filed a formal protest against the new activities of the longshoremen. The committee on jurisdiction, to whom the protest was referred, recommended that the longshoremen and the seamen select two representatives each. These four were to select another person to act with them to settle the pending jurisdictional dispute. This attempt at settlement failed because the four representatives could not agree upon a fifth member.

Not discouraged, the seamen at the 1903 convention of the American Federation of Labor renewed their protests against the action of the longshoremen. The convention disapproved the change in name by the longshoremen without permission of the federation. The longshoremen, however, continued the use of their new name and became more aggressive on the Pacific coast. Due to their tactics, the seamen of that coast were unable in 1905 to secure the best conditions in agreements with their employers. The longshoremen furthermore refused to load or unload vessels on which any of this work was done by the seamen.

Nothing definite toward an adjustment between the two organizations was accomplished until the November, 1905, convention of the American Federation of Labor. This body again recommended that the longshoremen drop the long name and that arbitration proceedings be started. Each organization was instructed to select two persons and these four were to meet within 60 days after the adjournment of the convention in order to select a fifth person. The five so selected were to form an arbitration board whose decision was to be final and binding upon both parties. The representatives of the two organizations finally met in April, 1906, at Erie, Pa. As they again could not agree upon a means of settling the dispute, they selected Mr. Samuel Gompers, president of the American Federation of Labor, as the fifth member of their committee.

DECISION OF MR. GOMPERS.

The decision of Mr. Gompers was not made until June 25, 1907, and its full text was reported in the Coast Seamen's Journal for the first time on July 10, 1907. This decision apparently settled the matter that had engaged the attention of the International

Seamen's Union since 1899. The outstanding features of the decision were that the future use by the International Longshoremen's Association of the additional title "Marine and Transport Workers" was to be discontinued and that the work of loading and unloading vessels, with certain exceptions, belonged to the longshoremen. The exceptions embraced the claims made by the seamen that the members of a vessel's seagoing crew may work cargo from "tackle to tackle."⁵

LONGSHOREMEN DISSATISFIED.

In defiance of this decision, the International Longshoremen's Association, at their convention held in July of that year (1907), voted that the decision of the arbitration board be rejected and that the long name be retained. Accordingly, at the next convention of the American Federation of Labor the delegates of the longshoremen presented their credentials as representatives of the International Longshoremen, Marine, and Transport Workers of America. After protest by a delegate of the International Seamen's Union, the committee on credentials refused to recognize the long name and recommended that the longshoremen's delegates be seated as from the International Longshoremen's Association. This recommendation was adopted.

AGREEMENT BETWEEN SEAMEN AND LONGSHOREMEN.

Acting upon the suggestion made by the executive council at the 1908 convention of the American Federation of Labor, the delegates from the seamen's and longshoremen's unions met during intervals of the convention and entered into an agreement which specified the details to be followed in carrying out Mr. Gompers's decision. This agreement provided that the longshoremen were to resume their official title of "International Longshoremen's Association"; that this change of title was not in any way to be construed as requiring the longshoremen to relinquish any members or branches affiliated under the title of "International Longshoremen, Marine, and Transport Workers' Association"; that should any dispute arise as to the work to be performed by their respective members, it was to be settled by a conference of the officers or representatives of the two unions. The agreement, which was scheduled to run for six years, also provided that every possible effort should be made for the restoration of amicable relations.

FURTHER TROUBLE BUT NEW ACCORD.

Relations between the two organizations ran smoothly for a number of years, until the International Longshoremen's Association,

⁵ This part of Mr. Gompers's decision reads as follows:

"2. The work of loading and unloading vessels (with the following exceptions) belongs to the longshoremen:

"Exceptions: (a) In the coastwise trade, when seamen bring a vessel into port, remain with the vessel for its onward course or for its return to the initial port, the work of loading and unloading the cargo to the extent of the ship's tackle may be performed by the seamen. (b) Seamen may load or unload cargoes beyond the ship's tackle, but only with the consent of or by agreement with the longshoremen.

"3. Under no circumstances (unless by the consent of or agreement with the longshoremen) may seamen load or unload cargoes unless they (the seamen) are of the vessel's sailing crew in an in or out bound voyage, and then only as above decided in exception (a)."

at the 1911 convention of the American Federation of Labor, charged the seamen on the Pacific coast with violating the provisions of the Gompers decision of June 25, 1907. The alleged violation was referred to President Gompers and to the executive committee, who sent a letter to both organizations, informing them that they would have to observe the decision which President Gompers had made. In discussing this letter an editorial in the *Coast Seamen's Journal* of February 14, 1912, states that the seamen knew of no violation of the decision on their part.

At the American Federation of Labor convention in 1913 the International Longshoremen's Association specifically charged the Sailors' Union of the Pacific with violating the Gompers decision in that its members were loading vessels in offshore trade. The seamen, on the other hand, requested the American Federation of Labor to go on record by stating that the seamen were within their proper rights when working cargo in any vessel as long as they were members of that vessel's crew. The contentions of both sides were referred to the committee on adjustment, who recommended that the delegates from the two organizations get together at once in an attempt to adjust their differences. After several meetings the following was agreed upon:

1. In vessels that are always in the offshore trade and employing nonunion crews, the longshoremen shall do the loading exclusively.
2. In vessels that are generally in the coastwise trade but occasionally go offshore, the crew may do the loading from tackle to tackle.
3. In vessels going from one coastwise port to another, for the purpose of loading for offshore, the crew may do the loading from tackle to tackle.
4. The coastwise trade to remain as it now stands.
5. The following is defined as offshore trade: On the west coast of South America, any port to the south of the Panama Canal, New Zealand, Australia, South Africa, China, and Japan.

The seamen's delegates further agreed to take immediate action against their members who were instrumental in forming a dual longshoremen's association in Portland, Oreg., in August, 1913. The delegates of both organizations agreed also to submit any further grievances in writing to the headquarters of the union complained against.

MISUNDERSTANDINGS ADJUSTED.

About two months after these covenants had been made part of the records it seemed that the amicable relations existing between the seamen and the longshoremen were again to be broken off. Early in January circulars were distributed in New York City urging seamen, harbor men, and transport workers "not to join any union of seafaring men unless such union is legally chartered and officially recognized by the International Longshoremen's Union." This circular was signed by Transport Workers, Local No. 859, I. L. A., which called itself the Sailors and Firemen's Union of the Atlantic. Upon inquiry at the headquarters of the International Longshoremen's Association it was learned that a charter had been issued to this association upon instructions of President T. V. O'Connor. The secretary of the International Seamen's Union telegraphed a demand for the immediate revocation of the charter and wired President Furuseth to lay the matter before the American

Federation of Labor. The executive committee of the federation decided that the issuance of such a charter would be construed as a violation of the Gompers decision. This matter was fortunately settled without further trouble when Mr. O'Connor canceled the charter of the organization in controversy.

Early in 1915, the secretary of the American Federation of Labor notified the officials of the International Seamen's Union that the International Longshoremen's Association had filed application for jurisdiction over fishermen. However, before a conference could be arranged between representatives of the seamen and the longshoremen, the secretary of the American Federation of Labor was notified by the International Longshoremen's Association that they had no controversy with the seamen regarding the fishermen and did not desire a conference.

The secretary of the International Seamen's Union reported on this matter to the 1915 convention and told that body that he thought the letter from the longshoremen to the American Federation of Labor closed the incident. The committee on constitution, to whom this part of the secretary's report had been referred, wanted to make doubly sure that the incident was closed. It, therefore, declared that the statement of the longshoremen "means or amounts in effect to a withdrawal of jurisdictional claims filed by the International Longshoremen's Association with the American Federation of Labor. If it should be construed otherwise at any time in the future, it will then be proper to further defend and uphold our jurisdictional claims over all fishermen now within the International Seamen's Union of America as well as those who may desire to join."

LONGSHOREMEN AGAIN AGGRESSIVE.

The committee on constitution further declared that it was aware of the fact that members of the International Longshoremen's Association had on several occasions refused to work with members of the International Seamen's Union. According to the committee, tentative agreements submitted by the International Longshoremen's Association to shipowners on the Pacific coast contained 11 points regarding jurisdiction. Under one of these points the longshoremen claimed "handling all hoists and machines used in connection with handling cargoes." Under another point they claimed "all work in connection with loading and discharging of vessels along the water front." The committee reported to the convention that even if it desired to do so, it could not agree with the contention of the longshoremen because the matter of loading and unloading was governed by the laws of the various maritime nations; that the statutes of the United States in this matter provided that cargo shall be delivered to the ship's tackle and, when so delivered, the vessel becomes responsible for the cargo until it is delivered on shore either by boats or at the end of a ship's tackle. The provisions of this law would be enforced against the seamen of the United States by dismissal and forfeiture of all wages earned. The committee recommended that the delegates to the American Federation of Labor convention be instructed to protest against "all exclusive claims of jurisdiction to certain work on board ship, whether such

claims be made by longshoremen, hoisting engineers, riggers, scalers, painters, machinists, or other trades." The report of the committee was adopted.

In spite of the protests of the seamen, the longshoremen continued to negotiate with the shipowners for exclusive jurisdiction in loading and unloading all vessels. The shipowners refused to agree to the jurisdictional claims of the longshoremen and the latter called a strike. They, however, were unable to effect a change in the status quo.

PRESENT RELATIONS.

THE PACIFIC COAST.

Harmony on the Pacific coast between the longshoremen and the seamen was again restored. Indeed, in January, 1920, the Pacific coast district of the International Longshoremen's Association not only extended greetings to the convened seamen but invited them to send a fraternal delegate to its next annual convention. These amicable relations are said to have persisted on that coast until the present.

THE GREAT LAKES.

In the late fall and winter of 1920 a local jurisdictional dispute developed in Buffalo, N. Y., between the longshoremen of that port and the seamen. The matter was of minor importance and was settled by agreement between the seamen and the longshoremen.

THE ATLANTIC DISTRICT.

In the Atlantic district there has never been any trouble between the seamen and the longshoremen regarding the loading and unloading of vessels because—

The seamen long ago gladly gave up their work in the port. They hated the ship and wanted to escape from her when she entered harbor. The longshoremen are in a large measure doing their work. Some 30 years since the longshoremen of the Atlantic were for a time organized. The stevedores wanted the work; the longshoremen wanted it. There was no one to say them nay. The shipowners wanted to be rid of the seamen. There was none to resist.⁶

THE SEAMEN AND THE COOKS.

