

DAILY PEOPLE

VOL. 1, NO. 173.

NEW YORK, THURSDAY, DECEMBER 20, 1900.

ONE CENT.

EDITORIAL

THE DURYEY WILL CONTEST.

By DANIEL DE LEON

The County Court House at Mineola, L.I., has for a number of days been the theatre of a continuous performance. The star actors are the Surrogate and the three daughters of the deceased millionaire Edgar E. Duryea. The plot of the play is the breaking of the dead father's will. He left his property to his son; the three daughters object.

The plan of the attack is the "character" of the testator. The testimony is voluminous upon the subject. The dead Duryea is shown to have been a reprobate in life; dissolute to an unspeakable degree; besides coarse, rude and vulgar to the point of hardly ever coming out of a discussion without the intervention of physical force. From the rulings of the Surrogate it appears that a "bad character" is good ground for setting aside a will. That may be good law; but—

"Edgar E. Duryea" is a name at which the working class grew pale. He was a manufacturer of glucose at Glen Cove, L.I. About fifteen years ago his place became the center of stormy scenes. He cut down wages with savage cuts; he outraged his employees with a brutality that has been matchless; strikes he laughed at; bearing an American flag at the head of recurring processions he led whole squads of immigrants—freshly landed at Castle Garden and shipped to Glen Cove—from the station to his factory, to take the places of the men who quit work; as fast as these newcomers rebelled against the brutal, even indecent, treatment that he subjected them to, fresher squads of immigrants were imported, the American flag was pulled out again, was again unfurled at the station on the arrival of the train with the fresh squad of victims, and again floated at the head of the procession of these ill-starred beings to the "Duryea shambles." The man's dissoluteness, profanity, ruffianism, was an essential tool of production. With that he held his people long enough in subjection to squeeze what wealth he could out of them. He became a millionaire.

In view of the Surrogate's ruling, the question comes, If a bad character is good

ground to deprive a testator of the right to dispose of “his own,” by what process of moral reasoning is he allowed to keep in his ill-gotten gains that proprietary right, that is implied in the claim of his daughters, as heirs to his estate?

Edgar E. Duryea, as a typical capitalist, as a typical fleecer of the workingmen, either had rightful ownership or he had none.

If he had, he also had the right to dispose of his property as he chose.

If he had no such right of disposal, due to the “character” that aided him in his acquisition, then his estate belongs to the people at large, seeing that his victims could not now be traced.

Such interpretation of THE LAW would probably startle the Surrogate of Mineola, L.I. But he would not be the first magistrate in the history of the race startled at the voice of a HIGHER LAW, destined to overthrow the very tripod on which he functionates as oracle.

Transcribed and edited by Robert Bills for the official Web site of the Socialist Labor Party of America.

Uploaded October 2005