

The Peonage Controversy and the Florida East Coast Railway

by Dr. Joe Knetsch

Imprisonment for debt had long been outlawed in the United States when the controversy over a new form of ensnarement arose. The “new” system was called peonage, or holding someone against his will until a debt was paid off in full. An 1867 statute, outlawing debt servitude in New Mexico was thought, by some in power in Washington, to have been adequate for the nation; however, this relatively obscure law was ignored in practice nearly everywhere in the country. From the timber mills of the Pacific Northwest, in the company towns, like Gary, Indiana, or in the turpentine stills of the rural South, some form of peonage existed nationwide in the nineteenth century. Yet, southern peonage practices caught the eye of reformers and brought out the scorn of progressives. “Owing in the South,” historian Pete Daniel has written, “often led to imprisonment, beating, or even death.”¹ It was the southern form of peonage that drew the nation’s attention to the problem, especially in Florida where both turpentine and railroads were widely accused of its worst practices.

One of the principle reasons for this attention to the southern form of peonage was its dependency upon the importation of out-of-state workers. The workers, mostly immigrants from the larger cities in the Northeast, would sign contracts with agents for the companies who planned to utilize. These contracts would guarantee certain wages, conditions and charges for passage to the area and outline the terms of repayment. In many cases, the contract would also state that board or other necessities would not be paid for by the company, but were the responsibility of the worker. Almost always charges would soon leave the worker in debt to the company, or its minions. It was not uncommon in these cases to find the wages stated were actually lower than

those contracted for, the working conditions much more severe than expected and the charges for board and other necessities exorbitant. The workers, hailing from elsewhere, or recent immigrants, were soon exposed to the worse elements and trapped in out-of-the-way work stations where no outside help could be expected. “Defrauded of their wages,” Daniel notes, “and deprived of mobility either by threats that they could not legally move until their debts were paid or by actual force, they lived in the vortex of peonage.”² In the worse cases, this “vortex of peonage” would suck the life from its victims and cast it upon the heap to fertilize the sterile earth. And in such a melodramatic style it was often reported in the press of the day.

The problem arose for two reasons. First labor was scarce in many of the areas where peonage was reported. Labor shortages were chronic in places like Florida and Alabama where the indigenous population was relatively small and widely scattered. A second cause was the lack of employment opportunities in the crowded cities of the northeast, which were experiencing rapid immigration. Opportunities appeared to these immigrants to be less than optimal and they were searching for better paying, more constant employment. At this stage, the labor agent entered the scene and seemed to provide a service that met the expectations of the new laboring class of immigrants. For a small charge, he would provide the contact with the employer, who often gave him a flat fee (usually two or three dollars per recruit), and the two sides would then enter a contract allegedly spelling out the conditions of employment and the transportation and board charges, or other details. One of the agents charged with peonage, E. J. Triay, who was employed by the Florida East Coast Railway (FEC), outlined the contract system in a *Brooklyn Eagle* report in January of 1906.

The statement made by the two Brooklyn boys that we agreed to give them \$1.75 per day is contradicted by the contract they signed. Mr. Triay then handed the Eagle reporter a printed contract worded as follows, which he said all laborers signed before leaving New York. “Due Florida East Coast Railroad \$12 for value received, And I hereby authorize said railway company, should said railway company at any time to become indebted to me at any time before payment hereof to apply hereon any amount or amounts for part or parts thereof so due

me as same may become due and payable. The said Railway company to pay \$1.25 per day without board. Mr. Triay said that the company furnishes transportation free from Jacksonville to Miami, but that the fare from New York to Jacksonville, \$12, must be paid by the men and that this is not only implied by the contract, which is short and plainly printed, but it is also explained in a circular printed in English on one side and Italian on the other. ... He says, moreover that the men are housed free by the company in comfortable quarters. They buy their own food, sold at the commissary department at reasonable prices, and can live well on \$2.50 per week.³ The twelve dollar charge was supposed to have been worked off in about three months, given the normal expenditures of the workers, however, this charge, plus the inflated prices allegedly demanded by the commissary agents, led to a situation where, isolated on the Florida Keys, where they were working on the railroad's extension to Key West, without a personal mode of transportation to the mainland, a worker was at the mercy of the company and its supervisors. This exposed position of the worker was one ripe for the charges of peonage.

In some cases, the immigrants were attracted to the United States by offers of secured employment through the "padrone" system, which worked within the Italian and Greek communities. According to George E. Pozzetta, a pioneering historian in Florida immigration studies: "The search for workers often took railroad employers into the urban centers of the northeast where thousands of recently-arrived immigrants resided. To secure these laborers, the railroad frequently relied upon the services of an important immigrant institution - the padrone, or labor boss."⁴ The system became so national scandalous, that Congress undertook an investigation and filed an extensive report, which resulted in certain laws being passed to curb its worse abuses. In its reports on the "padrone system" and other evils, the Immigration Commission, directed by Congress to investigate charges of slavery and peonage in 1908, concluded:

The operations carried on by the padrones are confined to the direct importation of aliens, either to employ them in their own various business enterprises, such as bootblacking, fruit vending,

or candy making, or to hire them in groups to contractors or other employers. Relative to the padrone system, the Commissioner-General of Immigration, in his report for 1907, pages 70-71, says: "The most distressing branch of the alien contract-labor law violations is that which involves the use of what is commonly called the 'padrone system:' for by this means not only is foreign labor introduced under contract or agreement, but often the laborers are mere boys and are practically enslaved by the padrones who effect their importation. This system is applied principally to youths of the Italian and Greek races, the boys being placed at hard labor, with long hours, under conditions wholly unsuited to their age, and subjected to a wage arrangement which amounts practically to a method of blackmailing; in other words, they are in effect owned by the men who advance the money and procure their immigration from Greece and Italy."⁵