Originally the Lake Seamen's Union, which was founded in 1878, included not only sailors but also firemen and cooks among its members. Early in 1901 a number of cooks in the Toledo, Ohio, branch of the Lake Seamen's Union became dissatisfied and organized a separate local under the auspices of the Hotel and Restaurant Employees' International Alliance and Bartenders' International League of America. The Lake Seamen's Union objected to the extension of the alliance's jurisdiction over marine workers and presented its claims to the American Federation of Labor. The executive committee of the American Federation of Labor decided in favor of the Hotel and Restaurant Alliance. As this decision was not agreeable to the Lake Seamen's Union, the 1901 convention of the International Seamen's Union instructed its

⁶ Andrew Furuseth. Second Message to Seamen, p. 16.

delegates to the next American Federation of Labor convention to protest against the decision. However, over the protests of the seamen, the American Federation of Labor, at its 1901 convention, not only indorsed the former action of its executive committee but also approved a supplementary report of the committee, which read:

In the dispute between the Seamen's International Union and the Hotel and Restaurant Employees' International Alliance and Bartenders' International League of America as to which organization should have jurisdiction over cooks employed on vessels, it was decided that jurisdiction over the cooks employed on ocean-bound vessels be accorded to the Seamen's International Union. This is not to include cooks on coastwise vessels.⁷

Although this convention decided against the seamen's unions as far as the cooks of the Great Lakes and in the coastwise trade were concerned,⁸ the local representative of the International Seamen's Union again opened up this matter at a meeting of the executive council of the American Federation of Labor in San Francisco. The council promised to recommend the reconsideration by the next convention of the jurisdiction granted the Hotel and Restaurant Employees' International Alliance over the cooks and stewards employed on lake and coastwise craft.

The 1902 convention of the American Federation of Labor compromised by extending the jurisdiction of the International Seamen's Union over marine cooks and stewards on coastwise vessels. The jurisdiction over workers on boats plying the Great Lakes, rivers, bays, and sounds was, however, not granted to the International Union. Nevertheless, during 1902 the Marine Cooks' Association, Local No. 54, of Buffalo, severed its connection with the Hotel and Restaurant Alliance and applied to the 1902 convention of the International Seamen's Union for a charter. The committee on organization, to whom the application was referred, reported favorably and worked out the details necessary to give the new organization a proper start. Although only a month previous the American Federation of Labor had denied the International Seamen's Union jurisdiction on the Great Lakes, the convention chartered the new organization as the Marine Cooks and Stewards' Association of the Great Lakes. According to the secretary of this union the Hotel and Restaurant Alliance made no protest on the granting of a charter to its former local by the International Seamen's Union. A few weeks later, at a convention in Detroit, all of the locals of the Marine Cooks' Association unanimously voted to return their charters to the Hotel and Restaurant Employees' Alliance.

The decision of the American Federation of Labor convention, granting jurisdiction to the International Seamen's Union only over cooks and stewards sailing on ocean-going and coastwise vessels, was but a partial victory for the seamen. To the officers of the Marine Cooks and Stewards' Association of the Pacific this decision seemed a menace to their organization. Accordingly, at the 1904 convention

⁷ Report of the Proceedings of the Twenty-first Annual Convention [1901] of the American Federation of Labor, p. 227.

⁸ Owing to this decision no organization efforts were made in 1902 in behalf of the Marine Cooks and Stewards' Union of the Atlantic. Consequently this organization was in the same state at the end of the year as in January. (Proceedings International Seamen's Union of America, 1902, p. 5.)

a resolution was introduced by that organization, urging the executive committee of the International Seamen's Union to use its best efforts to secure full jurisdiction over all vessels navigating all waters of the United States. The resolution was approved by the convention.

The 1904 convention also guaranteed assistance against the formation of other cooks' unions and especially against the Marine Passengers and Freight Cooks' Association, which had been chartered by the International Longshoremen's Association. Since 1904 none of the cooks' and stewards' unions has referred any jurisdictional disputes to the conventions of the International Seamen's Union. Although the Atlantic and Pacific unions have not relinquished their claims over members of their craft on river, sound, and harbor boats, they have devoted their efforts almost exclusively to the organization of the stewards' department on coast and deep-sea going vessels.

DISPUTES WITH OTHER SHORE ORGANIZATIONS.

Organizations other than those already mentioned were from time to time involved in jurisdictional disputes with the International Seamen's Union or its affiliated unions. As early as 1906 one of the officials of the international union saw that "this troublesome question will loom up with some magnitude in the near future because at present several unions are doing business on a small scale in our territory and as we go along extending our organization to new fields we may be confronted with some disagreeable problems."

Among organizations with which there were jurisdictional troubles of minor nature were the Brotherhood of Stationary Firemen in New York, in 1906; the International Association of Machinists in San Francisco, in 1911, regarding minor repairs; the Bay and River Steamboatmen's Union of California, which secured a charter in 1914 from the American Federation of Labor after withdrawing from the International Seamen's Union in 1911; the International Union of Pile Drivers, Bridge and Structural Iron Workers, in 1919, which included several unions of trap fishermen.

The plan of President Furuseth for future relations with all shore workers is as follows:

We must insist that they shall quit trying to use us and leave our work alone. On that road and on that road only is friendship and cooperation. He [the shoreworker] can have our friendship and cooperation by acknowledging our equal right to self-determination. It will not, it can not, be given upon any other consideration. To the workers on shore generally we must learn to say: We want your friendship, we want your aid, we are willing to give ours in return, but only upon the frank acknowledgment that we are your equals as men, and must be so treated in words and manners.*

INTERNAL JURISDICTIONAL PROBLEMS.

Not only has the International Seamen's Union been involved in jurisdictional disputes with other national organizations but it has also had to deal with perplexing problems within its own ranks. In May, 1917, the harbor boatmen's branch (New York) of the Atlantic Coast Seamen's Union applied to the International Seamen's Union for a charter as the Harbor Boatmen's Union of New York. Before

* Andrew Furuseth. Second Message to Seamen, pp. 28, 29.

granting the charter, the application of this group was referred to every affiliated union in the Atlantic district and was approved by every organization except the Atlantic Coast Marine Firemen's Union. The executive board, however, granted the charter in July, 1907, but at the convention that year the Atlantic Coast Marine Firemen's Union protested against this charter. The main points in controversy were well stated in a summary of the 1907 convention:

In point of time consumed in its discussion (two days), and also with respect to its novelty, the most important matter dealt with by the convention was the jurisdiction dispute between the Atlantic Coast Marine Firemen's Union and the Harbor Boatmen of New York and vicinity. The latter union claimed jurisdiction over all men employed on the vessels plying in and around the harbor of New York. In the exercise of this claim a conflict arose between the harbor boatmen and the marine firemen, the latter claiming jurisdiction over all firemen regardless of the nature of the craft upon which they are employed.

The decision of the convention, which in effect grants the harbor boatmen jurisdiction over all craft except ferryboats, passenger boats, and seagoing tugs and steamers, was accepted by both organizations. Another feature of the decision provides that Delegates Furuseth and Clarke [the latter representing the marine firemen of the Great Lakes] shall proceed to New York for the purpose of advising the organizations concerned while inaugurating the new rules of jurisdiction.¹⁰

In spite of the avowed acceptance of the decision of the convention, the jurisdictional fight continued, and in consequence both organizations were seriously handicapped. The energy that they should have put into counteracting the effects of the panic of 1907 was wasted in fighting each other.

After a few years of unsuccessful activity, the Harbor Boatmen's Union notified the International Seamen's Union (in 1916) that it had decided to withdraw from the international union, as it believed that it could obtain better results by affiliation with the International Longshoremen's Association. The communication of the boatmen was referred to the committee on resolutions, who recommended that, while that union should be permitted to withdraw, it should be notified that the International Seamen's Union "has not and will not relinquish jurisdiction over sailors, firemen, or cooks employed on harbor craft, and that we shall take whatever steps may be necessary to protect the interests of our international union in New York harbor and elsewhere." Moreover, the seamen, at their 1917 convention, in reply to a communication from the American Federation of Labor asking whether the seamen's jurisdiction extended over crews on barge-canal crafts, said that they considered the crews of vessels, exclusive of licensed officers, as coming under the jurisdiction of the international union. In 1919 the Eastern Marine Workers' Association, with headquarters at New Haven, Conn., and the Boatmen's Beneficial Association, with headquarters at Hoboken, N. J., were organized to include workers on harbor craft in their localities. Neither organization is now in existence.

THE INTERNATIONAL UNION AND LICENSED OFFICERS.

The relationship of officers' organizations to the International Seamen's Union was considered as early as 1902 by the committee on jurisdiction at that year's convention. The conclusions of this

¹⁰ Coast Seamen's Journal, Jan. 1, 1908, p. 7.

committee not only stated the position of the International Seamen's Union at that time but laid down the basis of a program which has ever since been adhered to by the international union. The committee's report read in part:

Your committee finds that the International Seamen's Union of America always recognized the absolute jurisdiction of licensed officers as vested in either the Association of Masters and Pilots or the Marine Engineers' Benevolent Association of the United States. These organizations are composed of and represent the men who are vested with the power to hire and discharge. They properly and necessarily should have separate organizations in the interest of and for the purpose that proper discipline on board vessels may be at all times maintained. The International Seamen's Union of America has always, and does now, recognize that under existing conditions the Masters and Pilots and the Marine Engineers' Associations can not be labor organizations in the full sense of that term. But we have always desired, and do now desire, the International Seamen's Union of America and the members thereof to be on such terms of friendship and mutual helpfulness with the Masters and Pilots and Marine Engineers' Associations and their members as are appropriate and as will be to the best interest of the merchant marine and owners of vessels.

The Association of Masters and Pilots was disrupted by a strike in the spring of 1904 and a licensed mates' organization on the Great Lakes, which the International Seamen's Union had assisted, also failed in 1905.

The formation of the American Association of Masters, Mates, and Pilots was enthusiastically hailed at the 1907 and 1910 conventions of the International Seamen's Union, and the latter's legislative delegates were instructed to cooperate with this growing organization in order to secure legislation of mutual benefit.

