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# The Union Pacific and the United States

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There exists a certain class of writers and talkers whose business appears to be the defense of railroad corporations and managers at all times and under all circumstances, and they are never more impudent and blatant than when railroad employees protest against the outrages perpetrated by these corporation officials. It is a well known fact because it is an officially recorded fact, that the interstate commerce law had its origin in charges of outrages perpetrated by railroad corporations so enormous and so flagrant as to cause a universal protest and a demand for remedial legislation. It is not required that we should recite these indictments; they are known and read of all men, and include almost every form of duplicity and fraud known to our Christian civilization. Not only was Congress called upon to arrest the deluge of rascality but state legislatures were implored to interpose and check, if possible, the rapacity of railroad corporations. And now we have authentic advice from Washington giving an outline of legislation to be enacted to punish the officials of the Union Pacific for a series of outrages perpetrated by them to defraud the United States government. The charges are of the most serious character and exhibit a degree of lawlessness which it is difficult to contemplate with composure.

The joint resolution submitted to congress by Representative Boatner,<sup>1</sup> of Louisiana, in its recital specifies numerous violations of law for the purpose of defrauding the government, such as “an at-

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<sup>1</sup> **Charles Jahleal Boatner** (1849-1903), was a Democrat first elected to Congress in November 1888. Although elected to a 4th term in 1894, his seat was declared vacant by the Republican majority of Congress owing to a protest by his defeated opponent. Boatner ran and won election again for the open seat and was finally allowed to resume representation of his district in June 1896, although he declined to run for re-election that fall.

tempted consolidation with the Kansas Pacific Railroad and the Denver Pacific Railroad and issued stock of the Union Pacific on this consolidation for \$14 million. It is charged that afterwards further stock amounting to \$10 million was issued for the alleged purpose of making repairs, etc.; that the purchase of the two railroads by the Union Pacific was made by the directors, who were themselves stockholders in the Kansas Pacific and the Denver Pacific, while the president of the Union Pacific was at the time president of the Kansas Pacific; that dividends have been voted in violation of the acts of 1873 and 1878, not out of actual earnings and while the Union Pacific was still in default to the United States. These payments from 1873 to 1884 are stated to have been \$27 million.”

Specifications further recite that the directors of the Union Pacific paid “the interest on the first mortgage bonds of the Oregon Short Line Railroad Company, amounting to \$4 million; that the directors in violation of the law and their official duties, paid subsidies to the Pacific Mail Steamship Company amounting to about \$1.4 million.” The resolution arraigns the directors of the Union Pacific for numerous malfeasances, the purpose of which was to commit fraud and which were successful to a degree that demands prompt action on the part of Congress to protect the interests of the government, and the charge is specifically made that the directors of the Union Pacific misappropriated and misapplied the property and funds” of the road, or in other words, embezzled and stole money which belonged to the United States, and that they should be compelled to restore the stolen property.

Let it be remembered, in this connection, that the men who are arraigned by Congress for fraudulent practices, mean duplicity, corruption, and business rottenness, are the men who, with the aid of United States judges, seek to make the employees of the road pay the penalties of their rascality. Is it to be presumed that such a gang of railroad wreckers as have had charge of the Union Pacific, and who have for years schemed to defraud the government and pocket the proceeds of their knavery, would hesitate to offer a United States judge, or any other judge, a bribe to aid them in their bunco business? And is it not infamously apparent that their hooks and traps have been successfully baited? Is it not visible to the naked eye that directors, receivers, and judges are moral lepers, as unclean as the inmates of pest houses? When such monstrosities are clothed with power to impoverish workingmen, what remains of life worth the liv-

ing? When by virtue of law, wrongs are perpetrated and workingmen defrauded, hopes of redress may be entertained, because the law maybe repealed or amended; but in cases where there is no law, when a United States judge, in the arrogance of absolutism, robs workingmen of wages and ties them to a machine, sentences them to hard labor, and fines and imprisons them for “contempt,” what is there left of our boasted liberty and citizen sovereignty? In old abolition times, when the country was “half free and half slave,” men pointed to the “star spangled banner” and shouted, “Haul down that flaunting lie;” but no slave owner in all of the “sunny south” treated a “nigger” more contemptuously than the Jenkinse treat railroad employees. These ermined autocrats, these tsars, sultans, and shahs, don’t care for law, though they are created by law, the theory being that they constitute a department of the government and are not amenable to law. And the query has gone the rounds of the press, “What are you going to do about it?” — a sneering equivalent of Vanderbilt’s exclamation, “The public be damned.”

The idea seems to prevail that United States judges are the pliant tools of corporations, whose supreme duty it is at the bidding of their masters to reduce workingmen to the condition of the dog under the wagon. To what extent railroad employees will play dog or dogs at the behest of ermined autocrats, is as yet an unsolved problem, but we surmise it will be well for the peace of the country if courts are cautioned to be a little more careful in issuing their decrees. As yet the United States is not Poland, nor yet Ireland, though when a United States judge decrees that sovereign citizens shall not consult together about wages and welfare, under penalty of fine and imprisonment, Russia, Turkey, Persia, Ireland and Poland and every other country where men’s rights have been cloven down, and men are slaves, march in procession, bearing testimony of this degradation autocrats have secured for the masses, and the world looks on and sees the United States take its place at the tail end of the train.

Corporations, directors, and managers, as in the case of the Union Pacific and the Northern Pacific and other great systems of railroads, bring about wreck and ruin. Then a United States judge is appealed to, to strike down the rights of workingmen, and dire penalties are threatened if the decree is disobeyed. Thus, step by step, men are degraded and all too often accept their disgrace without protest.

But not all of them tamely submit. A readjustment is coming. We want it to come by righteous processes. We want it to come by the peaceful though often rugged roads of justice. We want it to come by the administration of honest laws, by unbribed, undebauched, and unimpeachable courts. We want it to come by the ballot, by legislation designed to promote the welfare of the nation, but come it will. It is coming. Men who are not deaf hear the cries of a thousand Johns in the wilderness to make straight paths for labor's emancipation from the decrees of purchased judges, from the tortures of scheme created poverty and wretchedness, from the curse of class legislation. It would be folly to fix a day for the readjustment. There will be signs, and we have them; there will be wonders, and we are having them; there will be portents, they are seen in all directions. The hope of all good men is that the readjustments may come as the sunshine and the shower come to make the earth beautiful and fruitful of blessings, but come they will, and men at the helm of the ship of state will be wise if they study the signs of the times.

*Edited with a footnote by Tim Davenport*

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