Labors' Greatest Conflicts

By Emma F. Langdon

First Edition

Denver, Colo., May 1908

Price 50c.
Yours in Unionism,

Emma F. Langdon
LABORS GREATEST CONFLICTS

A History of the Moyer, Haywood and Pettibone Kidnapping Cases—Trials and outcome—the formation of the Western Federation of Miners with a brief review of their most notable strikes—a brief account of the rise of the United Mine Workers of America with an account of the Anthracite and District 15 strike—the rise of Trade Unions, sketching the history of the Typographical Union and other information of vital interest to the student of Industrial History.

By Emma F. Langdon,

Author of the "Cripple Creek Strike" and "Industrial Wars of Colorado."
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EMMA F. LANGDON
TO the Organizations that so liberally contributed funds for the defense of the kidnapped men and to the Western Federation of Miners this work is Respectfully Dedicated.
"A downright fact may be told in a plain way; and we want downright facts at present more than anything else."—John Ruskin.

"Truth needs no flowers of speech."—Pope
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Explanation

A WORD of explanation would probably simplify matters for the reader. In the following pages the “foregoing pages” refer to the detailed history of the strikes of the Western Federation of Miners from 1894 to 1905, inclusive. The writer’s original intention in writing the history of the famous Idaho cases was to make it very brief and use as an appendix to another volume about to be issued in a third edition. The document grew in pages and importance until I have been influenced by the most progressive members of organized labor to issue this pamphlet, aside and independent of the other work.

The Idaho cases were but the continuation of the Colorado labor troubles and the reader will fully understand such to be the case after reading the detailed history of labor’s greatest conflict.

My recent publication, which is a detailed history of the Colorado labor troubles, “The Industrial Wars in Colorado,” which is two volumes bound under one cover; the first edition was advertised as “The Cripple Creek Strike” and has been revised and now forms Part I of the new book. Part II brings the record up to Sept. 1, 1905. The second edition of the book contains 463 pages besides inserts, folders, etc., is nicely bound in full cloth and gold, printed on good paper and thoroughly illustrated with half-tone cuts, illustrations alone costing $250.00. It is a history of the strikes in the metalliferous mines of Colorado from the Bull Hill trouble in 1894 to 1905. Also a complete history of the strike of District 15, United Mine Workers of America. In addition to the history of labor troubles there is also a history of the political campaign of 1904, up to and including the famous gubernatorial contest in which Governor Adams, the duly elected governor was unseated through a corrupt legis-
lature. The Moyer case and gubernatorial contest established a precedent in the United States.

With the third edition will appear the famous Idaho cases, making a volume of 600 pages.

The book was written during the world-renowned industrial conflict and depicts the atrocities perpetrated upon citizens supposed to be free, by the notorious James H. Peabody, the governor of Colorado at that time, in his insane desire to serve the corporations, by preventing the miners from being successful in obtaining an eight-hour day which the voters of the state had decreed they should have but which a legislature, corrupted by corporation money, denied them.

I published the first edition under the greatest difficulties. I was induced to write this history by the many friends I made when I defeated the military in their attempt to suppress the press by raiding the Victor Daily Record office, of Victor, and bull penning the printers, the Record being the official organ of the unions at that time. To the surprise of the militia and mine owners the paper appeared as usual, having been issued behind barred doors by myself.

I am very proud to say that my book has received some very flattering endorsements, among which I may mention The Colorado State Federation of Labor; Denver Trades and Labor Assembly; Chicago Typographical Union No. 16; United States Senator T. M. Patterson in writing of it said: "It is a volume I appreciate very much and I am sure it is going to prove a valuable and well-needed addition to history archives of these troubulous times." The State Library at Albany, N. Y., placed one of the first edition upon their shelves as "one of the best books issued during 1904." The Miner's Magazine of September 28, 1905, in an editorial said the book was a complete history "even to the most minute detail." I have many other endorsements but it is useless to use space to enumerate them.

Every member of organized labor owes it to themselves to know the true story of the Colorado struggle for there never was a more desperate battle fought for the rights of workingmen
than the metal and coal miner's strikes in Colorado. This book will be very useful for reference in the years to come as it is arranged especially for reference and will serve as an inspiration and a warning. This was not the first of labor's battles and will not be the last. Every union man should have one of these cloth-bound, complete books in his library. The pamphlet gives but a poor idea of the more extended work.

The volume complete, including the Idaho cases, bound in cloth, $1.50, postpaid. To those who have a copy of this pamphlet the 463-page volume will be sent $1.10 postpaid. There still remains a few copies of the first edition—which were all folded by hand, assembled and finished complete by the author, this little volume has a silk cloth binding with the three stars—emblem of the Federation—in gold on cover, any one being sufficiently sentimental to care for a copy of the first edition—can obtain the same for the cost of the binding, thirty-five cents.

The three editions bound separate $1.75 postpaid, by writing

Yours Sincerely,

Emma F. Langdon,
The Hermitage, 1395 Lowell Boulevard, Denver, Colorado.

Member Denver Typographical Union No. 49. Honorary member District 15, United Mine Workers of America. Honorary member Western Federation of Miners—membership being conferred by the Twelfth Annual Convention, 1904.
FOR the edification of the reader the writer will briefly relate some of the most important epochs in the formation of the Western Federation of Miners. Also a synopsis of the most notable industrial conflicts in which the organization has been involved since its formation.

The western Federation of Miners was organized in Butte, Montana, May 15, 1893, Ed. Boyce, president and William Maher, secretary-treasurer.

The Federation is a fighting organization—class conscious—has always been so. In fact, the organization was planned by miners who were unjustly imprisoned in Ada County, Idaho, during a strike in the mining section in the Coeur d’Alenes in 1892.