The report of the Immigration Commission went on to note that: "Nevertheless, it may be said that such 'contracts or offers or promises of employment' are usually so vague, contingent, and indefinite that an acceptance thereof would not constitute a contract. Neither can adult aliens imported by padrones designate the particular job or employment for which their labor is desired. Therefore this class of operations is probably not prohibited by the contract-labor laws."⁶ In certain cases, in addition to lining up the labor, the padroni were allowed to run the commissary stores, thus exploiting the labor in all phases, however, Pozzetta notes specifically in his study that the Florida East Coast Railway was an exception to this rule, even where it did use such contract labor.⁷

The problem for the Florida East Coast Railway became more intense when Henry Flagler and his board of directors chose to construct the railroad across the Florida Keys to Key West. This decision was reached on April 19, 1893, just prior to the onset of the national depression later that year.⁸ The national depression was the major cause for the delay in constructing the railroad through Miami to the Keys. The cash flow problems involved in this economic downturn forced Flagler to hold back on his ambitious plan at that time. Flagler's delay was beneficial for Miami as the entrepreneur

became personally involved with its development. Not until 1905 did Flagler procure the right of way for the



Workers taking a break. HASF 1991-208-31.

railroad from the Florida Legislature.⁹ Aside from the immense engineering problems presented by this enterprise, the largest concern for the railroad was the procuring of labor.

The peonage that can be imputed to the railroad, in the cases where it employed such labor, was indirect. The agents through which it worked were alleged to be responsible for any such peonage at this stage. The railroad did, in the 1890s and around the turn of the century, employ a number of Italians and Greeks on the line, including the extension. The arrivals of such employees were announced in the *Miami Metropolis* with great frequency, often with statements such as: “A car load of Italians from the north is expected here daily for works on the keys on the railroad extension;” or “A large number of Greeks arrived here yesterday and proceeded to Homestead where they will work on the extension;” or, finally, “GREEK LABORERS ARRIVE: Another bunch of Greeks, about twelve in number, for the extension operations, arrived in the city last night from the north and will be taken to the keys this afternoon. It is the intention of the F.E.C. Railway Company to secure and work as many of these men as possible and other and larger numbers of them will arrive in a few days.”¹⁰ Interestingly, the Immigration Commission, in its discussion of the investigations into the operations and peonage charges against the F.E.C. does not relate the railroad with peonage and the padrone system of contract labor. This may, in part, be due to the adverse criticism of the system by the muckraking press of the day and the growth of immigrant protective societies in the nation’s larger cities. Also, the growing awareness by the immigrants themselves of working conditions on the railroads and elsewhere made them better informed of which jobs they might be interested in taking.¹¹ It may be deduced, therefore, that although the padrone system was important for the railroad in obtaining scarce labor, it was not a highly significant factor in the charges of peonage against the line.

If the padrone system was not the origins of the peonage charges, what element was? Labor agents must be looked to as the main source of the charges against the railroad and its hierarchy. Edward J. Triay, as noted, was one of the chief agents for the railroad; however, he worked through many others, most importantly of whom was Francisco Sabbia. In one of the first of the spectacular expose's of peonage in Florida, the fate of nineteen year old Harry Hermanson, allegedly recruited by Sabbia's "German-Italian Exchange" in New York, was told in very dramatic terms. "At Jacksonville, the declaration alleges, that the said Harry Hermanson was placed under an armed guard and brought to Miami at which place he was compelled to go aboard a steamboat and was taken to the extension camp No. 4, and there forced to enter a tent and sleep upon rocks and in the dirt with scarcely any food to eat or water to drink, and was made to do the work of a man; that he was ill treated in various other ways by the agents of said defendant corporation, all of which injured the health of said Harry Hermanson; ..."12 Hermanson somehow got word to his mother about his condition and she allegedly sent money to the foreman to secure her son's release, however, the foreman supposedly stole the money. According to Daniel, the boy was not allowed to leave the Florida Keys until December 1906, when he was returned to New York with his mother.13 In the lawsuit asking damages for \$10,000, was the allegation that young Hermanson, nineteen years of age, became intoxicated and, in such a state, signed the contract with Sabbia, who immediately abducted the boy and placed him on a train to Jacksonville. His mother, Amanda C. Hermanson, in her allegations against the company, specifically named J. C. Meredith, Flagler's engineer and director, as the person who refused to send her son home after she had sent the money to get his release. The daring and desperate mother then, according to her attorney, went to Miami to pay Meredith and retrieve her son, but, upon arrival, was refused and threatened with arrest. She immediately hired a launch and went directly to the camp where her son was being detained and, after being refused permission to land until the eleven dollar debt was paid, she was able to procure his release and returned to New York.14 The Hermansons were not compensated for their travail as the court found the F.E.C. innocent of the charges of peonage. As one newspaper reported: "The prosecution failed to sustain the claim that the Hermanson boy was brought from

New York against his will or that he had in any other way been made a victim of the practices of what is known as 'peonage'."¹⁵

The case was tried in Jacksonville, the home of E. J. Triay, where the F.E.C. had considerable interests. However, it can not be assumed, as some have, that the corporation was guilty. There is the question of why a nineteen year old, in an age where many were working full time by their fourteenth birthday, was so easily misled and whether or not the conditions described by him were factual. There is also the problem of how this could be done unobserved by the dozens of reporters, important visitors, and others who visited the extension sites nearly everyday. Finally, there is the question as to how these stories could be true in the light of the hundreds of laborers who left the extension work on a regular basis and reported conditions to be satisfactory for that kind of work. Jumping to the conclusion that because the railroad was investigated by Congress and reports appeared in various newspapers, the F.E.C. is automatically guilty of the charge goes too far. This is especially true when faced with the fact that the railroad was exonerated by the Immigration Commission, which stated in its report: "Neither the governor of Florida, the Commission, nor the Department of Justice has been able to find anything in the nature of legal proof that peonage ever existed upon any of this work of the Florida East Coast Railway."¹⁶ It is always interesting reading the reports of men "somehow" escaping the alleged peonage and making their way back north to report to their local newspapers. The sensationalism caused by these reports may be one of the major reasons for the continued interest in the peonage charges.