In order to promote closer harmony with the officers' association, the delegates of the International Seamen's Union, at the American Federation of Labor convention in 1910, introduced a resolution inviting the deck and engine-room officers' association to join the federation. The resolution was approved, but it was not until 1916 that the American Association of Masters, Mates, and Pilots joined the federation, and not until 1918 that the National Marine Engineers' Benevolent Association joined.

At the 1917 convention of the International Seamen's Union the president of the Marine Engineers' Benevolent Association spoke on the need for closer cooperation between the unions of licensed deck and engine-room officers and the international union. The hope of cooperation was reiterated in 1920, but it was not until 1921, that, in order to bring about this desired cooperation, the international union convention approved the appointment of a committee to "discuss the feasibility of having a general understanding and meeting on some common ground." This action was strongly in-dorsed by the Pacific coast delegates, who explained how the Seafarers' Council, composed of representatives from the unions of the licensed and unlicensed personnel on that coast, had worked successfully by having meetings at regular intervals and by having an identity of interest. A committee of three was appointed by the chairman to carry out the foregoing purposes.

At the 1921 convention the Marine Firemen's Union of the Atlantic complained that the members of the Marine Engineers' Benevolent Association were doing some of the work usually performed by firemen, oilers, and water tenders in port and at sea. In a reso-

lution the firemen said that this state of affairs not only imposed a tremendous hardship upon their members but that it lowered the dignity and prestige of the marine engineers and encouraged ship-owners to undermine the standard of conditions. The firemen believed these actions on the part of the engineers to be not only a gross violation of the ethics of trade-union morality but also a jurisdictional violation. The resolution introduced by the firemen instructed the executive board to bring this matter to the attention of the executive body of the Marine Engineers' Benevolent Association for the purpose of preventing similar recurrences. This resolution was adopted by the convention and marks the first formal protest that has ever been adopted by the seamen against a licensed organization.

SUMMARY.

At the present time the International Seamen's Union is not involved in any serious jurisdictional troubles with any A. F. of L. union. Disputes in the past with the International Longshoremen's Association and other organizations have wasted energy and money which might have been devoted to organizational purposes. The frequent misunderstandings have been merely the natural consequence of the desire of the International Seamen's Union or that of related organizations to expand in membership and influence.

MARINE TRANSPORT DEPARTMENT PROPOSED.

At the 1916 convention of the American Federation of Labor the delegates of the International Longshoremen's Association proposed the formation in the American Federation of Labor of a marine transport department. The executive board of the International Seamen's Union decided against the creation of such a department, on the ground that its personnel would narrow down to seamen and longshoremen, and that the former had no desire to amalgamate with the longshoremen. The proposal was therefore dismissed.

Five years later the delegates of the International Longshoremen's Association to the American Federation of Labor convention again proposed the creation of a marine transport department. A resolution to this effect stated in part that—

Experience has shown us, in the case of closely allied groups, that our activities can find a more intelligent and concrete expression on an industrial basis, as witness the operations of the building trades department. The strike of the marine workers illustrates the necessity of a greater degree of cooperation between all groups that come under the classification of marine workers, particularly so in view of the efforts that are now being made to enforce the so-called "open shop" throughout the country.¹¹

This resolution was referred to the executive council of the American Federation of Labor with instructions to ascertain the wishes of the several organizations which would be affected by the adoption of such a resolution. The calling of a conference of the various parties at interest was left to the judgment of the executive council.

¹¹ For full text of resolution, see Report of the Proceedings of the Forty-first Annual Convention of the American Federation of Labor [1921], p. 235.

ATTITUDE OF SEAMEN.

This subject was thereupon taken up at the next annual convention (1922) of the International Seamen's Union. The committee on organization, to whom the matter was referred for action, reported—

That the experience of seamen on the Pacific coast from 1899 to 1906, when seamen were part of the City Front Federation, and the experience of seamen as we have watched those experiences in Europe, have satisfied us that it would be very unwise for the seamen to go into any such transportation section or council, and we therefore can see no good to come from attending any conference called for such purpose.

CONCLUSIONS.

The foregoing report was unanimously approved by the seamen's convention. Its adoption shows that former unsatisfactory cooperative relationships have not been forgotten by the seamen. If neither the International Seamen's Union nor any of the other transport unions extends the scope of its operations, then harmonious relations are likely to continue because each organization, as a result of experience, perhaps, now knows the sphere in which it must operate to prevent jurisdictional trouble. Should, however, any organization become aggressive in its tactics, then jurisdictional warfare will undoubtedly be renewed. Such a condition will be welcome ammunition to the I. W. W., which will use it as an argument against craft unionism. In order to avoid such a possibility, the first indication of jurisdictional trouble must be met by some sort of voluntary adjudicational arrangement.

CHAPTER VII.—THE FIGHT AGAINST RADICALISM.

THE I. W. W. ON THE ATLANTIC.

PRE-WAR ACTIVITIES.

The activities of the Industrial Workers of the World among the seamen of this country may be traced to the year 1912. After an unsuccessful strike in that year all of the firemen's unions on the Atlantic coast and the sailors' union in Norfolk, Va., joined the I. W. W. The sailors, who found that they had made a serious error, withdrew from the I. W. W. within two weeks and again affiliated with their headquarters. In the meantime the radical activities persisted and the National Industrial Union of Marine Transport Workers was formed.¹ In April, 1913, it affiliated with the I. W. W. Although the International Seamen's Union was urged to take steps to combat the radical activities among the firemen, nothing was done at the time. However, in December, 1913, steps were taken by the international union to reorganize, under its supervision, the marine firemen on the Atlantic and Gulf. The international union continued its reorganization activities until 1916, when the firemen were again able to handle their own affairs. A year later the secretary of the international union reported "attempts at dual organizations on the part of ex-officials and the existence of I. W. W.'ism among certain elements are disappearing."

SPUR TO RADICAL ACTIVITY.

During the course of the war and in 1919 and 1920 satisfactory wages and working agreements were secured by the seamen's unions. In consequence there were no activities on behalf of revolutionary or industrial unionism. But in April, 1921, the Shipping Board presented terms which were entirely unsatisfactory to the organized seamen. On May 1, the seamen declared themselves unwilling to accept the new terms and were accordingly "locked out." It was not until late in June that the seamen's unions on the Atlantic coast permitted their members to return to work. The unsuccessful attempt to resist wage reductions and unsatisfactory working conditions gave the members on the Atlantic and the Pacific coasts an opportunity to attack their leaders and craft unionism. On the Atlantic coast the radical onslaught was centered on the Eastern and Gulf Sailors' Association.

¹In a survey of marine unions in New York in 1919 the present writer found that the New York branch of the National Industrial Union, known as Local 100, had a membership of about 5,000, of whom 3,000 were in good standing. This branch took in workers engaged in any kind of transportation work, but the majority of the members were Spanish marine firemen. (See *Coast Seamen's Journal*, July 9, 1919, p. 2.)

MINORITY DISSATISFACTION.

During the strike or lockout (as it was called) the Eastern and Gulf Sailors' Association provided meals for its needy members, especially for those engaged in picket duty. On June 27, a week after the calling off of the strike, a large meeting of the members held in Cooper Union voted to discontinue expenditures for this purpose after July 16.

After the seamen's unions called off the strike, most of the members of the Eastern and Gulf Sailors' Association gradually found employment wherever possible. However, a small group who did not find work continued to attend the meetings and carried on an agitation for a continuance of the food funds. Although a large number of these members were in bad standing and not entitled to vote at the regular weekly meetings, they nevertheless did so. Among the active members of this group were those who were avowedly members of the I. W. W., and others who probably were members but who denied such membership, though advocating I. W. W. principles and distributing radical literature among the sailors. Through the votes and influence of this group resolutions were passed on July 5 and July 11 to continue the commissary indefinitely. These resolutions were contrary to the decision of the Cooper Union meeting, and if they had been carried out would have cost the association \$6,000 a week. The officers of the association thereupon sought legal advice as to their duty, and were informed that they had no right to permit the association's funds to be used for food purchases.

OPEN BREAK BEGUN.

Matters came to a head at the next weekly meeting of the Eastern and Gulf Sailors' Association (July 18), when the officials declared that they would not comply with the resolutions calling for the paying out of funds for food purposes. The meeting thereupon became so disorderly that the police were called in. The officials left after adjourning the meeting, but the radicals reassembled the meeting that night and had new officers elected. The newly elected secretary shortly after caused the arrest of the old secretary on the charge of illegally withholding the records of the union. This charge, however, was dismissed by the court. The radical group then called special meetings and notified all branches of the association of the new situation.

LEGAL STATUS OF EASTERN AND GULF SAILORS' ASSOCIATION.

In order to determine definitely their rights, the bona fide officers decided to employ counsel. They were informed by counsel that under the certificate of organization and under the laws of Massachusetts the headquarters of the association could not be removed from Massachusetts. The association was also informed that it was liable to have its charter revoked because its books and records were not being maintained at the headquarters in Boston as required by law. While engaged in removing the necessary books to headquarters the trustees of the association were interrupted by the radical group,

who had the trustees arrested on the ground that they were wrongfully removing property of the association out of the State of New York. The trustees were released by the court, but before they could continue with their work they were restrained by an injunction procured by the newly elected radical assistant secretary. After a full explanation the injunction was vacated by the court and the books were removed to Boston without further trouble.²

SUMMARY.

The present campaign of the I. W. W. to organize the seamen of the Atlantic coast has all of the features of the drive of 1912-13. It has the same economic setting, namely, stagnation in shipping, the expiration of agreements between the unions and shipowners, followed by an unsuccessful strike. Moreover, the same kind of propaganda as was circulated in earlier years is again being put out by the I. W. W. for the purpose of undermining the confidence of the members of the craft unions in their officers.³

It is not possible to estimate the number of seamen in the I. W. W. organization, which is known as the Marine Transport Workers' Industrial Union No. 510, because this organization takes in not only seamen but also workers on the smaller harbor and river crafts, as well as longshoremen. Officers of the various Atlantic unions roughly estimate that about 25 per cent of their former members have joined the ranks of the I. W. W. The same proportion has remained with the International Seamen's Union. The remaining workers have either given up sailing or do not belong to either organization. While it is admitted that the I. W. W. have been a demoralizing influence, the International Seamen's Union officials feel that the radical organization, which is forbidden by its constitution to enter into contracts, has not done anything for its members and therefore will not be able to show results on the return of prosperity. With the revival of shipping, the International Seamen's Union officers hope to make agreements with the shipowners and thus have something concrete to offer to bring back some of the former members.