The strike in the Coeur d’Alenes in 1892, while not a strike against the machines, was a strike against the reduction of wages as a result of the introduction of the machine into the mines of that district. (For the benefit of those not familiar with mining, it may be stated, these machines bore the holes, the miners afterward fire to break the ground or ore.)

After the machines were established in the mines it was announced the mine owners were going to pay the miners $3.50 per day and the chuck tender $3.00. Other classes of labor around the mines were also to receive $3.00 per day. The machine is operated by a man behind turning a crank as the drill feeds itself into the ground. The chuck tender works as hard as the other man and as long hours and must be a good machinist. The miners demanded that living wages be paid every man working underground—the common laborer as well as the skilled—refusal of the operators to comply resulted in a strike that made interesting history.

Pinkertons and thugs went into the district in large numbers as is usually the case in conflicts between employer and employee. One of the notable events of the controversy was the blowing up
of the Helena-Frisco mill. The union men had a position of vantage on a nearby hill, while a number of Pinkertons were barricaded in the mill. In the course of the battle that followed between the miners and Pinkertons, the mill was blown up. It is scarcely necessary to note that troops were at once sent into the district. As many of the miners as could be located were put in a temporary prison and there held for four or five months. Some were sent up for violating injunctions, others for obstructing the United States mail.

George Pettibone was one of the men imprisoned at that time. He was sent to Detroit and held until released by a decision of the Supreme Court which took the position the prisoners were held illegally. The decision that gave Pettibone his liberty, also released other members of the union who were being held in jail at Boise, Idaho. Pettibone left the state and never returned until he was taken back in the "Kidnapper's Special." So it can truthfully be said the Federation was born in Boise, Idaho, jail, inspired by the tyranny of the mine owners of the Coeur d'Alenes in 1892. There were local unions of metal miners but no international of the Federation. Haywood in an address to the United Mine Workers of America convention, held in January, in reciting the history of the Federation said: "We are not ashamed of having been born in jail, because many great things and many good things have emanated from prison cells."

Following the organization of the Western Federation of Miners, Butte, Montana, May 15, 1893, came the 1894 strike in the Cripple Creek district, Colorado. This conflict has lived in the history of labor troubles as "The Bull Hill War."

**THE STRIKE OF 1894.**

In the very infancy of the Cripple Creek mining camp, the mine owner capitalist attempted to over-thrown the established wage for the miner of $3.00 for an eight-hour day. But he reckoned without his host.

Although a large per cent of the men were union miners, no particularly active work had been done at this time, 1894, in the way of organizing by the Western Federation of Miners. But
when a common danger threatened alike the union and non-union miner, the membership of the Federation grew by leaps and bounds. A most determined stand was taken which culminated in the strike of 1894.

A threat was made by the mine owners to import cheap labor to take the places of the striking miners and the threat backed up by sending into the district 1,200 deputy sheriffs from the county seat, then Colorado Springs.

A fort was established on Bull Hill, a well-nigh impregnable point, in the very center of the mining camp. The striking miners, who, by some mysterious process were well armed, entrenched themselves behind the fort. Then followed a series of the most startling and dramatic events ever known in the history of labor and capitalistic controversies. Riot reigned supreme.

The 1,200 deputies, who were sent into the district, at that time, to enforce the will of the mine owners, made themselves so intolerable to the citizens generally, by methods pursued by them in trying to suppress the Western Federation of Miners, that the governor of the state, David H. Waite, was petitioned to intercede. He did so, at once, walking from the terminus of the D. of R. G. railroad, (which at that time was being constructed, but did not reach the city of Victor by at least seven miles,) through a deep snow, in the night to interview personally the strikers barricaded in the fort on the crest of Bull Hill.

Governor Waite was received with the greatest enthusiasm. He addressed the assembled miners in no uncertain terms. He exacted a personal promise, which was given willingly and fulfilled faithfully, that the law should be respected. "And I," said he, "will see that your rights are respected also, if it takes every soldier in the state of Colorado to do it." His address to the miners on that memorable occasion is treasured in the heart of every old time Cripple Creek miner, for its justice and sound advice, though it bristled at times with stern reproof and the assurance of speedy punishment for every lawless act, regardless of provocation.

On the governor’s return to Denver troops were sent into the
district, not to assist the deputies in their acts of oppression, but to restore law and order. It is needless to say this was promptly accomplished. In a very short time the militia had restored order and ended in a satisfactory manner the strike of '94. Governor Waite occupies the unique position in history of being the only governor in the United States who ever ordered out state troops to protect the rights of the working man against his oppressor.

Though the mine owners insisted at that time with unlimited vigor, and upon the governor’s head visited bitter maledictions, Governor Waite’s power of penetration and the wisdom of his act has been proven in the fact that for nine long, prosperous years the Cripple Creek district was a $3.00, eight-hour camp. The mine owner enjoyed every luxury and peace reigned until 1903.

In the meanwhile the Western Federation of Miners grew in membership and power until at this writing, 1908, it has spread its organization over Michigan, Minnesota, Missouri, Colorado, Montana, Wyoming, South Dakota, Oregon, Washington, Arizona, Idaho, California, British Columbia, Alaska and other parts of the continent and has a substantial treasury.

Naturally the corporations have viewed with considerable alarm the growing intelligence and executive ability displayed by the workers in their employ and they began to quietly make plans for combating that which might eventually be inimical to their interests.

After the strike of '94, there was formed by the mine owners a trust, which included every big producer in the Cripple Creek district, with the great Portland Mining Company as a notable exception. This trust became known as the Mine Owner’s Association. It was the supposition that the ostensible purpose of the Mine Owner’s Association was the subjugation of the Mill and Smeltermen’s trusts, which, it was claimed, were most unfair and exorbitant in their prices for the treatment of ore. But they later demonstrated that they organized for other purposes.
LEADVILLE STRIKE.