With a labor force often numbering over 4,000 men, the F.E.C. had a difficult time providing these men with accommodations. The actual supply problem was one that worried F.E.C. officials daily. Fresh water, usually hauled from Homestead, for example, had to be transported by boats to the extension workers while large storage facilities were actually constructed at Manatee Creek and, later, on Indian Key.¹⁷ Mattresses, which most reports have not mentioned or denied were given or sold to the workers, were ordered as early as May 1906, when the F.E.C. ordered "several hundred special sponge mattresses for their quarter, or sleeping boats, engaged in the extension work," from the Miami Sponge Mattress and Pillow Company.¹⁸

Using simple mathematics, it quickly becomes apparent that several hundred mattresses will not sleep 4,000 workers, and this led to the reports of no mattresses being provided. In some instances, the company provided wooden slat-bunks, which were the norm in many camps. These slat-bunks were often not provided with legs and the men had to improvise to get them off the bare earth.¹⁹

One area where the F.E.C. was far in advance of other employers of the day was in its provision of hospital and health care facilities. A two story railroad hospital was located in Miami near Biscayne Bay and north of downtown. The facility contained an operating room, attending physician's room, dispensary, surgical dressing room, a dining room and kitchen, and its own laundry. On the first floor, it had three wards for white workers and one for "colored" employees. The upstairs held two wards for acute patients, five private rooms, a house physician's bed, apartments for the matron and nurses and storage areas for supplies. Drs. J. M. Jackson and J. A. Heitlinger attended patients along with Ms. M. Hamilton, who, like Dr. Heitlinger, had much experience at New York's Bellevue Hospital. The hospital was free to any employee injured on the job or who became ill while employed. Dr. Jackson made frequent visits to the Florida Keys dispensaries located in some of the larger camps.²⁰ Indeed, as the extension reached farther south through the Keys, another hospital was constructed on Long Key.²¹ Yet, despite the advantages offered by employment with the F.E.C., the peonage charges continued.

The newspapers in the north continued publishing stories from men allegedly trapped on one of the Florida Keys by the railroad and its overseers. In one story, dated early 1906, one Thomas O'Byrne received a letter from six Brooklynites who declared: "They have shanghaied us to a little island in the ocean about ninety miles off Florida. We are surrounded by rattlesnakes and dangerous animals. For God's sake, send us some money and food. Twenty dollars will enable us to escape and save our lives." The same report also said that, "Negroes stand over us with guns." It was a sensational story, which was followed by another entitled, "Brooklyn Lads Lured South and Into Chain Gang." Here, Winfred Rowland, a twenty year old, along with five others, was attracted by an advertisement and other promises of good working conditions and possible advancement working for the railroad in Florida. Supposedly, one hundred such

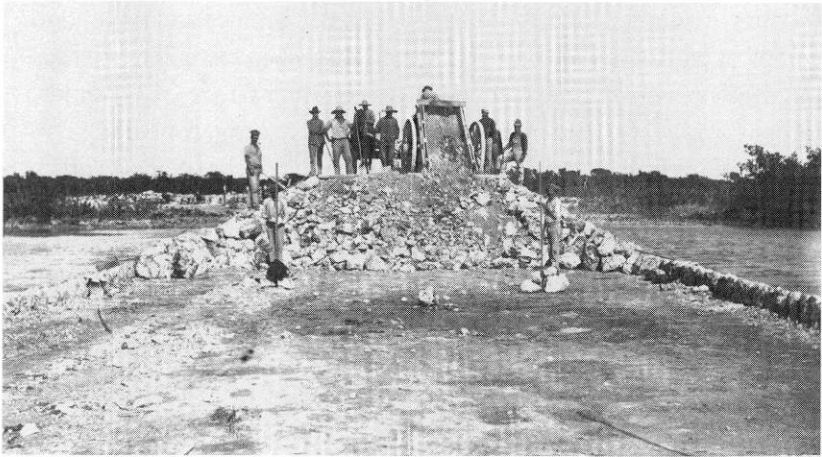
young men left Jersey City, New Jersey, and began their journey southward. The tale told by Rowland was similar to that related by Hermanson. Once on the train, the situation soon deteriorated into crowded passages, locked doors and shipment to the Keys. The escape story is, again, similar to others reported during the day, including the collusion of a local sheriff with the railroad, charging those captured with vagrancy and putting those unable to pay the fine on the local chain gang.²² This same story line was soon picked up by some of the more radical press of the day, including the Socialist *Appeal to Reason*, a leading radical journal.

Not to be outdone by the socialist paper and its counterparts in New York, the *Boston World* published its own expose' in March 1906. The story began with the headline, "Fugitive Who Escapes Bondage Tells of the Suffering Endured Working for Florida East Coast Railroad," John B. Harles, the detainee, told of the "hardships and misuse of 4000 men," at the hands of the Flagler rail line. Harles was forced to work ten hours a day in the broiling hot Florida sun with a pick and shovel for a wage of \$1.25 a day. He claimed that the original wage promised him was for four or five dollars per day, but this soon dwindled to \$7.50 per week. Harles claimed that he was forced to purchase a blanket to sleep in at the inflated price of \$2.00 (when it was not worth fifty cents) and then was charged \$4.50 for an old pair of shoes and \$1.50 for overalls. Harles realized that the only way out of this entanglement was to escape. Again, like the other stories, Harles and his helpless companions were captured by armed guards and forced back into the trenches, in knee deep water. Finally, with luck and good fate, he escaped from the camp and made his way to Miami and then overland, twenty-four miles, to Punta Gorda (called Pontafora in the account). From there, he fled via Arcadia and finally reached Sanford, where he hopped a train to Jacksonville, which took him the final 300 miles. Harles claimed he arrived in Boston aboard a Jacksonville based schooner upon which he had worked for his berth. The victimized Harles appealed to the Federal government to put a halt to such practices, especially those of the employment agencies which had lured him in with their outlandish promises.²³ Like others' stories of imprisonment on the Keys, Harles' told of low pay, armed guards, poor food and housing and harrowing escapes.