THE I. W. W. ON THE PACIFIC.

At the 1921 convention it was reported that the Sailors' Union of the Pacific had elected a radical editor of the Seamen's Journal. The convention immediately took steps to prevent the new editor from inflicting any possible injury on the International Seamen's Union in consequence of his expected policies.

MARINE TRANSPORT WORKERS' FEDERATION ACTIVE.

The following paragraphs from a first-page article entitled, "Transport workers awake," in the July 20, 1921, issue of the Seamen's Journal, show what was being attempted on the Pacific coast:

²The foregoing statements are based upon information contained in a letter sent by the Eastern and Gulf Sailors' Association to its members and agents. For full text of letter, see the Seamen's Journal, Mar. 29, 1922, pp. 1, 2.

³Circular No. 3, Historical Facts, published by the Port Committee of New York, 1922.

Realizing their helplessness under the system of organization prevailing, both longshoremen and seamen have consolidated with other marine transport workers of the Pacific coast. The formation of a powerful federation of marine transport workers is now in full swing. Longshoremen, seamen, teamsters, warehousemen, launch and tugboat men, and other bay, river, and harbor workers are joining in one big federation, taking in every port of the Pacific coast.

The efforts of the above-mentioned federation, which was known as the Marine Transport Workers' Federation, were extolled in an editorial of the same issue, entitled "Intelligent effort." The industrial form of organization was approved in the following words:

Our power also lies in organization, which must include a consolidation of all the workers in one industry and all the industries together in one federation.

EDITOR WARNED TO CHANGE HIS POLICIES.

Several warnings were given to the radical editor to change his editorial policy, but he failed to do so in spite of his promises. Thereupon, on September 26, the Sailors' Union of the Pacific, at the San Francisco headquarters, adopted the following resolution:⁴

Whereas the Seamen's Journal has for some considerable time advocated the ideas of the I. W. W., the Marine Transport Workers' Industrial Union No. 510, which is a section of the I. W. W., and of the one big union, which is only another name for the I. W. W.; and

Whereas this propaganda is directly against the seamen and destructive of all hopes and aspirations of the seamen; and

Whereas this propaganda is growing more virulent and aggressive; and

Whereas there can be no divided allegiance: Therefore be it

Resolved, That the editor, John Vance Thompson, be and he is hereby instructed to cease all such propaganda in the Journal at once; and further

Resolved, That he edit the Journal on principles laid down in our constitution and according to our policy, namely, for the seamen as seamen, to the end that the Journal shall again become what it was instituted to be, the champion of the seamen's cause.

Contrary to the expressed opinion of the membership, the editor continued his work on behalf of industrial unionism. His policy was defended in a letter from a "comrade" printed in the Seamen's Journal of October 26, 1921 (p. 7):

The Seamen's Journal has endeavored to keep up with the times. It has taken the stand that workers in the marine industry must organize more closely in order to be able to oppose the shipping octopus.

The Seaman (your so-called new organ) scorns the future welfare of your union. It is a hindrance to the betterment of your condition. It does not advocate the organization of labor. It is a personal mouthpiece and will tend to keep you in ignorance of your true position.

EXPULSION OF RADICALS.

The foregoing letter, which was published a month after the editor of the Seamen's Journal was instructed to drop his advocacy of industrial unionism, shows that the policy of the editor had not changed. Because of his persistency in this direction charges were preferred against him at the regular meeting of the Sailors' Union of the Pacific on October 31, 1921. The charges contained two specific points: Refusal to obey the orders of the union and violation of the solemn obligation which each member takes when joining the union.

⁴ The Seamen's Journal, Nov. 16, 1921, p. 6.

At the next weekly meeting a resolution was adopted to enforce strictly the third section of Article III of the constitution:

No one shall be admitted to membership * * * who is a member of any dual organization or any other organization hostile to the aims and principles of this union.

The resolution further provided that the penalty of expulsion for violation of the constitution and by-laws be enforced. At the same meeting a trial committee of five members was elected by secret ballot to review the charges against the editor. At the next weekly meeting the committee declared that they had found him "guilty as charged" and recommended his expulsion from the union. The records of the meeting of that week show that he was expelled and that the business manager of the Seamen's Journal was elected in his place.

The new editor's first editorial (November 16) was entitled, "Triumph of sanity," and stated his views and principles in part as follows:

The membership may be assured that the columns of the Journal will be open for all constructive criticism. At the same time there will be a standing challenge to all enemies of seamen, whether they be shipowning corporations, or any other organizations; whether they be unions trespassing, or the dual unionists "boring from within" with intent to "capture" the unions of seamen and firemen, marine cooks, and stewards, or fishermen. Disrupters of every description will be fittingly exposed and against all enemies, whether within or without, we shall assume a firm, militant attitude, to the end that existing rights for seamen may be maintained and steady progress assured.

At the next meeting, which was held on November 21, 20 members were expelled, and two weeks later 7 additional members.

REVOLUTIONARY AIM OF TRANSPORT WORKERS.

The purposes of the Marine Transport Workers were set forth at length in the December 25, 1921, issue of the Industrial Unionist. This issue was almost entirely given over to the clash between the Sailors' Union of the Pacific and the Marine Transport Workers. One of the articles urges the seamen and longshoremen to organize industrially with a revolutionary aim. The article states that the Marine Transport Workers' Industrial Union of the I. W. W. not only aims to better the immediate conditions of all marine workers, but that it also hopes eventually to take control of marine transportation.

PERPLEXING ATTITUDE OF SHIPOWNERS.

Another very serious aspect in the struggle of the seamen's unions on the Pacific coast is the attitude of the shipowners who, according to the president of the international union, do not seem to be cooperating with him to rid that coast of the radical element.

In a letter of December 5, 1921, to the Pacific American Shipowners' Association and to the Shipowners' Association of the Pacific Coast, which was published in the Seamen's Journal of December 14, 1921, the president summarizes the events from the end of July to December, 1921. Toward the end of July the seamen, on his advice, called off the strike on that coast. After this action he visited several shipowners and suggested that they reconsider the

advisability of establishing shipping offices at San Francisco and San Pedro. In these offices men were to be registered and to be shipped according to their turn as registered. He pointed out that although the shipowners expected to drive the members of the I. W. W. from the merchant marine, the registration system would not only be ineffective but would drive the members of the International Seamen's Union off the Pacific coast. On September 26 the shipowners promised to postpone for 60 days the establishment of registration offices and the issuance of a continuous discharge book, provided the Sailors' Union of the Pacific would rid itself of the "wobblies." At this time he was convinced that the situation was extremely serious and realized that if the seamen failed to clean house they would be stamped, in the eyes of the public and of the law, as an organization subject to prosecution under the criminal syndicalist law of California. Yet, while he was aware of this, he believed also that if the registration books of the shipowners were issued, most of the union seamen would quit the Pacific coast. Moreover, the law would be enforced against the seamen, and the union would temporarily pass out of existence.

The very night of the day (September 26) on which the president met the shipowners, the resolution calling upon the editor to change his policy was passed at a meeting of the Sailors' Union of the Pacific. Subsequent efforts to drive the I. W. W. out of the Sailors' Union of the Pacific have already been described.

After 60 days' grace had expired, the president of the international union again visited the shipowners, asking them to give the agents of the Sailors' Union of the Pacific passes to the docks and ships in order to identify the members of the I. W. W. who had been expelled from the sailors' union. The labor committee of the shipowners met and decided against granting the passes. In the concluding part of his letter to the shipowners, the president said that the "wobblies" were being employed by the shipowners, and alleged that there were quite a number of men who believed that the shipowners were not only carrying the "wobblies" but were protecting them on their vessels and in the courts for purposes best known to the shipowners. He said that he did not charge these conditions existed but that it certainly looked as though they did. He thought it reasonable to believe that the shipowners, for reasons of their own, were employing and protecting the I. W. W. and he wondered whether the shipowners were using them to kill "real honest unionism, with the purpose of dealing with them later or not at all. Just now the real seamen are certainly between two millstones—the shipowners and the 'wobblies.'"⁵

SUMMARY.

The struggle of the International Seamen's Union against the I. W. W. on the Pacific has encountered serious difficulties. The election of a radical as editor of the Seamen's Journal by the Sailors' Union of the Pacific was a serious blow. Even after this editor and several others had been expelled, the shipowners refused to cooperate in keeping the I. W. W. off their ships. Indeed, it seemed that the shipowners

⁵ For full copy of this letter, see the Seamen's Journal, Dec. 14, 1921, pp. 1, 2.

were using the I. W. W. to wreck the bona fide unions. The situation has been further complicated for the Pacific coast unions by the presence of hordes of young men who come to the Pacific ports for temporary employment at sea. In most instances, they care to sail merely for a trip or two. In consequence, attempts to build up an effective organization to combat the I. W. W. have been beset with great difficulties.

ACTION OF INTERNATIONAL UNION AGAINST I. W. W.

THE SEAMEN'S JOURNAL.

For many years the Seamen's Journal, although published by the Sailors' Union of the Pacific, had been the official mouthpiece of the International Seamen's Union. However, when a radical was elected editor of the Journal, the January, 1921, convention withdrew from that organ the privilege of speaking officially for the international union. During the course of the year attacks on the officers of this union and advocacy of industrial unionism became increasingly frequent. Therefore, in order to defy the advocates of radical action and to present the correct position of the International Seamen's Union, which could no longer be done through the Seamen's Journal, the Seaman was established in October, 1921, by the international union as "an earnest, though belated, effort to set the American seamen right with the public." The Seaman was published only four times and devoted the greater part of each issue to attacking the I. W. W. and to upholding the principles on which the International Seamen's Union was founded.

On November 9, 1921, the members of the Sailors' Union of the Pacific expelled their radical editor and the Seamen's Journal was restored to its former policy. As a result of this action the publication of the Seaman was abandoned by action of the 1922 convention. At that gathering the Sailors' Union of the Pacific asked to be relieved of the publication of the Seamen's Journal, which was becoming expensive. By vote of the convention the executive board of the International Seamen's Union was instructed to take over the publication of the Seamen's Journal. Accordingly, on May 1, 1922, the Seamen's Journal again became the official organ of the international union. With this issue, the Journal became a monthly.

CONSTITUTIONAL CHANGES.