In 1896 came the Leadville, Colorado, strike, which was a strike against the reduction of wages. The mines of Leadville are especially unhealthy, being largely lead and mostly carbonate. Mining men of experience say a man’s bones who works in carbonate lead ores, soon become so saturated with lead that his hands are so crippled he cannot raise a cup of coffee to his lips. The life of a man employed in such mines has been limited to a maximum of eight years.

The Federation felt the miners were more than justified in refusing to accept a reduction of wages without protest: The men ceased work. There was an inconsequential shaft house destroyed, which the miners could not possibly have had any interest in blowing up. The state troops were sent to Leadville, a bull pen established. The soldiers used rapid-fire gun and canon to prevent the union men from maintaining a living wage. So, through the combined efforts of a mine owner’s organization, re-inforced by the machinery of government that furnished the militia, the strike was lost and a temporary reduction of wages was the result. The Leadville district has never enjoyed the prosperity since that existed before the strike in 1896.

LAKE CITY STRIKE.

In 1898, the miners were on strike in Lake City, troops were sent into the camp but the Federation won the fight.

COEUR D’ALENE STRIKE.

The industrial conflict in Idaho, in a district known as the Coeur d’Alenes, was an epoch in the history of the Federation that will never be forgotten. No fight of the Western Federation of Miners since the notable contest there in 1899 has exhibited more brutality—in spite of all the dark pages that have been written since, recording the mis-use of the powers of government to the advantage of capital and against labor—than the Coeur d’Alene strike.

The miners working on the Bunker Hill and Sullivan properties were working for fifty cents to one dollar per day less than
the men on the other properties. This wage in the Bunker Hill and Sullivan properties had to be raised to the standard that existed over the district or the wages in the other mines lowered. The result was that the two properties were declared unfair. An attempt was made to organize the men. These properties were located at Wardner. A great many members of the local union went on a special train to that town and it has been stated that the mine owners instituted a conspiracy which resulted in the blowing up of the Bunker Hill and Sullivan mills. At any rate the mill was blown up and troops were at once sent to the district and this time Federal troops, because the state militia were at that time in the Philippine Islands fighting to sustain the principles of American liberty to convey it to the Filipino and the Cubans, so the press said, while the Federal troops were being used in the Coeur d’Alene. The Federal soldiers were composed mainly of negroes and took prisoner and confined in the military prison many old soldiers who had served in the Civil war. Brutal indignities too numerous to chronicle here were heaped upon the people. A pathetic case, one of many, being the imprisonment of a miner, Mike Devine, who died in prison, without the consolation of a priest. His last words were: “Stick to the union boys.”

Frank Steunenberg was then serving his second term as governor. His first term being satisfactory as far as the writer knows. In 1899 he proved a willing tool of the mine owners and allowed outrages perpetrated which were a disgrace to any civilized community. It is significant that within one week after the decisive step, which showed him to be subservient to the mine owners, it is said, he deposited in the bank $35,000, yet up to this time he was considered a poor man.

THE CRIPPLE CREEK STRIKE OF 1903.

No doubt the strike which was called in the Cripple Creek district in 1903 was one of the bitterest contests between capital and labor. Certain it is that its effects were far-reaching and disastrous to organized labor.
The cause leading up to and precipitating the strike were as follows:

The United States Refining and Reduction Company was paying men $1.75 per day, and many of them were compelled to live in hovels, deserted barns and huts patched up out of coal oil cans. Owing to the prices of the necessities of life in Colorado at that time, a large family could not live on the wages that were being paid. The Federation organized a Millmen’s union in Colorado City, Colorado, which is only a few miles from the Cripple Creek district. These mills reduce almost all the ores produced in that district. The company, desiring to break up the union, February 12, 1903, discharged forty-five men for the reason that they had become members of the Western Federation of Miners. Many of the men had been in the employ of the company from two to eight years. All were skilled mechanics, and all of them up to the time they joined the union were giving entire satisfaction. But rather than have a union man in the employ of the United States Refining and Reduction Company, which is part of the American Smelting and Refining Company, they discharged these old employes. The union took exception to this, and they called upon the Federation and said: "If this is permitted to continue our organization will be entirely wiped out." A strike, with the sanction of the Executive Board of the Federation, was declared by Colorado City Millmen’s Union, February 14, 1903.

Governor Peabody sent the troops to Colorado City. There had not been a particle of trouble up to that time. There had not even been a fist fight or a street demonstration, but the troops were sent there over the protest of the city officials, over the protest of all the business men, over the protest of all the men working in the mills. They were called for at the instance of the sheriff, who, the night before, was at the Mine Owner’s Club, in Colorado Springs. He sent as his emissary to the governor the manager of the United States Refining and Reduction Company. The troops were sent, Camp Peabody was established and the Colorado war begun. The troops were there for a short period
when at a conference held at the governor's office, a settlement was effected between all the other companies in that immediate locality, except the United States Refining and Reduction Company. The Federation demanded, not that the company re-employ the men who were discharged, but that they re-instate them in the positions they formerly held. This the United States Refining and Reduction Company agreed to do before a commission appointed by the governor. The Federation was willing to take their word for it. An armistice was declared until May 18.

In the meantime there was a strike declared in the Cripple Creek district to which every man responded. Thirty-eight hundred men laid down their tools to protect their brothers in Colorado City. When the truce was declared the men in the Cripple Creek district went back to work and it was believed the United States Refining and Reduction Company would live up to its tacit agreement. But they did not do so. Not one of the men was re-instated. On the other hand, the union continued to be viciously discriminated against.