Articles in the *Appeal to Reason* featured an "inside" plant who

was sent to investigate the charges and found them worse than expected. In his clandestine reports to his editors, the nameless victim described the pitch, the transport, the final destination and the conditions of work. According to his reports, he was offered employment by one of the agents of the “Flagler interests in Florida.” From here he promised his readers a, “truthful portrayal of industrial conditions as they actually exist in the slave camps here in Florida, and the first situation that I shall deal with will be the East Coast Florida Extension Railway.” He described his trip to Jacksonville aboard a “tramp steamer,” after hearing stories of the agents about working, “lightly but a few hours every day, there were no swamps, no malaria and no mosquitoes.” He also was told, once upon the steamer, that the passage fare was twenty-five dollars, and not the twelve dollars the first agent had promised. Forced to sign a new ledger book with this compelling debt, he knew he was in for a difficult time. Upon arriving in Jacksonville, he was immediately herded upon a box car and he was soon on his way south through Florida. In this account, the reporter noted: “The car in which I was placed was crowded with a miscellaneous assortment of unkempt humanity, and I felt miserably out of sorts. All day we traveled, through a strange country of wild woods and swamps and dejected little rice and cotton farms. Negroes grinned and showed their teeth as we wound in and out from one turpentine camp to another — grinned in a knowing way, and winked to one another as we slowly sped on our course.”²⁴

The next installment by the intrepid reporter noted that he was under virtual round-the-clock guard and he had to, “At great risk and some expense,” employ a young man who was strong enough to take his dispatch out through the swamps and make it to Key West without detection from his isolated and unnamed Florida Key. He, of course, did not attach any name to his dispatches for fear that should his young message carrier fall into the wrong hands, he would face a horrid retribution. Again, he worked all day long in the broiling sun. He daily faced, “... the hardest manual labor ever inflicted upon the race. And we do this in fear of the impending lash. Waste deep in water nearly all the time, we shoulder the great logs and place them in position for the pile driver; and should any of us shirk, or ‘soldier,’ we are forcibly seized and beaten unmercifully.” In one of his more gruesome observations, the correspondent noted: “Yesterday a mere



Last fill at Hills Hole. HASF 1991-208-64.

lad, weak and hardly able to be on his feet, sank beneath the load he was trying to carry, when two burly bosses, both of whom are negroes, stripped him to the waist, laid him across a log and applied a black-snake whip to his bare back until he was unconscious.”²⁵ This undercover reporter continued to send dispatches from Florida for nearly another year; and some of them included descriptions of the infamous turpentine camps of northwestern Florida.

All of the common elements of the stories quoted earlier are contained in the dispatches from the author of *Appeal to Reason*. Severe labor, poor conditions, working in deep water all day, the hot, broiling Florida sun, evil, “burley” Negro bosses (a direct appeal to the racism of their white readers), blood-chilling escapes and threats of violence. That many of these reports are pure fiction cannot be denied. How many rice and cotton fields could one see going south from Jacksonville to Miami in the early 1900s? Did Florida trains wander from turpentine camp to turpentine camp dropping off northern laborers? Given the well documented racism of Mr. Flagler, which was typical of his age, how many whites were put to labor under Afro-American overseers? Was it really three-hundred miles from Sanford to Jacksonville by train? The veracity of these stories is to be strictly doubted in light of such obvious falsehoods. However, because of the sheer volume of such reports, there may be some truth to some statements after winnowing carefully through the chaff.

The first actual investigation of the peonage charges in Florida did

lnot begin with the F.E.C., but in the phosphate mines and turpentine camps of Northern Florida. The leader in these investigations was a pugnacious woman reformer and attorney, Mary Grace Quackenbos, of New York City. Her passion for the workers came from daily observations of the plight of immigrants on the docks of New York. To combat some of the abuses she observed, Ms. Quackenbos organized the "People's Law Firm" in Manhattan to aid the newcomers in their adjustment period. Ms. Quackenbos, at the time, was a "middle class reformer whose legal training and personal economic independence," enabled her to carry on the fight against injustice. The letters and reports, some of those cited earlier, were the spurs to her actions in Florida, which included obtaining a \$300 grant from publisher S. S. McClure, to work as an undercover in Florida in search of labor abuses. Her shock over what she found in Florida and Alabama led Quackenbos to contact United States Attorney John M. Cheney, working out of Orlando. She joined forces with Agent Eugene V. McAdams and Emma Stirling, of Lake Thonotosassa, Florida, in gathering evidence of peonage.²⁶ Her first, and main, target was the employment agent, S. S. Schwartz, of New York, City, and others. By October 1906, Schwartz had been arrested and indicted on peonage charges in Washington D. C. Three days later, Schwartz's prosecution was undertaken by Assistant Attorney General Charles W. Russell.²⁷

Ms. Quackenbos did not stop with the indictment of Schwartz. Next she began an investigation of the turpentine and lumber industry in Florida. The State reacted sharply to her investigations and those of Special Agent Hoyt, who assisted Ms. Quackenbos in Florida. U. S. Representative Frank Clark led the charge to investigate investigatoes and challenged the Attorney General's office to produce results. Clark's campaign was barely underway when *Cosmopolitan Magazine* edition for March 1907, appeared containin a muckraking article on peonage, entitled "Slavery in the South To-day." Author, Richard Barry's sensationalism included his charge that: "In a new and sinister guise, however, slavery has again reared its hideous head, a monster suddenly emerging from the slime morbid depths of an inferno peopled by brutes and taskmasters in human semblance." The magazine ran a photograph of Flagler, with the caption: "Henry M. Flagler, of the Standard Oil clique, whose Florida East Coast Railway is largely responsible for slavery conditions in Florida."²⁸ The combination of



Setting stakes at Crawl Key. HASF 1991-208-34.