In order that the interests of the organization as a whole might be "guarded from what might be the results of excitement and passions aroused by persons and conditions," the 1922 convention of the International Seamen's Union adopted the following report of the committee of the whole and referred it to the committee on constitution:

First. That the constitution of the International Seamen's Union of America be so amended that it shall be authorized to step in and take charge of any district union that fails to abide by its own laws or that violates the constitution of the International Seamen's Union of America.

Second. That the International Seamen's Union of America be furnished with sufficient funds from the district unions to keep organizers and educators in the field, subject to the supervision of the international union alone.

Third. That there must be nothing in the constitutions of the district unions that will be contrary to the international constitution.

Fourth. That provisions be made in the international constitution defining the duties and functions of district grievance committees.

The most important changes and additions in the new constitution, which for the most part make effective the report of the committee of the whole, have been classified and briefly summarized in the following paragraphs. The new constitution, as amended by the 1922 convention, is printed as Appendix I, pages 108 to 115.

PROVISIONS AS TO INDIVIDUAL ELIGIBILITY.

The new constitution provides that membership is open only to those who are eligible to become citizens of the United States. Moreover, no one may be admitted to membership, or if admitted, be permitted to remain a member, if he is also a member of any organization hostile to the International Seamen's Union.

An entirely new article (Article IX), entitled "Duties and right of members," was added to the constitution by the 1922 convention. This article deals with such matters as the right of members to educational facilities, legal protection, and to various benefits. The duties of members in regard to attendance at meetings, to obedience and loyalty to the constitution and by-laws of the international union and to those of the district union are stressed.

Article X, which is also entirely new, outlines the correction or punishment for such members as are "charged with conduct bringing the union or its members into ill repute, with violations of law, with being untrue to the union and its purposes, or with using the union as cover for purely selfish or sinister purposes."

EXTENDED POWERS OF INTERNATIONAL UNION.

The acceptance and retention of a charter from the international union is deemed, under Article II of the constitution, to constitute a full agreement to the constitution and by-laws of the international union. Article XVIII further provides that the constitutions and by-laws of district and local unions must not be inconsistent with those of the international union. Section 3 of this article provides for weekly reports regarding finances and membership and other items of interest.

Under the new constitution the executive board is given definite powers to enforce the constitution against any offending branch of a district union, against a district union, or against a local union.

COOPERATION BETWEEN DISTRICT UNIONS.

In order to bring about cooperation among the various district unions without coercion, Article VIII was adopted. This article provides for the establishment of district committees in place of the former grievance committees. Each district committee, which is composed of three representatives from each district union,⁶ is given

⁶ A district union is one that is directly chartered by the international union and which embraces workers in either the deck, engine, or stewards' department, or fishermen in any district (section) of the country.

wide power to guard the interests of the various district unions and to adjust grievances among them, to promote harmony of action and purpose, and to call joint meetings in the interest of unity and organization. The new constitution provides that this committee meet at least monthly. In addition, provision is made in this article for the creation of a similar committee in each port, known as a port committee, which is to meet weekly for the purpose of creating harmony and unity of action among the marine unions representing the sailors, firemen, stewards, and fishermen in each port.

SIGNIFICANCE OF THESE CHANGES.

The effect and possible influence of these changes in the constitution were excellently stated in an address to the delegates to the 1922 convention by the president of the international union immediately after the new constitution had been adopted. He said in part:

We [the international] are changing now from a government by discretion laid in the hands of practically everybody who is in office at all into a government by law. That is what we are doing and with penalties attached to the violation of the law. Do we want it? Are we willing to go out and fight for it, suffer for it, to be guilty of all kinds of things because of it, to defend our actions and work as men should? If we are ready to do that I can promise you success. If we are not ready to do that, then we have wasted two weeks and a half here and we have been acting as pallbearers to the seamen's movement in America for years and years to come.

SUMMARY.

The various unions of the International Seamen's Union have up to the present time (June, 1923) withstood adverse industrial conditions as well as onslaughts of the I. W. W. Although there has been a tremendous loss in membership,⁷ it is felt that this condition may hold a lesson for the future. Events have demonstrated that the rapid increase in membership (20,000 in 1915 to 115,000 in 1920) imposed the risk of internal disorder. For a while it seemed as if tested principles and policies were to be swept away by the sheer weight of the new arrivals. This was due to the fact that members were at all times entitled to suggest ideas or to formulate plans which would be considered, although not always accepted. Jealousies, misunderstandings, stupidity, and personal grievances were also responsible for the internal disruptions. The general criticism of "the system is wrong" also found a somewhat ready approval among the members.

CONCLUSIONS.

In order to check the growth of the I. W. W. Transport Workers' Union various remedies have been applied. The Eastern and Gulf Sailors' Association and the Sailors' Union of the Pacific have expelled members of the I. W. W. The constitutions of the International Seamen's Union and of its member unions have for the most part been so revised as to make the advocates of revolutionary unionism ineligible for membership. In addition the International Seamen's Union, and especially the port committee of New York, have

⁷ See Appendix II.

carried on counter propaganda by means of speakers, organizers, and agents, and by the use of printed matter. By these educational means it was shown that the I. W. W. offered no hopes for improvement, as that organization made no agreements with employers and ignored the powers given to the seamen by the seamen's act. One of the recent leaflets of the International Seamen's Union showed that that union had a record of accomplishments while the I. W. W. merely held out promises. It has been suggested by some officials that the criticisms of the advocates of revolutionary unionism be carefully considered so as to take such action as might obviate any existing defects.

44668°—23—8

APPENDIX I.—CONSTITUTION OF INTERNATIONAL SEAMEN'S UNION OF AMERICA (1922).

PREAMBLE.

Recognizing that organization is the only means by which the seaman may hope for amelioration and final emancipation from the many ills attending our calling, and for the purpose of furthering organization, strengthening it where it already exists, and bringing into closer relations the component parts of our calling, we have organized the "International Seamen's Union of America"; and having in view that we are migratory; that our work takes us away in different directions from any place, where the majority might otherwise meet to act; that meetings can have present only a fraction of the membership; that the absent members, who can not be present, must have their interests guarded from what might be the results of excitement and passions aroused by persons or conditions; and that those who are present may act for and in the interest of all, we have adopted this constitution.

ARTICLE I.—*Name, membership, and jurisdiction.*

SECTION 1. This organization shall be known as the International Seamen's Union of America.

SEC. 2. Eligibles for membership shall be bona fide seamen, other than licensed officers working as such, namely: Sailors (all men employed in the deck department), firemen (all men employed in the engine department), cooks (all persons employed in the steward's department), and fishermen, all of whom must be eligible to become citizens of these United States.

Provided, That no one shall be admitted to membership, or, if admitted, be permitted to remain members, if they are members of or advocating principles and policies of any dual organization or any organization hostile to the International Seamen's Union of America, its aims and purposes. It claims jurisdiction over such work as the maritime law provides that seamen may be required to perform and over such work as fishermen usually do in connection with catching and handling of fish.

ARTICLE II.

SECTION 1. The powers of this organization shall be legislative, executive, and judicial, with such limitations and in such form as the convention shall from time to time provide in the constitution and laws enacted, and such constitution and laws shall be binding upon all members and upon any union, district organization, or district into which such members may be formed.

Acceptance and retaining of a charter shall be deemed to constitute a full agreement to such constitution and laws. Any violation of the constitution and laws shall work forfeiture of such charter, subject to decision of the convention, or, between conventions, of the executive board: *Provided*, That powers not specifically granted shall be deemed to be withheld unless inherent in and necessary for the exercise of powers specifically granted.

ARTICLE III.—*Form of organization.*

SECTION 1. In order to establish better unity in accomplishing the purposes for which this organization is formed, and for the purpose of administration, divisions, based upon difference in work performed, and districts shall be formed, which shall be known by their locality: The Atlantic and Gulf district, the Great Lakes district, the Pacific district, and such other districts as from time to time it may be expedient to form.

SEC. 2. The districts shall be composed of sailors, firemen, cooks, and fishermen, organized and chartered separately, with headquarters and such branches as each district union shall from time to time determine, and under such laws,

not inconsistent with the international constitution, as each shall from time to time deem expedient. Each such district union shall have a permanent presiding officer, elected for not less than six months, to preside over meetings at headquarters, and shall be represented in district committees for consultation upon all matters of common interest.

SEC. 3. The district committee may call the membership of the different unions together in joint meetings for the purpose of listening to reports or addresses made with the view of education, the better cooperation between the district unions, the districts, and the better understanding of the purposes of the international.

Such joint meeting shall not vote upon any question that may be brought before it. Voting shall be done in and by the district unions.

ARTICLE IV.—*Convention and representation.*

SECTION 1. Convention shall be held yearly or at such time and place as the previous convention may determine.

SEC. 2. Representation at the convention shall be based upon the per capita tax paid during the year. For the purpose of determining the number of members in a district or local union, the monthly rate of per capita tax shall be multiplied by 12, and the total amount paid during the year shall be divided by the product of such multiplication.

District or local unions shall be entitled to one delegate for 200 members or less, two delegates for 500 members or more, three delegates for 1,000 and one delegate for each additional 1,000 members.

SEC. 3. A district or local union shall be entitled to one vote for 100 members, or majority fraction thereof. When more than one delegate represents the district or local union the votes shall be apportioned between them as equally as possible.

SEC. 4. Delegates shall have the same qualifications as the elective officers of the organization represented and shall be elected by each organization: *Provided*, That no one shall be seated as a delegate in the convention who is delinquent in or who has been expelled from any district or local union. In case a vacancy in the regularly elected delegation occurs between the election of delegates and the convention, the various organizations shall have the power to fill such vacancies.

SEC. 5. The president and secretary-treasurer shall always attend the conventions. If not delegates they shall have voice but no vote in the proceedings of the convention. Their expenses shall be paid out of the international funds.

SEC. 6. District or local unions should send at least one delegate to the convention, and shall defray the expenses of such delegates as they send, unless as specified in section 5.

SEC. 7. The secretary shall make arrangements at the convention city to have daily proceedings printed.

SEC. 8. All resolutions must be presented to the secretary before 6 o'clock p. m. of the second day of the convention, unless by unanimous consent of the convention.