The matter was taken up by the Executive Board and the Convention of the Western Federation of Miners, and the strike in Colorado City was endorsed. The strike of the smeltermen, which occurred in the city of Denver, 1903, for an eight-hour day was likewise endorsed. The miners of Cripple Creek again went on strike August 10, 1903, to enforce the eight-hour law for the smeltermen and to prevent discrimination against the union men at Colorado City. September 4, the troops were sent into Cripple Creek. There was no disorder, with the exception of one old man who was beaten up, they said by union men, but upon investigation it was learned received his thrashing through a slight domestic conflict in which he was the greatest sufferer. There was no trouble between the time the strike was called and the time the soldiers arrived. When the militia went into the district, under the generalship of Adjutant General Bell, they began imposing upon everybody. There were a number of fair properties in the district, and when the strike was called the business men said, "If you will pay up your bills we
will carry you as long as this strike lasts.’’ The strike was called on pay day. Nearly everybody paid up their bills, and two days later the business men, who were members of the Citizens’ Alliance, said they were going to put everything on a cash basis.

There is hardly a working man who is thirty days ahead of starvation. The announcement of the business men meant they were going to try to starve out the miners. The business men wanted to help the operators. As a means of self-protection the Federation established union stores and demonstrated to the mine owners that they were not only able to dig gold, but, were able to successfully operate any kind of a business institution.

The Western Federation of Miners put four stores in the Cripple Creek district, the Victor store alone, in six months, did a business of over $70,000. Much of this business was done with people outside of the union. They bought goods in car-loads and train-load lots and reduced the prices for the members of the Federation and other residents of the Cripple Creek district from twenty to thirty per cent. The combination that had “put everything on a cash basis” viewed the popularity of the union stores with considerable alarm.

When the state troops reached the district they instituted a reign of terror—from the date of their arrival until their departure—every conceivable outrage was perpetrated that would have a tendency to drive the union people and their sympathizers, to resent the insults offered. But in spite of the fact that homes were broken into; funerals raided and broken up; bull pens established and preachers, union men, officers, duly elected by the people, imprisoned in the military prison; freedom of speech and the liberty of the press denied; women were insulted and a few taken prisoners—notwithstanding all of these things—the union people remained law-abiding and non-resisting.

The press reports were limited until the militia made their first effort to suppress the only paper that had voiced the union’s side of the controversy. The true conditions had not been published by the Associated Press. September 29, 1903, the militia, under command of General John C. Chase, just before midnight,
raided the Victor Daily Record office, a morning paper, and took prisoners the entire force of printers, including linotype operators, editors and proprietor—even the "devil." The writer was living in Victor at the time and employed upon this paper—on the day side as apprentice on the linotype. I was the only printer in Victor overlooked by the militia—being at home at the time of the raid. I received a telephone message just about midnight in regard to what had taken place and rushed to the office and issued a four-page edition of the morning paper, with a glaring headline across the top—"Somewhat Disfigured but Still in the Ring." The paper was distributed the next morning as usual, greatly to the chagrin and surprise of the militia, who believed the paper was suppressed for good and all. It is funny what a difference even one woman can make sometimes. Early in the morning, the writer, armed with a bundle of papers, started to visit the imprisoned printers, but only went as far as the guard line—here I was halted—the officers were discussing with glee the "great victory in suppressing the paper." They did not apply any very endearing terms to the paper that had so energetically denounced their lawless acts. Their laughter was soon changed to oaths when they were dramatically presented the papers that were intended for the imprisoned printers. It is needless to add I was not permitted to pass the picket line after this scene so returned to the office. The paper never missed an issue. The entire force, that had been kidnapped by the militia, were held twenty-four hours, when they were released on bond. The excuse for the raid upon the Record office was an article that had appeared the day before, which had criticised the policy of the mine owners. A charge of criminal libel was preferred against the entire force. The cases went to court at a later date and were dismissed.

The act of the militia, in attempting to throttle the Record, brought thunderous protests from all over the United States—resolutions were passed by the largest Typographical unions and even papers that were editorially against the strikers—protested vigorously against the raid on the office. The truth of the matter
was, they realized they had aroused the world against them, and by the mine owner’s attempt to suppress a free press, they had focused the eyes of millions of people upon them and aroused the public wrath against them. The Associated Press could not afford to ignore such an item of news, so the story in detail was sent broadcast.

The unions and their friends presented the author with a beautiful gold medal, handsomely engraved, for the little adventure. The press insisted it was an act of heroism on my part but nothing of the kind was the case. It was a most natural impulse, being a practical printer, and employed on the paper, naturally, the first thought was the paper must appear for many reasons—it was the official paper of the county and the official organ of the unions—add to this my sympathy for the strikers, my hatred for the tyrannical methods of the Citizens’ Alliance and the Mine Owner’s Association and you have the solution. It required no heroism—very little courage—to outwit the band of law-breakers that trampled in the dust the constitution of both state and nation in that strike. The medal is appreciated on account of the good intentions of those who were instrumental in bestowing it as a token of their good will. The Western Federation of Miner’s convention of 1904, in appreciation of my efforts, made me an honorary member with the right to wear their emblem of three stars—this honor has been treasured with a great deal of pride.

It was the consensus of opinion that the militia were sent to the district to bring about just such a reign of tyranny and strong resolutions were made to defeat them—that whatever law-breaking that was done should be by them and not by the Federation members. This condition, along with the fact that the unions captured the Democratic primaries about that time, and the success of the union stores that had been established, seemed to enrage the Citizen’s Alliance and mine operators more each day as time went on. Citizen’s Alliance members, who were in business, begun to fail and what happened next? The district had been allowed a breathing spell—the troops had been recalled and peace again reigned but not long.
At 2:15 Monday morning, June 6, the depot at Independence, in the Cripple Creek district was blown up by an explosion of giant powder. The explosion took place at a time when the station contained a large number of miners, non-union, just from the mine to take the train to their homes. Fourteen were killed and a number injured. Instantly the entire district was in the greatest excitement. Members of the Mine Owners' Association and of the Citizens' Alliance immediately took charge of everything. The military were at once called for.