the Quackenbos investigation and the magazine attacks made peonage a headline throughout the nation. The *Florida Times-Union*, immediately jumped to the defense of the railroad and Florida in general. The newspaper provided its readers with the definition of debt peonage and noticed the new laws enacted to curb abuse of such a system and the immigration act which, according to the Attorney General, shut states out from making labor contracts for immigrants, a system that some states had engaged in with some abuses. The press also raised the spectre of sectionalism in the passage of such acts and asked: "Why? Investigation after investigation has shown the long continuance of the wrongs charged in the Pennsylvania mines and mills; the evidence taken at Homestead is still in print. Why insist that only in the south do these crimes find foothold?"²⁹ To some extent, this question was valid. As historian David Potter has noted: "The prevalence of the 'savage ideal' (really the tribal ideal) in the South gave credibility to the Northern image of the South as a land of grotesque decadence and sadism; while the psychological needs of the North made this image functionally so essential to Northern liberal self-esteem that it would perhaps have had to be invented if it had not existed in reality."³⁰ Psychological reasons notwithstanding, the investigations spurred reaction by Congressman Frank Clark, himself a former assistant district attorney for the Southern District of Florida.³¹

Clark's reaction was to label all of the charges false and unfounded and simply the work of "muckraking yellow journalism." He demanded, along with others, that the Hearst newspapers, especially the *New York Evening Journal*, should be brought to task for such libel

and slander. In what the *Florida Times-Union* called a “Scathing Showing Up” of the Hearst’s papers and *Cosmopolitan Magazine*, Clark declared:

In submitting to this House and to the American people the few remarks I shall make upon the subject of “peonage” in Florida, as treated in a recent article in the *Cosmopolitan* magazine for March 1907, and partly copied in the *New York Evening Journal* of February 25, 1907, I know that I shall bring down on my humble self the resentful fury of the owner of these publications who happens to be a member of this body, but I do not believe has occupied his seat for ten full days during the entire life of the Fifty-ninth congress, but be that as it may I would be unworthy of the high and honorable position I hold if I should silently sit here and permit a member of this body, either from his place on this floor, or through the columns of his publications to slander and malign my people.³²

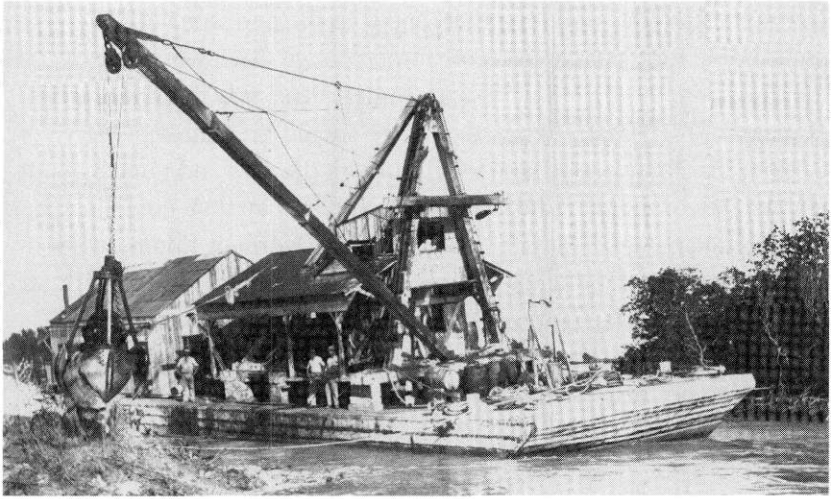
Clark repeated his call for an investigation into the purposes of the investigations.

The newspaper stories from around the nation, however, continued to surface and damage the reputation of Florida and the F.E.C. In addition to the *New York Evening Journal* and the *Brooklyn Eagle*, the *Boston World* also printed an expose’ concerning, “White Slavery in the Florida Keys.” Papers in Philadelphia and Chicago picked up on the stories and found other “victims” of the enslaving railroad or turpentine camps. All of this broke just after the devastating hurricane of 1906, which killed many workers on the railroad, some of whom were housed in houseboats or traveling on vessels, like the *St. Lucie* and House-boat No. 4, where many victims were simply swept out to sea without any further trace. The exact number of deaths caused by this storm is unknown. Fear of the armed bosses may not have been the only motive for some to want to “escape” from the Keys.

The Florida press responded by printing any number of interviews with important people who had visited the Keys and witnessed, first hand, the conditions of the men living there. A representative of the *Philadelphia Inquirer* came to Florida and made an “independent” investigation of the railroad and reported the following in the *Florida Times-Union*, on March 26, 1908: “If the applicant did not wish to eat in the mess tent,” said J. C. Meredith to this reporter, “he could board himself out of the commissary. A large percentage signed these

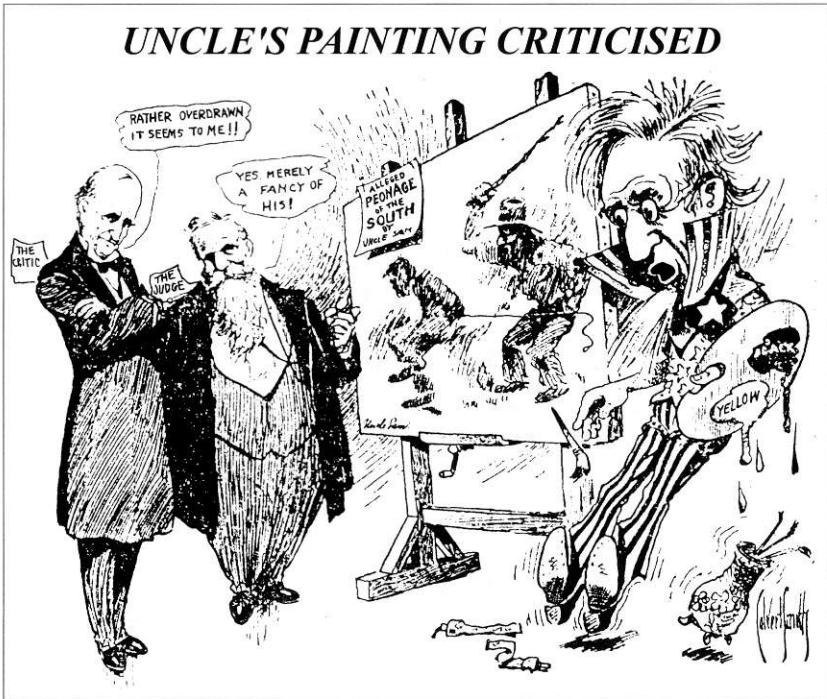
contract cards [the labor contract] and sold them to some of the undesirable forty per cent that we turned down. Men who were looking for anything but work and wanted a free ride into a warm climate for the winter. When they were aboard the train our Mr. Cotton, Mr. Triay's assistant, went through the cars and put off about ten per cent of these." The Philadelphia press man then noted that many of the men, faced with being sent back North or finding work in Miami, chose to dig ditches for the water department, harder work, in standing water, than they would have had working out the contract. And there was a definite difference in the work certain groups were required to perform: "On the Keys we employ negro labor to cut the right of way where the men build the grade. They have to clear the brush and work in water. You will not find a white man in our employ, outside of the anchor men on the dredges, who has to get his feet wet." He also reported seeing not a single foreman or crew boss with a weapon. The men were "treated right" according to an interview with worker Martin Haley, which was corroborated by Thomas Galagher, both from Philadelphia. The only men seen with guns were the paymaster and his assistant. On the subject of health, the *Inquirer's* man noted the general good condition of the men and that the hospital tents were empty, although some typhoid fever was reported in some of the camps. The tone of the entire interview followed the same pattern. It summed up the visitation by stating: "Through the whole investigation I have been unable to learn of one instance where a man is forcibly detained, worked under armed guard, except in the case of Walking Boss Good, of Camp 9, on Indian Key, who was discharged for going around armed and threatening with a gun the men who would not work."³³ The *Miami Metropolis*, the *St. Augustine Record* and other Florida papers also chimed in with this type of story and Florida readers were fed a steady diet of favorable news.