ARTICLE V.—*Powers of convention.*

SECTION 1. The convention shall pass upon credentials, audit all accounts, elect officers and representatives. It shall have the power to provide for organizers, adjust grievances, hear and act upon all measures that may be brought before it by any officer or accredited delegate; to hear, act upon, and to finally determine any appeal.

ARTICLE VI.—*Officers and election.*

SECTION 1. The officers of the union shall consist of one president, seven vice presidents, and one secretary-treasurer. They shall be elected at the annual convention for the term of one year.

SEC. 2. All vacancies occurring between conventions shall be filled by the executive board.

ARTICLE VII.—*Duties of officers.*

SECTION 1. The president shall attend and preside over the meetings of the convention. He shall enforce due observance of the constitution and by-laws

of the union. He shall submit a report to the convention annually, and to the executive board, the district unions, or the district committees as often as may be necessary. He shall be chairman of the executive board. He shall have authority to travel to any port or city within the jurisdiction of the international union for the purpose of attending to the business of the organization, and shall perform such other duties as the convention or the executive board shall from time to time assign to him. His wages shall be determined by each convention.

Prior to the meeting of each convention the president shall appoint a committee on audit and credentials. This committee shall meet with the secretary-treasurer in the convention city on the Saturday morning prior to the opening of the convention for the purpose of auditing the books, preparing a report upon credentials, and apportionment of the vote, having such report ready for the convention.

In the event of a vacancy occurring in the office of president between conventions, the first vice president shall perform the duties of president.

SEC. 2. The secretary-treasurer shall attend all conventions of the international union and shall keep accurate record of proceedings. He shall have charge of the seal and the records of the international union. He shall receive and receipt for all moneys and pay all bills for and on behalf of the international union. He shall keep correct account of all receipts and expenditures and retain all receipted bills and shall submit a report to the convention.

He shall be secretary of the executive board. On request from two or more members of the executive board he shall submit to the members a motion that the board meet to act upon some stated situation or question; he shall submit to the members by mail or wire any question requiring action by the board. He shall keep a record of business transacted and meetings held and shall make reports of the board's actions a part of his quarterly report.

He shall prepare quarterly financial statements showing the income and expense, the financial standing and the membership of the international union and of district and local unions, as reported to him and a report upon the state of the union. If any district union shall fail to send reports at the proper time it shall be the duty of the secretary-treasurer to report such fact to the other district unions in the district, to the district committee, and such members of the executive board as are in such district, and he shall report any continued neglect to the executive board. He shall furnish copies of such statements and report to each subordinate union. He shall deposit all moneys in such bank or banks as may be designated by the executive board, subject to the check of the secretary-treasurer, not more than \$10,000 to be deposited in any one bank.

His books and accounts shall be submitted for inspection of the committee on audit and credentials annually, and to the executive board, or an auditing committee, or a certified accountant, selected by the executive board, at any time the executive board may deem it necessary. He shall furnish a bond of \$15,000 with a reliable surety company, premium on bond to be paid by the international union. He shall receive such wages as the convention may decide and shall perform such duties, in addition to the duties herein specified, as the convention or the executive board may from time to time assign to him. He shall have the power to appoint an assistant whenever he deems it necessary, at such pay as may be decided by the executive board.

The secretary-treasurer shall have authority to travel to any port or city within the jurisdiction of the international union whenever necessary or to send a representative, for the purpose of attending to the business of the union.

SEC. 3. The executive board shall consist of the president, the vice presidents and the secretary-treasurer.

It shall meet at such times and places as the convention or a majority of its members may direct, and shall promptly attend to such business as may come before it. Business which can be transacted by mail or wire may be so transacted. It shall have the power to issue charters. It shall be the duty of the board to see that the constitution and laws of the international and of such divisions thereof, as from time to time may be organized, are obeyed. For the purpose of enforcing the constitution and law it shall proceed as follows:

(a) If the offender be a branch of a district union, it shall be the duty of the headquarters of such offending branch to discipline such branch by removing any officer or officers or to abolish such branch.

(b) If the offender be a district union, the executive board, after trying and failing to induce the headquarters of such district union to obey the law, may,

for the protection of the loyal membership and pending reorganization, instruct the branches of such offending district union to cease sending reports, moneys, and other communications to said headquarters, to tie up all funds and to protect all property by equity proceedings, and shall organize such other headquarters as shall obey the law. If such shall be deemed necessary, it may revoke the charter of such offending district union and organize another in its place.

(c) If the offender be a local union the executive board may revoke the charter, and may organize another union or take such other action as may be expedient.

It shall act upon appeals from district unions, and district committees, and from branches of district unions or members where such appeals come through the district unions and has there been acted upon or action has been refused. It shall have power to remove any officer, organizer, or deputy, acting for or in behalf of the international, and to fill vacancies. The board, any of its members, or any deputy selected by it, shall have the right to participate in any meeting for the purpose of reporting to, advising with, or performing such duty as shall have been assigned to the board by the convention, or by the board to any member thereof, or to any deputy. Members of the board shall act promptly and definitely on any question brought before them and shall report violations of law or other important matters to the secretary-treasurer, who shall bring the matter to the attention of the board if so requested or if he thinks it necessary or expedient.

LEGISLATIVE COMMITTEE.

The annual convention shall elect a legislative committee of five, whose duty it shall be to watch legislation in Congress and in foreign countries for the purpose of guarding the interests of seamen. In the United States such watching shall be specific and the committee shall report to the secretary-treasurer and the district unions upon any bill introduced in Congress and of special interest to seamen, and such action shall be taken thereon as may seem best calculated to promote the welfare of seamen. The committee shall examine and pass upon any legislation desired by any district union. Such desired legislation may be submitted to the committee, which shall, in such case, submit the same to the convention with its report thereon, or it may be submitted to the convention. In either case the convention shall pass upon it before it shall become the duty of the legislative committee to advocate or support it.

ARTICLE VIII.—*District committee.*

There shall be chosen in each district a committee to be known as the district committee, composed of three representatives from each district union. Such committee shall meet at least once a month and oftener if called by the chairman.

It shall be the duty of said committee to adjust grievances between district unions, between district unions and operators of vessels, to guard over the interest of the district unions, to promote harmony of action and purpose; to call joint meetings in the interest of unity and organization; to consider such other matters as shall have been referred to it by any district or local union; to pass upon appeals submitted by any member of a local union and to carry out such instructions as shall have been given to it by the executive board or agreed upon by the district or local unions. The committee shall have the right to participate in any meeting of any district union.

The committee shall keep records of its proceedings and shall furnish copies thereof to the secretary-treasurer of the International Seamen's Union of America and to each district union in its district. Such committee, then called "Port committee," shall be organized and shall function in ports and it shall report to the regular district committee; such may be less than nine.

In case the district committee is unable to adjust any matter, it shall refer same to the executive board of the International Seamen's Union of America, whose decision shall be binding between conventions.

ARTICLE IX.—*Duties and rights of members.*

SECTION 1. Members may be classified as probationary and full members with such rights to benefits while in good standing as the district or local union may by its laws provide. To be in good standing a member must not be more than

three months in arrears and must have paid all assessments and fines. A member suspended or in bad standing shall not be permitted at any official meeting of any local or district union or any branch thereof, nor shall he be entitled to any rights or privileges of the international union or any divisions or subdivisions thereof, except the right to appeal and reinstatement as provided by the laws. The duty of a member shall be to be true and loyal to the union and its purposes, and to obey such laws as the international and its district or local union may from time to time adopt. Members shall endeavor to teach to each other the duties and traditions of our calling, to be patient with each other's faults and errors, as long as such are not based upon purely selfish motives or serving as cover for sinister purposes, to teach each other what the union is for, what it has done, what it has failed in doing and why, the importance of attending meetings, what the laws of the international union and its subdivisions are, and generally to speak and work toward that unity of sentiment and action indispensable in accomplishing our purposes.

Sec. 2. The member shall have the right to such educational facilities, industrial, legislative, and legal protection as the constitution and laws may provide. Such legal protection shall only extend to such cases as have a direct bearing upon the interests of all seamen or fishermen, and to cases coming within the principles of maritime law not already declared by the courts.

The member shall have the right to such relief in case of shipwreck, to such supplies in case of sickness, and such funeral expense as the district or local union may from time to time provide.

The member shall have the right of free transfer from one district union of sailors, firemen, cooks, or fishermen, into any other district union of the same division, paying such assessments and fines as may be due under such rules as to identification, previous conduct, and rating as the district union may provide. Whenever he thinks that he has been denied equal protection under the laws, or that in their application to him he has suffered injustice, he may appeal from the branch to the district union and from the district union to the executive board. If a member of a local union, the appeal shall be to the district committee, thence to the executive board. If a member intends to stop sailing or is sailing as an officer of a vessel he may take out a retiring card. Duties of members serving as union officials shall in addition be such as the international, district, and local union may provide.

ARTICLE X.—*Corrections and punishment.*

A member charged with conduct bringing the union or its member into ill repute, with violations of law, with being untrue to the union and its purposes, or with using the union as cover for purely selfish or sinister purposes, shall be tried and corrected or expelled under such rules as the district or local union shall provide, and such action as may be taken shall, subject to appeals, be binding upon all subdivisions of the international. Appeal must be entered within 30 days. Provided a fine is imposed, the member may be reinstated by paying the fine without his right to appeal being in any way affected. Excessive fines shall not be imposed.

ARTICLE XI.—*Initiation fee and dues.*

SECTION 1. Initiation fees and dues shall be such as the district or local unions may decide. It shall not, however, exceed \$10 or such amount as is now charged as initiation fee, or \$1.50 per month as dues. Initiation fees shall not be raised or dues lowered except by consent of the convention or the executive board.

Sec. 2. Such initiation fees and dues shall be collected by the district and local unions under such rules and safeguards as shall be provided by such district and local unions, and indorsed by the international, and such percentage thereof as may from time to time be determined by the international convention shall be transmitted to the international secretary-treasurer monthly.

Sec. 3. Candidates for admission who have previously been members and who have been away from the calling for some length of time and who failed to take out retiring card, shall be reinstated or rejoined in accordance with the laws of the district or local union.

ARTICLE XII.—*Certificate of membership.*

The membership books issued by the district and local unions composed of sailors shall be of the same general form and shall be supplied to said district and local unions by the International Seamen's Union of America, through the secretary-treasurer, under regulations approved by the executive board, in sufficient numbers to meet the needs of any district or local union: *Provided*, That the executive board shall have the power to extend the use of such membership books to any district or local union making application for same. Certificates of membership shall always be the property of the union.