One of the first things done was to shut down all of the non-union mines, and to order the men to gather in the nearest town, Victor, bringing with them their arms.

When the Independence explosion occurred June 6, 1904, do you suppose the mine operators looked for the perpetrators of that outrage? Not at all! There was a thorn in their side, and that was the union stores. To those stores they rushed, broke them open, drove out the men in charge, tore down the shelves, broke up the showcases, scattered things on the floor and carried away thousands of dollars worth of provisions. The groceries that were not appropriated by "military necessity" were destroyed—flour and sugar being treated to barrels of coal oil. The delivery wagons and horses, about sixteen in all, were also appropriated by "military necessity." The furnishings of the union halls that were owned by the Western Federation of Miners were destroyed. In connection with these halls, where the unions held their meetings, were fine libraries and reading rooms, maintained by the union. The lawless mob, one of which was led by A. E. Carlton, (banker and mine owner), raided the lodge rooms and after destroying, not only the property of the Western Federation of Miners' local union, but also the cherished banners of fraternal orders that met in the hall. Then they passed on to the library, hurling the books through the plate glass windows, into the street below. This was only one of many examples of the conduct of this brigade of "law and order" preservers. A thousand pages could be covered with details of numberless incidents of more or less degrading acts—they
seemed to be insane in their desire to destroy property and outrage the rights of the working people or anyone who dared to sympathize with their cause.

Major McClelland, of the Colorado National Guard, will live in industrial conflict history as the author of "to hell with the constitution, we are not following the constitution," which utterance he made upon being reminded that he was trampling under foot the constitution of the state and the United States. Sherman Bell, adjutant general of the state guards, became a notorious character, chiefly so, on account of his tyranny, but even more famous on account of his lack of mental ability. The public at large might have gone on believing him possessed of the ordinary brains allowed an officer of the state militia, but for the fact that he insisted on being constantly in the lime light. Upon being asked a question at one time, he was the author of the statement that "nobody but ME, Peabody and the lord knows what we will do next in this district!"

People who were associated with Bell many years ago, say personally, he was a good enough fellow. The writer believes Bell to be suffering from a severe attack of enlargement of the head. Bell's association with Roosevelt in past years and his appointment as adjutant general of Colorado made a fool of him.

However, all this may be, Bell served the mine owners to the very best of his ability during the Cripple Creek strike. When McDonald was seated as governor, the year that Alva Adams was elected by 11,000 majority, Bulkely Wells was appointed adjutant general and it seems Bell and his constituents had a misunderstanding of some kind. Bell had a great deal to say in the days of the kidnapping cases. Even said if it became necessary, he would have something to say about the mine operators and Wells. That he could straighten out the entire matter for the Federation. These remarks would lead anyone to suppose that Bell had a grievance of some kind.

During the excitement that followed the Independence depot disaster, the sheriff was taken to the mine owner's headquarters and a written resignation placed in front of him and a rope, with
a hangman's noose in it—he was told to take his choice. He resigned. The coroner was persuaded in a like manner to give up his office. Others were forced to do likewise. Notable among the enforced resignations was that of Marshall Mike O'Connell. The crime charged against the marshall was the swearing in of eighty deputies, immediately following a riot precipitated by a speech made by C. C. Hamlin, secretary of the Mine Owners' Association. At this meeting, shooting occurred and the meeting broke up in a general warfare. The miners retired to their own hall and the non-union men raided the building. Troops were again sent to the Cripple Creek district. A kangaroo court was established; men were imprisoned without warrant or process of law; confined in dungeons, fed on bread and water, hanged by their thumbs until demented by pain, a revival of the tortures of the Spanish Inquisition, and for the same purpose, to physically torture innocent men into confession of crimes of which the torturers themselves, were the sole keepers of the secret. Men that had built the schools and other public institutions, that owned their own homes, were deported by the car-load—taken to some barren plain in Kansas or New Mexico and there left in a strange land without food or drink and told if they returned to the county where their families lived, of which they were citizens and taxpayers, "it would be a bullet or a rope."

In this way, the great gold producing district was depopulated of some of its best citizens. A low element of non-union men, gun-fighters, former deputies, professional strike-breakers, invading the district to fill the positions formerly held by organized workers. The result has been disastrous to the very business men who favored most radically, the change in the inception of the strike. They found a different citizenship. They were not spenders—they sent East for their goods and the non-union patronage did not produce prosperity for the district. Many of the business men failed as a result and at this time, are reaping the harvest of their folly.

The executive board of the Western Federation of Miners, assembled in Denver in December, 1907, declared the Cripple
Creek strike off. This strike may be considered, officially, as lost—while its lessons will live through all eternity. Many precedents were established and Colorado's name was disgraced by her officers, that should have given our proud western state a place of credit and honor.

It is as well to mention here, that at no time, from the inception of the strike in 1903, to the calling off of the same in December, 1907, out of the many cases that were tried in the courts of Colorado, which were largely biased in favor of the mine owners, not one member of the Federation was found guilty of the slightest misdemeanor as a result of the strike. Many legal battles were fought—in every case the union men were vindicated. In many cases, as soon as the victim was exonerated, he was again arrested upon another charge, but when tried, again released. Many cases being nolle prossed by the request of the prosecution when they were forced to either grant a trial or release the prisoner.

THE MOYER CASE.

One of the most notable cases ever tried in the courts of Colorado was the case of Moyer vs. the People.

Charles H. Moyer, President of the Western Federation of Miners, was arrested at Ouray, Colorado, March 26, 1904, and taken to Telluride, charged with desecration of the flag. He was released under $500 bond only to be immediately re-arrested by the military authorities. A warrant was also sworn out charging Secretary-Treasurer Haywood with the same offense, but before it was served a similar one was sworn out in Denver and Haywood remained in the custody of the Denver officers.