Out-of-state papers and magazines also published many investigatory pieces which praised the railroad's treatment of the workers. The Beverley, *Massachusetts Evening Times* for March 27, 1906, published a report from Florida Keys visitor Mr. Walter L. Stickney, who observed the only armed men in the camps guarded the water tanks because water had to be transported in at a cost of 10 to 15 cents per gallon, and the men were not allowed to use it for bathing purposes. Stickney also stated: "The laborers are paid \$1.25 a day and charged



Dredging at Grassy Key. HASF 1991-208-61.

40 cents a day for board or they can look after themselves and the day wage is paid them. The meals are very good. The men get hot bisuit at every meal, fried bacon, corned beef and cabbage, potatoes, hominy, oatmeal, with condensed milk and other side dishes, such as stewed evaporated apples and prunes.” Fine coffee, the reported declared, was served with every meal and Sundays saw rice or bread pudding added to the regular menu. “Any man, who is square with the company,” he announced, “can leave and at any time.” The “loafers” who built up a debt are not allowed to simply skip off and are required to work off their passage. These are the type who complained about “intolerable conditions”, according to Mr. Stickney.³⁴ Archie H. Law, writing for the LaCross, *Wisconsin Leader Press*, dated April 3, 1906, also noted the false nature of the charges made by members of the Eastern press. He boldly stated in his “Investigating Party” that reports of armed guards, poor food and chain gangs of force laborers were pure “falsehoods.” The wages, he insisted, were fair, the food good and the care of the men in the hands of trained nurses, a fine hospital staff and a “fully equiped hospital” in Miami, available free to all workers. Reports, like these, are found in numerous magazines, newspapers and any other print media of the day. The Flagler system’s propaganda machine, which included ownership of at least four Florida newspapers and heavy stock holdings in the *Florida Times-Union* was very active in joining Congressman Clark in the



Cartoon from the period.

defense of the state against the charges of peonage.³⁵

With all the propaganda from both sides hitting the press on a frequent basis, it is easy to lose sight of the trial of Francisco Sabbia and Edward J. Triay, the agents in New York who were most responsible for recruiting foreign labor for the line. The legal action against Sabbia began in March of 1907, with the charges consisting of misrepresentation, abuse, mistreatment, and fraud. The ultimate charge of slavery, not peonage, was thrust upon the case because of the conditions alleged in the complaints and the supposed applicability of an 1866 statute. Triay was also indicted at the time and both had to wait a considerable time before the legal wars ended. In the meantime, the press continued to attack or defend the railroad's agents depending on the particular slant of the various papers. *The New York Mercantile and Financial Times*, defended Sabbia declaring: "In justice to Mr. Sabbia, however, it may be stated that he has always conducted a model exchange and employment office, and has never as yet intentionally broken the laws of this country. Nor has he ever had a single complaint against his mode of doing business."³⁶ *The New York*

Globe ran the headlines: “Thousands Lured to White Slavery on Florida Keys: Arrest and Indictment of Two New York Labor Agents Results in New Exposure of Horrors.” This account of the actions of the railroad, through its agents, even had the men lining up at gunpoint to force a consent to work and obey orders. “Thereafter,” the article reads, “always in debt and guarded day and night, with no escape ... Men, it is said, were shot down like beasts when, exhausted, they refused to work any longer.”³⁷ Thus did the press wars go on until, in November of 1908, the charges were dismissed.

The dismissal of the case was not unexpected. U. S. Attorney for New York, Henry L. Stimson, had early misgivings about the case and expressed his opinion to the Attorney General of the United States. The statute under which the case was tried, he believed, was too vague and he doubted the ability of the Government to prove its case under such language. He also expressed concerns about Grace Quackenbos’ ability to investigate the case impartially. He believed “her judgment as a lawyer on both the facts and the law are entirely untrustworthy.” The railroad hired the capable defense attorney, John B. Stanchfield to defend the prisoners. Stanchfield’s defense consisted of arguing that, “peonage,- meaning held in involuntary servitude in payment for debt - could not be proved because slavery was charged in the indictment.”³⁸ Judge Charles M. Hough did not agree with the government attorneys that peonage was the same as slavery, but agreed with defense in its argument that there were no applicable Federal statutes against it, as defined in the indictments. Regardless of the truth or falseness of the charges, Quackenbos and her co-counsel, Charles W. Russell, were over-matched. Their case was vague, witnesses unreliable, charges excessive and methods of obtaining evidence questionable.³⁹