ARTICLE XIII.—*Revenue.*

The regular income of the international office shall be \$10 for each charter issued, and 10 per cent of all initiation fees and dues (to be based upon not less than \$1 dues per month) collected by the district or local union and to be paid monthly.

Other income shall consist of such assessments or contributions as shall be recommended by the convention or by the executive board and indorsed by a majority of the district or local union.

If any district or local union is financially unable to meet the assessments or contributions, such district or local union shall file a statement of its financial standing with the executive board, which shall have the power to release such district or local union from paying the assessment or contributions in whole or in part.

ARTICLE XIV.—*Disbursements.*

Disbursements of funds shall be for per capita tax and assessments to the American Federation of Labor, president's and secretary-treasurer's wages, office expenses, traveling expenses, legislative, legal, and organizing expenses, and such other expenses, disbursements, and donations as the convention or the executive board may authorize. All officers and representatives of the international union, except the president, shall, when traveling for and by the authority of the international union, be paid a salary of \$7.50 per day. The railroad fare, while on such duty, and hotel expenses, shall be paid by the international union. Two dollars and fifty cents per day shall be allowed for hotel expenses.

ARTICLE XV.

SECTION 1. All propositions submitted to referendum by the convention or the executive board shall be voted upon in the manner prescribed as follows:

(1) The secretary-treasurer shall issue a notice of referendum vote in the official paper and by communication with all district and local unions, stating the question to be voted upon and the limit that has been fixed to the time in which such vote shall be taken, and the results returned.

(2) He shall prepare, cause to be printed, and distributed to district and local unions a sufficient number of ballots containing the subject matter to be voted upon. Such ballots shall be arranged with voting squares for "Yes" and "No" and members shall signify their choice by marking an X in either square. The ballots shall bear the seal of the International Seamen's Union of America, and none but such official ballots shall be used by district and local unions for this purpose.

(3) Members shall be qualified to vote: (a) If they are in good standing in the district or local union, and (b) if their district or local union is in good standing with the International Seamen's Union of America.

(4) The convention or the executive board may order the polls kept open during any number of consecutive meetings, not exceeding four, or any number of consecutive days, not exceeding seven. District and local unions may regulate the manner of voting and of canvassing the vote, but shall permit no member to vote more than once on the same proposition.

(5) Within 24 hours after the vote has been counted, secretaries of district and local unions shall return all unused ballots to the secretary-treasurer, together with a report of the results obtained in headquarters and the branches. Such report shall bear the seal of the district or local union and shall be certified by the chairman of the meeting in which report is made.

(6) The secretary-treasurer shall deliver said returns to the ballot committee, which shall be composed of three members of district unions to be designated by the executive board and who shall be elected for this purpose by said district unions. Such committee shall canvass the returns and make a correct transcript thereof to the secretary-treasurer, who shall cause the same to be printed in the official paper, and shall notify district unions of the result.

(7) If the proposition has received a majority of all the votes cast by district and local unions in good standing, the secretary-treasurer shall declare the same carried.

ARTICLE XVI.—*Appeals.*

Appeals shall be based upon violation of law or right denied, and shall show wherein such violation or right denied is claimed to exist. It shall be accompanied by transcript of charges, of the main points of testimony and the decision. It shall be submitted to the executive board and each member shall, without delay, give his vote as he thinks just, and may add such brief reasons as he may think important.

ARTICLE XVII.—*Strike or lockout.*

SECTION 1. The following rules must be closely observed by district or local unions contemplating a strike or in danger of being locked out. Failure on the part of any union to comply therewith shall work a forfeiture to all claims to financial assistance, and subject the district or local union to loss of charter.

SEC. 2. In case a disagreement occurs between any district or local union and any operator or operators, which may result in a strike or lockout, the matter in dispute shall first be submitted to the local district committee for adjustment. Should such committee fail to reach a settlement, the secretary-treasurer shall immediately be communicated with. He shall at once proceed to the seat of the trouble, or appoint some other member, preferably a member of the executive board, to act as his deputy. Together with the district committee, or a subcommittee thereof, he shall use all honorable means to reach a peaceable settlement.

If his efforts shall prove futile, he shall order a vote to be taken by all the district and local unions represented in the district committee on the question of indorsing the proposed strike or of calling a strike of all the members working for such operator or operators.

SEC. 3. Should such a vote be decided in the affirmative by a two-thirds majority, the secretary-treasurer shall at once make a report to the executive board, giving a full statement of the difficulty, the efforts at settlement, the number of men involved, and also his recommendations as to the course to be pursued, and the executive board may submit to a vote of the general membership the proposition of levying an assessment for the support of such a strike.

SEC. 4. Such vote shall be taken in accordance with the provisions of Article XV: *Provided*, That the executive board may, in case of urgency, order the results obtained in the district and local unions transmitted by telegraph.

SEC. 5. The executive board shall supervise the use and distribution of any funds raised. Such strike benefit or subsistence as the member may receive shall not begin until he has been on strike or lockout for two weeks, it shall not exceed \$5 per week and shall in no case be considered or treated as a property right. Such strike benefit or subsistence shall not be continued after the member has obtained work, and in no case after the strike or lockout has been declared at an end.

SEC. 6. During the progress of the strike or lockout the secretaries of district or local unions affected shall make weekly reports to the secretary-treasurer, showing the amount of money paid out for benefits or subsistence.

SEC. 7. The executive board or its representatives shall, when satisfied from facts or information in their possession that the strike or lockout has accomplished all that it can reasonably be expected to accomplish, lay such facts or information fully before the district committee, and in agreement with such committee shall call meeting or meetings and lay the facts before the members, who shall vote to continue or cease. Such vote shall be taken by secret ballot: *Provided*, That the executive board shall have the power to withdraw financial assistance.

Sec. 8. No funds of any district or local union entering upon a strike without complying with constitutional provisions or the consent of the district committee and the executive board shall be used to pay any strike benefit, payment to pickets, or payment to officers of such district or local unions as wages.

ARTICLE XVIII.—*District and local unions.*

SECTION 1. District and local unions shall adopt such constitution and laws, not inconsistent with the constitution and laws of the international, as shall seem most serviceable, in furthering the aims and purposes of the international union, the duties and right of members, the duties of officers, the carrying on of strikes and lockouts, the collection, disbursement, donation, and investment of funds, and such other laws as shall from time to time seem expedient and wise.

Such constitution and laws shall provide rules for issuing of retiring cards, which may exempt the member from payment of dues or assessments, under such laws as the district or local union shall provide and be recognized and accepted by other district or local unions as under rules provided in Article IX.

SEC. 2. No officer shall have power to call any member out of any vessel unless so authorized and instructed by action of such union; nor shall any donation be made to any member unless such member has been in prison for the purpose of testing some question of law of importance to all seamen, whether members or not, and this shall only be done upon the same vote as may be necessary to amend the constitution.

SEC. 3. The secretary of each district or local union shall furnish the international secretary with a weekly financial report and shall also furnish a quarterly report of receipts, expenditures, and the number of members in good standing. He shall keep the international secretary informed of the condition of his union, of all matters of interest to the seafaring class, and shall communicate to him all suggestions, resolutions, and amendments offered by his organization for the consideration of the international union.

ARTICLE XIX.—*Amendments.*

SECTION 1. This constitution can be amended in the following manner by the convention in regular session, in which case a two-thirds majority shall be required to carry such amendment. The convention may by a two-thirds majority refer any amendment to a referendum vote.

NOTICE OF AGREEMENT WITH THE INTERNATIONAL SEAFARERS' FEDERATION.

That a member of any affiliated union joining a vessel of another nationality, other than that of the union of which he is a member, should be permitted to sail for three months, or one voyage if longer than three months, without being compelled to transfer. At the end of three months, or at the end of the voyage, such member be requested to transfer, but without payment of entrance fee, all contributions due to be the property of the union to which he is transferred.

APPENDIX II.—MEMBERSHIP OF UNIONS AFFILIATED WITH THE INTERNATIONAL SEAMEN'S UNION OF AMERICA, 1899 TO 1921.¹

Name of union and year formed.	1899	1900	1901	1902	1903	1904	1905	1906
Alaska Fishermen's Union (1902).....					2,500	2,500	2,500	
Eastern and Gulf Sailors' Association (1888).....	300	1,150	2,300	2,200	3,000	2,000	2,000	2,200
M. C. and S. Association of the Atlantic (1901).....					400	400	500	800
M. C. and S. Union of the Great Lakes (1902).....						700	1,500	2,000
M. C. and S. Union of the Pacific (1901).....			500	800	1,400	1,400	1,500	1,300
M. F., O. and W. Union of the Atlantic (1902).....				900	1,300	1,100	1,000	900
M. F., O. and W. Union of the Pacific (² 1883).....			1,100	700	1,000	1,000	1,200	1,200
Sailors' Union of the Great Lakes (1878).....	1,000	3,600	3,700	4,800	7,500	4,700	8,300	7,700
Sailors' Union of the Pacific (1885).....	2,000	2,100	3,600	3,600	3,900	4,400	4,500	4,600
United Fishermen of the Pacific (1906).....								1,400
Total	3,300	6,850	11,200	13,000	21,000	18,200	22,900	22,100

Name of union and year formed.	1907	1908	1909	1910	1911	1912	1913	1914
Alaska Fishermen's Union (1902).....			2,200	2,200	2,800	2,900	2,700	2,600
Eastern and Gulf Sailors' Association (1888).....	2,900	2,600	2,300	2,300	2,800		1,300	1,400
Harbor Boatmen's Union of New York (1911).....					400	100	300	200
M. C. and S. Association of the Atlantic (1901).....	700	900	800	800	1,100	2,200	2,000	1,800
M. C. and S. Union of the Great Lakes (1902).....	1,500	900	500	400	400	300	500	300
M. C. and S. Union of the Pacific (1901).....	1,400	1,300	1,200	1,200	1,800	1,500	1,300	1,600
M. F., O. and W. Union of the Atlantic (1902).....	1,200	(⁴)					100	500
M. F., O. and W. Union of the Great Lakes (⁴ 1888).....	2,300	2,300	2,300	2,300	2,300	700	1,100	900
M. F., O. and W. Union of the Pacific (² 1883).....	1,300	1,400	1,400	1,400	1,900	2,000	1,900	1,800
Sailors' Union of the Great Lakes (1878).....	7,000	5,400	3,200	2,700	2,600	1,800	1,700	1,400
Sailors' Union of the Pacific (1885).....	5,100	4,500	3,800	4,100	5,400	4,500	4,400	3,800
United Fishermen of the Pacific (1906).....	1,000	600						
Total	24,400	19,900	17,700	17,400	21,500	16,000	17,300	16,300