The circular published and distributed by the Federation, was a fac-simile of the American flag, printed on paper in red, white and blue. At the top the question: "Is Colorado in America?" On the stripes the following truths:

- Martial law declared in Colorado.
- Habeas corpus suspended in Colorado.
- Free press throttled in Colorado.
- Soldiers defy the courts in Colorado.
CHARLES H. MOYER
President of the Western Federation of Miners
Wholesale arrests without warrant in Colorado.
Union men exiled from homes and families in Colorado.
Constitutional right to keep and bear arms questioned in Colorado.
Corporations corrupt and control administration in Colorado.
Right of fair, speedy and impartial trial abolished in Colorado.
Citizens' Alliance resorts to mob law and violence in Colorado.
Militia hired to corporations to break the strike in Colorado.
Underneath the stars and bars, a picture of the Finn, who was chained to a telegraph pole in a blinding storm twenty-four hours, because he refused to work on the street, by order of the militia. Under this picture the words: "Under the folds of the American flag in Colorado."

It is an unpleasant awakening from thoughts like these to a realization of such facts as were inscribed upon a symbol of the flag and burned into the hearts of thousands of Colorado's citizens.

Desecration of the flag? Was it not the deeds done under it and not the truths inscribed upon it that constituted the desecration?

However, for the publication and distribution of the foregoing document by the Western Federation of Miners, President Moyer was held in the bull pen or jail over one hundred days. The flag was a mere pretext for holding Mr. Moyer, the Mine Owners' Association hoping that with him behind the bars the cause of the strikers would be weakened. Every possible effort was made by the Federation attorneys to have Moyer either released on bond or brought to trial, but without avail. This finally led to the famous habeas corpus proceeding before the state Supreme Court, which resulted in the majority of that body handing down a decision giving despotic power to a governor in America, heretofore enjoyed only by rulers of absolute monarchies.

It may be worth while to briefly note the history of the
habeas corpus act, that we may understand the significance of the governor's attitude.

In English-speaking countries men have been so long accustomed to constitutional safeguards that, for the moment, they hardly realize what it means to have them swept away. Safeguards that the wisdom and struggles of the centuries had reared against the invasion of personal liberties. Men dreamed that they were potent to protect all that the past had bequeathed and preserve it as a part of the inalienable right of the humblest man. They reckoned without a knowledge of the forces contending against them. They were sufficient to curb the caprice or passion of governmental power in the hands of a despotic king or liberty-loving president, but they seem ineffective as against the greed of corporate wealth, blindly seeking to destroy whatever limits or seems to limit its profits.

The history of the writ, like many another of today, is lost in the mists that veil the cradle of civilization. It was known to the Romans when they first visited and conquered the skin-clad savages of Britian. The Saxons brought it from the shadowy glades of their native forests. When the Conquerer parcelled out the lands of England among his followers and substituted the power of the Norman sword for the immemorial rights of Saxon freemen, he could silence but he could not kill a people's aspirations, aspirations that one day achieved historic recognition. From the day when the barons and common people humbled old King John on the field of Runnymede, down to the present it has remained the mightiest bulwark of Anglo-Saxon liberty, the most precious jewel in the crown of a people's strength. The conflicts, oppressions, tyrannies of seven hundred years have but broadened its base and endeared its guaranties to freemen, the waves of despotism have dashed over it but the absolutism of kings has not displaced it, and parliaments have rarely limited its operation.

When our forefathers landed on these shores, they brought with them the rights of Englishmen; when denied those rights they rebelled. In framing the constitution they remembered the ancient writ in words that can not be misunderstood: "The
privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it."

The return for the petition of the writ of habeas corpus was made returnable on April 11, before Judge Stevens at Telluride. There was no answer to the petition nor return of the writ; the Court considered the petition confessed and the facts therein stated to be true, ordered the release of Chas. H. Moyer and commanded that an attachment issue against Sherman Bell and Bulkely Wells in the sum of $500 for contempt of Court.

The military defied the civil authorities, and the case was taken to the Supreme Court in Denver, before which Moyer was taken April 23.

The Supreme Court denied the writ. Justice Steele handed down a dissenting opinion. President Moyer was returned to Telluride and lodged in jail. June 15, 1904, the military delivered him to the sheriff. An hour later, he was re-arrested on a warrant sworn out by Deputy Sheriff Runnels, charging him with having committed murder October 15, 1903. The party alleged to have been murdered was not named. He was held two days on this charge and then surrendered to the officers of Teller County on a warrant charging him with complicity in the Vindicator mine explosion.

After the adverse decision of the Supreme Court, application for the writ was made in the Federal Court at St. Louis, before Judge Thayer. When he commanded that Moyer’s body should be brought into Court, Peabody ordered his release before service could be had.

**THE TELLURIDE STRIKE.**

The detailed history of the Telluride strike was written by Guy E. Miller, president of Miner’s Union No. 63, in compliance with a request from the author, and embodied in both former editions of my histories.

No one could be better fitted to write the history of the conflict between capital and labor which took place in Telluride than Mr. Miller. He was on the ground from the very inception, be-
ing president of the local union until the mine owners resorted to deportation, as a last resort, to defeat the strikers. He was among the "undesirables" deported. Aside from his position of credit in the union, he is a scholar of recognized ability; an eloquent orator; wields a pen with convincing power; a man well posted in every phase of history; a University graduate; as a student of economics, he is a genius, devoted, uncompromisingly, to the cause of humanity. So the history has been told so eloquently in the larger volumes that I shall not attempt at this time to more than note the strike.

The Telluride strike of 1903, was the result of a demand for an eight-hour day for the mill men working in the jurisdiction of that union. The strike was closely connected with a former one of 1901.

May 1, 1901, a strike was declared on the Smuggler-Union properties for the abolition of the contract system. This system had been introduced by Manager Arthur Collins, a man whose hate of unionism seemed innate and who fully believed that corporations had the right to prescribe the conditions under which the workers would be permitted to live without a word of protest on their part.