Some of the charges leveled against the railroad by one historian include the “damning description of the sleeping quarters” which were made of pine framing and slatting, three feet by six and a half feet. The company, he believes, did not sell mattresses because of the vermin problem in the Keys. Unfortunately, this goes against the company’s publicized order for “several hundred special sponge mattresses” ordered from the Miami Sponge Mattress Company. Additionally, the assumption that the size and make of the bed frame and slatting was cruel or unusual also is invalid, when one considers the average military bedding of the day. That the men often did not

have, or more likely use, the legs provided by the company is not a negative reflection on the conditions of the men. As anyone who has camped in the Florida Keys knows, one often has to make adjustments in the sand to get a more comfortable and level surface. Legs sometimes hinder this ability to achieve such comfort. It is interesting, moreover, that the only stories that discuss holding the men at gun point are those “discovered” by Quackenbos and Russell. A simple reading of the newspapers cited above, e.g. the *Brooklyn Eagle*, would give one all the ammunition needed, if it were reliable. Finally, the oft repeated story of armed black guards holding watch flies into the face of the record. Mr. Flagler and his engineers kept the work forces strictly segregated. Any reading of the weekly work reports from the alleged years of the investigation will demonstrate that whites, immigrant or not, were segregated from black workers. Only one crew during this period was known to have been totally integrated. White crew chiefs may have watched over black laborers, but the reverse was highly unlikely.⁴⁰

The indictments did not stop with Sabbia and Triay. Project engineers J. C. Meredith and William J. Krome were also indicted for peonage and asked to appear in U. S. District Court in Jacksonville. The arguments and charges were roughly the same as those against Triay and Sabbia in New York. The results were the same too. On June 21, 1909, the charges were dismissed by Judge James W. Locke.⁴¹ In no case were any of those charged with peonage actually convicted of it or of slavery. This does not mean that debt peonage did not exist relative to the Florida East Coast Railway.

It is clear from the evidence that men were held against their will until the debt to the railroad was paid off in full. This was admitted in court and in some of the evidence cited above. But, the claim that the railroad held 3,000 men in debt peonage in 1905, as was argued during the opening remarks of the Sabbia case is absurd and is easily dismissed by the record. One of the most frequently published reports in the Miami newspapers of the day was the number of men coming into and leaving the employment of the railroad company. The Krome Collection is filled with these reports. Additionally, the weekly reports, found in the Henry Morrison Flagler Museum Archive in Palm Beach, sum up each week’s activity on the construction of the extension, and contain paragraphs like: “Men continued to leave in consid –

erable numbers during the week, the labor report showing a loss of 200 from the end of the preceding week.”⁴² These kinds of reports, both public and private, do not indicate a wide spread conspiracy to hold thousands in peonage.

With the world wide attention that the construction of the Florida East Coast Railway’s overseas extension brought, including thousands of visitors of all classes, it is remarkable that outsiders did not witness the alleged brutal conditions and threatening behavior of the crew bosses. Is it likely that a system that instituted, by all accounts, one of the first medical insurance plans, maintained a well-staffed and constructed hospital, gave raises to skilled workers in a tight labor market, built houses on the Keys for its work crews and purchased mosquito netting for its workers, actively engaged in constant peonage practices, such as those described by its detractors? Almost all of the actual evidence in the case appears to side with the railroad and against the reformers and muckrakers. It is truly time a more objective view of the matter is taken. Despite their shortcomings, Henry M. Flagler and his system, on closer investigation, deserve a much better evaluation than some chroniclers have been willing to allot them. It is to be hoped that this essay has contributed to the process.

Endnotes

1. Pete Daniel. *The Shadow of Slavery: Peonage in the South, 1901-1969*, Urbana, Illinois: University of Illinois Press, 1972. ix.

2. Ibid. 19.

3. Jerry Wilkinson, compiler. *Building the Overseas Railroad: Newspaper Clippings October 1905 to December 1906, Preserved by William J. Krome and the Krome Family*. Tavernier: Jerry Wilkinson, 1995. Article entitled: "Condition on the Keys Told by Mr. Triay." 11. The author is deeply indebted to the compiler, Jerry Wilkinson, for providing a copy of these clippings. William Krome, one of Mr. Flagler's chief engineers, finished the work Joseph Meredith started, namely the final construction of the overseas railway. Krome kept numerous files of clippings from all over the country, especially the local Miami press. Probably because Mr. Krome, himself, was indicted on peonage charges, he kept a very large number of the articles concerning this problem. He was careful to include all sides of the story in these clippings, especially the socialist newspaper, *Appeal to Reason*, which castigated the railroad for its treatment of workers. This unusually large collection of articles will be frequently cited in this article and will, therefore, be referred to simply as "Krome Collection: Years of the volume (as they are unnumbered at this date), date of the article, if known, and the source, if known." As can be readily seen, Mr. Krome's collection was made without due regard for our historian's compulsion for accurate dating and referencing. Also, the Triay article was sent to J. P. Beckwith, of the FEC, who passed it on to Mr. Flagler. The article was dated January 5, 1906, and is attached to some of the *Brooklyn Daily Eagle* stationary and can be seen at the St. Augustine Historical Society, "Florida East Coast Railroad" files, Mc 13, Box 1, Folder 20, St. Augustine, Florida. The author would like to thank the Society's Library staff for their assistance in making these valuable files available.

4. George E. Pozzetta, "A Padrone Looks at Florida: Labor Recruiting and the Florida East Coast Railway." *Florida Historical Quarterly*, Volume LIV, No. 1 (July 1975) 74-75.

5. United States Senate. "Reports of the Immigration Commission: Abstracts of Reports of the Immigration Commission (In Two Volumes: Vol. II)." 61st Congress, 3d Session. Senate Document No. 747.

Washington: Government Printing Office, 1911. 383.