Name of union and year formed.	1915	1916	1917	1918	1919	1920	1921
Alaska Fishermen's Union (1902).....	2,700	2,800	3,200	3,500	3,500	3,300	3,200
Boatmen's Beneficial Association (1919).....						150	
Deep-Sea Fishermen's Union (1913).....	800	1,000	1,400	2,000	1,500	1,500	1,300
Eastern and Gulf Sailors' Association (1888).....	1,800	4,200	6,000	10,500	19,000	31,000	12,000
Eastern Marine Workers' Association (1919).....					300	200	
Ferryboatmen's Union of California (1919).....					600	1,000	700
Fishermen's Union of the Atlantic (1915).....	800	1,500	1,600	3,500	3,000	3,700	1,500
Fish Trap, Pile Drivers, & Web Workers' Union (1920).....						350	300
Harbor Boatmen's Union of New York (1911).....	200	800					
M. C. and S. Association of the Atlantic (1901).....	2,000	2,600	2,700	3,000	5,500	12,700	3,200
M. C. and S. Union of British Columbia (1918).....				500	300	200	
M. C. and S. Union of the Great Lakes (1902).....	300	500	700	1,700	1,700	1,600	1,500
M. C. and S. Union of the Pacific (1901).....	1,700	1,900	2,000	2,000	1,800	2,600	1,600
M. F., O. and W. Union of the Atlantic (1902).....	800	2,600	4,800	8,000	20,000	38,000	10,000
M. F., O. and W. Union of the Great Lakes (⁵ 1888).....	800	2,400	2,500	3,200	3,400	3,300	2,200
M. F., O. and W. Union of the Pacific (² 1883).....	1,900	2,200	2,400	3,000	3,500	3,800	3,300
M. F. and O. Union of British Columbia (1917).....					500		
Sailors' Union of the Great Lakes (1878).....	1,300	2,800	2,400	3,000	3,200	3,200	2,000
Sailors' Union of the Pacific (1885).....	3,700	4,300	4,700	5,000	6,500	6,100	5,700
Sailors', Firemen, and Cooks' Union of Canada (1919).....					600	1,200	700
United Fishermen of the Pacific (1906).....	200	400	600	600	600	1,100	800
Total	19,000	30,000	35,000	49,500	75,500	115,000	50,000

¹ Figures are from annual reports of the secretary or from other data submitted at annual conventions, and seem to be given to the nearest hundred in most cases. Figures for 1922 not available; total membership estimated to be 25,000.

² Affiliated with International Seamen's Union of America in 1901.

³ New charter.

⁴ Disrupted by I. W. W.

⁵ Affiliated with International Seamen's Union of America in 1907.

APPENDIX III.—LETTER TO PRESIDENT HARDING— MARINE STRIKE OF 1921.

WASHINGTON, D. C., *April 29, 1921.*

MR. PRESIDENT: This is a report and a prayer. All the agreements and arrangements between shipowners organized in the American Steamship Owners' Association, the United States Shipping Board, the organized marine engineers, sailors, firemen, marine cooks, and stewards, these last three constituting the International Seamen's Union of America, will cease with to-morrow night.

The shipowners offered us a reduction amounting to 25 per cent on wages and subsistence and the abolition of all pay for overtime work. This took place in the month of January. We wrote them a letter offering to meet them to do the utmost possible to come to an understanding to take effect immediately and to run until April 1st, 1922. There was no meeting until the 19th of this month. Then they offered us conditions that were utterly impossible for us to accept. We countered with certain propositions which we deemed of absolute necessity for the upbuilding and preservation of the personnel of the merchant marine of America. They refused. We met them again on the 25th, and they refused to consider our proposals. This ended the meetings in New York.

Admiral Benson, chairman of the Shipping Board, called everybody interested to meet here in Washington on Wednesday, the 27th. There was a 10 per cent reduction in the cut proposed to us here, making it 15 per cent of the actual wages signed for on the articles, but the total cut would, under the rules proposed, be from 40 to 60 per cent in the actual income of the men employed; but no other change in the other things, except that in so far as the carrying out of the law was concerned the admiral declared himself entirely in favor of the carrying out of the law and that he would do what he could to have the law enforced.

We submitted as a proposition that in the matter of employment the American citizen would have the preference for any rating which he would be qualified to fill, and that men with intention papers should have the next chance of employment, basing their preference amongst them upon the length of time that such intention papers had been held. This was refused. There were several other propositions made and refused. Whereupon we made the offer to submit the entire question to you, declaring ourselves willing to accept whatever you should deem most advantageous to the building up of a merchant marine for the United States, and that in order to prevent any stoppage at all the present condition should remain until you had an opportunity to act upon the situation. This was first refused by Admiral Benson, stating that he would not burden you with this matter. It was then peremptorily refused by the shipowners. We renewed our offer, and again were refused. Whereupon it was stated by us that we felt that we did not burden you by submitting our judgment to yours. We felt that we were doing our duty to you and to the merchant marine.

We now respectfully submit the matter to you in the firm faith that you will act for the development and maintenance of the merchant marine.

Most respectfully,

W. S. BROWN,

President, Marine Engineers Beneficial Association.

ANDREW FURUSETH,

President, International Seamen's Union of America.

APPENDIX IV.—PREDOMINANT WAGES PAID ABLE SEAMEN AND FIREMEN SAILING FROM NEW YORK TO EUROPE, 1895 TO 1922.¹

	Able seamen.	Firemen.		Able seamen.	Firemen.
Year ending June 30—			Apr. 1, 1917, to May 4, 1918. . .	\$60.00	\$60.00
1895	\$22.50	.....	May 4, 1918, to July 26, 1919. . .	75.00	75.00
1900	25.00	.....	July 26, 1919, to May 1, 1920. . .	85.00	90.00
1905	25.00	\$50.00	May 1, 1920, to May 1, 1921. . .	85.00	90.00
1910	25.00	40.00	May 1, 1921, to Feb. 6, 1922 ² . . .	72.50	75.00
1915	27.50	40.00	Feb. 6, 1922 ³ . . .	55.00	57.50
June 30, 1915, to Apr. 15, 1916. . .	30.00	40.00	May 1, 1921, to Jan. 5, 1922 ³ . . .	72.50	75.00
Apr. 15, 1916, to Apr. 1, 1917. . .	45.00	50.00	Jan. 5, 1922 ³ . . .	47.50	50.00

¹ In addition to wages, employees get board and living quarters. Data from annual reports of Commissioner of Navigation and from other sources.

² United States Shipping Board rates.

³ American Steamship Owners' Association published rates.

APPENDIX V.—APPEAL TO THE WORLD.¹

To those who govern nations, to those who make the laws, to humanitarians, democrats, Christians, and friends of human freedom everywhere, do we, the seamen, the yet remaining bondmen, humbly, yet earnestly, submit this our petition that we be made freemen, and that the blighting disgrace of bondage be removed from our labor, which once was considered honorable, which is yet needed in the world of commerce, and which has been held to be of great importance to nations with seacoasts to defend.

Existing maritime law makes of seamen, excepting in the trade of the United States, the property of the vessel on which we sail. We can not work as seamen without signing a contract which brings us under the law. This contract is fixed by law or authorized by government. We have nothing to do with its terms. We either sign and sail or we sign it not and remain landmen.

When signing this contract, we surrender our working power to the will of another man at all times while the contract runs. We may not, on pain of penal punishment, fail to join the vessel. We may not leave the vessel, though she is in perfect safety. We may not, without our master's permission, go to a mother's sick bed or funeral, or attend to any other duties of a son, a brother, a Christian, or a citizen, excepting in the trade of the United States.

If the owner thinks he has reason to fear that we desire to escape, he may, without judicial investigation, cause us to be imprisoned for safe-keeping until he shall think proper to take us out. If we have escaped, he may publish our personal appearance along with a reward for our apprehension and return. He may, through contracts between nations, cause the peace officers and police to aid him in recovering his property. The captain may change, the owner may change—we are sold with the vessel—but so long as the flag does not change, there is nothing except serious illness or our master's pleasure that will release us from the vessel.

The master, acting for the vessel, may release himself and the vessel by paying a few dollars, with no alternative.

He that owns another man's labor power owns his body, since the two can not be separated.

We stand in the same relation to the vessel as the serf did to the estate, as the slave to his master. When serfdom was abolished in Western Europe we were forgotten by the liberators and our status remained. When the slaves of the United States and Brazil were emancipated our status continued. When serfdom was abolished in Russia no change came to us.

We now raise our manacled hands in humble supplication and pray that the nations issue a decree of emancipation and restore to us our rights as brother men; to our labor that honor which belonged to it until your power, expressing itself through your law, set upon it the brand of bondage in the interest of cheap transportation by water.

We respectfully submit that the serfdom of the men in our calling is of comparatively modern origin. Earlier maritime law bound—while in strange countries and climes—the seamen to his shipmates and the ship, and the ship to him, on the principle of common hazard. In his own country he was free—the freest of men. We further humbly submit that, as the consciousness of the seamen's status penetrates through the population, it will be impossible to get freemen to send their sons into bondage or to induce freemen's sons to accept it, and we, in all candor, remind you that you, when you travel by water, expect us—the serfs—to exhibit in danger the highest qualities of freemen by giving our lives for your safety.

¹This petition was submitted at Vienna in 1908 and there voted down as Utopian; adopted by a mass meeting of seamen in Cooper Union in 1909; adopted by the International Seamen's Union of America convention of 1909; submitted at Copenhagen, 1910, and adopted by a narrow majority but never submitted to the nations.

At sea the law of common hazard remains. There must be discipline and self-sacrifice, but in any harbor the vessel and you are safe, and we beseech you give to us that freedom which you claim for yourself and which you have bestowed on others, to the end that we may be relieved of that bitterness of soul that is the heavy burden of him who knows and feels that his body is not his own.

By order of the International Seamen's Union of America.

ANDREW FURUETH, *President.*