Under the contract system the miner boarded at the company's boarding house, was furnished powder and tools; at the termination of his contract the expenses incident to his work, board, powder, etc., were deducted from the amount owed him by the company—a stated sum per fathom. Under this system piece work applied to mining, the price per fathom was steadily reduced and the exactions of the company increased. At its inception the miner was only required to break the ore, but before the strike he had to reduce the ore to a suitable size and throw it into the mill holes.

During the strike the company employed deputies, although the union had offered to guard the property and guarantee its protection without expense to the company. Union men were beaten up whenever opportunity offered. The trouble culminated July 3, 1903, when the deputies opened fire on a band of
union men, instantly killing John Barthell. The fire was re-
turned and in the fight which followed, two of the non-union men
killed and others injured.

An agreement was reached between Manager Collins and the
union under which the contract system was continued in a modi-
fied form. Vincent St. John was president of the union during
the strike of 1901, and was the Democratic nominee for sheriff.

September 1, 1903, the mill men quit work. The first Sun-
day night of 1904, witnessed the proclamation of martial law in
Telluride; the censorship of the press, telegraph and telephone
and the deportation of thirty-one men. It was during the in-
vasion of the military that Henry Maki was chained to a tele-
graph pole for refusing to work on the street by order of the
militia.

To relate the outrages perpetrated upon the workers would
be merely repeating the history of the other strikes of the miners,
a story of bull pens, deportation and the other wrongs usually re-
sorted to by the controlling class.

After fourteen months of industrial conflict, for which the
Citizens' Alliance were solely responsible, the mine managers
discovered that the interests of the Citizens' Alliance were not
the interests of the mine operators. The mine managers, ac-
cordingly, posted notices at their various properties, conceding
the eight-hour day and the minimum wage of $3 per day, which
was all that was asked before the strike was declared Sept. 1,
1903. San Juan District Union, W. F. M., in session in Ouray,
November 29, 1904, declared the strike off. In the language of
the author of the history of the strike: "The Telluride strike
has passed into history; between the worker and the goal of his
desire stood all the forces that feed upon and are supported by
him; he passed on, unawed by the malignant hate of corporate
and business interests supported by the sinister power of the
state, refusing to be provoked into violence or driven into crime,
submitting to the grossest indignities, the most brutal outrages
in the spirit of men who, in other ages, stood while the fagots
were piled at their feet, serene, above the flames, above the mob's
brutal cries and appealed to the centuries for history’s verdict.’

The strike of the Idaho Springs miners can be listed as another of a similar character to the ones mentioned in more detail. There was one notable exception—Judge Owers issued an injunction restraining the Citizens’ Alliance from deportation and other lawless acts.

COAL MINERS ON STRIKE.

While the battle was raging in the metalliferous mining sections, Colorado City, Cripple Creek and Telluride, a similar condition existed in the Southern coal fields.

New Mexico, Wyoming, Utah and Colorado comprises District 15, United Mine Workers of America. The coal miners begun to organize in this district in August, 1900. The first local was organized August 5, of that year, at Pictou, Colorado. Soon their troubles began. In Southern Colorado the operators had practiced oppression beyond the power of pen to describe. The companies discriminated against union men from the very beginning of organization work. They regarded an organizer as little better than Mephisto. As a result of this an organizer’s life was in jeopardy all the time—they were often arrested, beaten, or deported—often all combined.

In spite of the discrimination against the rank and file and brutal treatment meted out to organizers, from August 1, 1900, to November 9, 1903, over 9,000 men had joined the United Mine Workers in Las Animas and Huerfano Counties, Colorado. Of this 9,000, by the latter date, but 2,000 remained employed, 7,000 having been discharged and blacklisted.

After enduring this treatment three years, every effort was put forth by the men to settle their troubles with the operators by agreement. August 14, 1903, a statement setting forth their grievances was drawn up, giving in detail, the many causes of dissatisfaction. A copy was sent to the governor, labor commissioner and a copy published. A conference was asked with the operators to avert a strike.

A convention was held in Pueblo, Colorado, September, 1903, a scale of prices was drawn up, together with a statement of
wrongs, for which they demanded redress, and a copy of the same sent to the employers.

The coal miners asked for an increase of wages, that wages be paid semi-monthly, and in money instead of script on the company store, honest weight of coal mined, the eight-hour day as provided for by the constitution of the state, and the ventilation of the mines in accordance with the existing laws of Colorado.

The union repeatedly asked for a conference with the operators, but were at all times ignored by them. The National organization interested itself in the situation in the district, and when all efforts to meet the employers for a discussion of affairs had failed the call was issued for the men to strike November 9, 1903. More than 13,000 men responded to the call, which was ninety-six per cent of all the employees under the strike jurisdiction.

The operators had used every resource, resorted to every means, fair and foul, to prevent the organization of the men. Yet when the strike was called, seven unorganized men responded for every man who was a member of the union. They had been afraid to jeopardize their employment by joining the union, but when the strike was called they manfully stood out with the union men in the hope of bettering conditions that had become unbearable.

The strike in the Northern fields was settled early in the history of the controversy and this has been condemned by many. The supply of coal from the Northern fields being sufficient to avert a coal famine, made the settling of the dispute look like a mistake that could only end disasterously for the Southern fields. Many claim the defeat of the miners in Las Animas and Huerfano Counties as an inevitable result of the settlement of the conflict in the Northern fields.

Martial law was declared in Las Animas County and about the same indignities were heaped upon the men as had noted the trouble in the metalliferous districts. Deportations, confiscation of property and every conceivable outrage. Strikers were evicted from homes they had bought and paid for by honest toil. The
ground on which the homes were built was owned by the coal companies, this ground was rented from the operators and many miners erected their homes on such land. When the fight grew bitter, the owners of the homes were evicted and many deported. The National organization supplied tents and many families spent the entire winter in such tents.