6. Ibid.

7. Pozzetta. 76. Footnote Number 7.

8. Minutes of the Board of Trustees, Florida East Coast Railway. April 19, 1893. St. Augustine Historical Society, Florida East Coast Railway files. St. Augustine, Florida. The author would like to thank Taryn Rodriguez-Boette and her staff for their generous assistance in researching this aspect of the FEC. Also, the author would like to acknowledge the assistance of the late Page Edwards for his encouragement and help in all aspects of the research for this paper.

9. Laws of Florida, 1905. Tallahassee: J. Hilson & Co., 1905. Chapter 5595 [No. 224.]. 429-31.

10. Krome Collection. Volume 1905-06. See July 16, 1906. pg. 105; August 11, 1906. pg. 115; and August 15, 1906. pg. 118. All are presumed to be from the *Miami Metropolis*.

11. See Pozzetta. 77-78. I have followed Pozzetta's conclusions regarding the decline of the padrone system, relative to the F.E.C, although the newspapers cited in endnote 8 indicate that the railroad probably used the system longer than is implied in his article. But this is a minor point and is not meant as a criticism of Pozzetta's sound work.

12. Krome Collection. February 13, 1906. Volume October 1905 - December 1906. 25.

13. Daniel. *Shadow of Slavery*, 96-97.

14. Krome Collection. February 13, 1906. Volume October 1905 - December 1906. 25.

15. Krome Collection. July 13, 1907. (newspaper not indicated) Volume 1907. 13.

16. U. S. Senate Document No. 747, 61st Congress, 3d Session. 1911. "Report of the Immigration Commission." 446.

17. Krome Collection. April 28, 1906. (newspaper not named) Volume October 1905 - December 1906. 61.

18. Krome Collection. May 21, 1906. (newspaper not named) Volume October 1905 - December 1906. 73.

19. Daniel. *Shadow of Slavery*. 99. One can write, as Daniel does, that this was the worst case scenario, however, without reporting on the conditions of other railroad camps in the nation, the charge is greatly weakened.

20. Krome Collection. March 3, 1906. (presumably the *Miami Metropolis*) Volume October 1905 - December 1906. 33-34.
21. Krome Collection. February 7, 1907. (newspaper not named) Volume December 1906 - June 1907. 12.
22. Krome Collection. Undated, though in January clippings for 1906. Volume October 1905 - December 1906. 11-12.
23. Krome Collection. March 28 or 29, 1906. *Boston World*. Volume October 1905 - December 1906. 43.
24. Krome Collection. November 1906 (no specific date attached to this clipping). *Appeal to Reason*. Volume December 1906 - June 1907. 10 A & B.
25. Ibid.
26. Jerrell H. Shofner. "Mary Grace Quackenbos, A Visitor Florida Did Not Want," *The Florida Historical Quarterly*. LVIII(January 1980), 273-90. Shofner's account of the peonage cases is quite interesting and highly readable. He goes into great detail about these cases, especially those involving the turpentine interests.
27. *New York Times*, October 18, and 21, 1906. The former article gives Sigmund S. Schwartz' address as 113 and 115 First Street. Schwartz had originally been arrested on July 27, 1906, but was released on a \$3,000 bail bond.
28. Richard Barry, "Slavery in the South To-day." *Cosmopolitan Magazine*, XLII, (March 1907) 5. This magazine is in the Krome Files and available at a number of University Libraries throughout Florida.
29. *Florida Times-Union*, March 7, 1907. 4. Also see the same paper for March 8, 1907, page 1, concerning the immigration act.
30. David M. Potter. "The Emergence of the New South: An Essay Review." *Journal of Southern History*, 34 (November 1968),422.
31. *Florida Times-Union*, August 12, 1894. Clark was appointed to this post by the District Attorney for the Southern District, O. J. H. Summers. It was at this time that he moved to Jacksonville from Bartow.
32. *Florida Times-Union*, March 5, 1907. 1. The paper was quoting Clark's speech on the floor of the House of Representatives for March 4, 1907.
33. *Florida Times-Union*, March 26, 1907. Krome Collection. October 1905-December 1906. The author believes that this piece is

is misdated in the collection.

34. *Beverley Evening Times*. [Beverley, Mass.] March 27, 1906. Krome Collection: October 1905-December 1906. 56.

35. See Henry M. Flagler's "Private Letterbook, August 15th 1899 to November 24, 1899." Letters of November 13, 1899 [Flagler to Joseph Parrott], 407; November 18, 1899 [Flagler to Parrott], 452; November 20, 1899 [Flagler to Parrott], 459. These letters discuss the purchase of the *Miami Metropolis*, the "Key West newspaper" and the St. Augustine Publishing Company, publisher of the *St. Augustine Record*, respectively. One method Flagler used to force newspapers to be more favorable was to withdraw advertising and the publication of the railroad schedules from the newspapers, which, operating close to the margin in this era, usually was enough to make them become more responsive. [Box 14-H, Book 7] Letter of May 7, 1894, Parrott to Flagler. All found at the Henry Morrison Flagler Museum Archive (White Hall), Palm Beach, Florida.

36. *New York Mercantile & Financial Times*, April 6, 1907. Krome Collection. December 1906-June 1907. 33.

37. *New York Globe*, March 16, 1907. Krome Collection, December 1906-June 1907. 33.

38. *New York Times*, November 11, 1908.

39. Daniel. *The Shadow of Slavery: Peonage in the South, 1901-1969*. 95-109. Although the discussion of the case is more or less accurate, it is obvious that Daniel totally believes that the affidavits are believable. From many years of experience as an expert witness and investigator, this a very naive position.

40. Daniel. op. cit. See *Miami Metropolis*, for May 21, 1906, for the mattress order. For the work reports, see the Weekly Reports, 1905 or 1906. Henry Morrison Museum Archive, Palm Beach, Florida. The Photographic collection at the Historical Museum of South Florida also is a good source of information concerning the construction of the Overseas Railroad. The photographs on file there indicate the complete segregation of the work crews.

41. Paper unknown. Labeled June 22, 1909. Krome Collection, February 1909 to December 1909. 6.

42. Weekly Report - 1906. Week Ending March 3rd, 1906. 4. Henry Morrison Flagler Museum Archive, Palm Beach, Florida.