Great physical suffering was endured by the coal miners, they had to face both starvation and the brutality of the state militia, together with the tyranny of coal barons, aided by hundreds of deputies. The companies used every possible means to break the strike, men were offered as high as $7 per day to renounce the union and go to work to break the strike. Failing to break the strike the rule of force was established and law abolished. No band of men ever suffered more or could be more loyal to the principles of unionism than the coal miners of District 15, U. M. W. of A.

The strike was called off in 1905. In the general public's way of estimating what would constitute the loss or winning of a strike, the strike in the Southern coal fields would be recorded among the battles where heroes fought loyally but history records the battle as another lost.

"Freedom's battle, once begun,
Bequeathed by bleeding sire to son,
Tho' baffled oft, is ever won.

—Byron.
Famous Kidnapping Cases

The foregoing pages have related in detail sufficient facts to convince the reader that the labor war being waged in the West is a fight not to be considered lightly by the progressive man or woman of today—and war it has been and is still—for the end is not yet. Such a struggle between two such contending forces can only be settled one way and that is the complete overthrow of the one or the other. As has already been stated elsewhere it has been a struggle between organized labor and organized capital—between the working class and monied power—right and might—for the complete control of the industrial and political mastery of the situation in the Rocky mountains. Determination to win on both sides. The miners have proven to the world they are not mental weaklings, but strong both mentally and physically—with hearts that beat for the love of justice and liberty and have faith sufficient unto the hour. These men who have explored the West and reared a golden empire know not the word compromise.

Organized capital fought a bloody fight—but employed unfair methods—illegal means under the name of law. I can admire determination and good generalship in an opponent as well as in our own ranks but not a man or party of men who stabs in the back. In spite of the fact that money in unlimited sums has been used to buy the State Supreme Court, unseat governors, hire special trains and give steady employment to Pinkerton’s force of “operatives,” the Western Federation of Miners still maintain headquarters. In fact, 1908 finds the organization stronger educationally and in actual membership greater than in the past, national headquarters enlarged and newly furnished with money in the treasury to continue the conflict.

No effort will be made by the writer to enter into the details
of this outrage which is as dark as the other deeds of the mine owners chronicled heretofore. It is offered merely as a brief synopsis, the details properly related would fill a very large volume. Some of the most important facts for reference follow:

During the evening of December 30, 1905, ex-Governor Frank Steunenberg, of Idaho, was killed at Caldwell, Idaho, by a bomb which exploded as he opened the gate to go into his yard.

Frank Steunenberg was supported for governor by a sufficient number of the workmen’s votes to elect him governor of Idaho. He was one of the old party politicians who gained the workers’ votes by posing as the “friend of labor,” “full dinner pail,” and the promise of a “job.” He at one time carried an honorary membership card in the Typographical union. He served two terms as governor of the state of Idaho. His first term being satisfactory as far as the writer has been able to learn.

During his administration, (second term,) in 1899, the W. F. M. became involved in a strike known in the history of industrial conflicts as the Coeur d’Alene strike. The “bull pen” was soon established and this was the beginning of the “bull pen” in the West and it has continued ever since up to this date. The miners were fast winning the fight and victory seemed assured when the mine owners sounded the alarm and called upon Steunenberg for assistance. He proved himself a friend and tool and was the instrument used to disrupt the union at that time. He made requisition on the National government for troops. General Merrian was given charge and with negro soldiers took charge of the district. Truthful men—men of honor, who would not lie needlessly—say hundreds were subjected to tortures and persecutions more horrible than the memories of Andersonville or Libby prison during the Civil war. Homes were destroyed and even worse occurred. Men saw their beautiful daughters forced to submit to brutal indignities from negro soldiers and were powerless to prevent. These memories will ever live a hideous nightmare haunting those who experienced the horrors. Steunenberg was class conscious and did not falter, he took his stand without hesitation.
In spite of the fact that Steunenberg was morally responsible for the outrages perpetrated in 1899, he was generally liked, especially by his neighbors, considered by his associates a "hale fellow well met," possessed, in fact, all the characteristics necessary for a successful politician.

This being the case, his death naturally created a great furo, a determination to run down and punish those responsible for this dastardly crime at any cost. Opponents of the Western Federation of Miners lost no time in pointing out the organization as being instrumental in the murder of Steunenberg. This, even before the arrest of Orchard. They undoubtedly had in mind the condition that would prevail when Orchard was engaged by them as the instrument by which they fondly hoped to once and forever crush the W. F. M. Large cash rewards were offered by the State of Idaho and individuals for the capture of the murderer.

**ARREST OF ORCHARD.**

Harry Orchard was arrested January 1. Immediately the press promised more sensations and from that date all kinds of hints of startling "evidence" that was soon to be made public filled the daily capitalist papers. They furnished an abundance of sensations and used a great deal of red ink in "scare heads"—the reporters poured out vitrōl upon page after page of "copy"—consigning labor unions to purgatory in short order—had a few men hanged or lynched in their own putrid minds but we are still waiting for the promised "evidence" that was to convince the world that the Federation was a criminal organization.

**ORCHARD'S PART IN THE PLAY.**

It was upon an alleged confession, by Harry Orchard, alias Hogan, Horsley, to Detective James McParland, in charge of the Western branch of the Pinkerton Detective Agency, that the prosecution depended for conviction of the people they so much desired to dispose of. Two days after the horrible murder of
Steunenberg, Orchard was arrested at Caldwell, Idaho. In his room was found incriminating evidence sufficient to stamp him beyond doubt as the man who constructed the fatal bomb. Pieces of dynamite littered the table, on which were standing several bottles of sulphuric acid and other chemicals that usually enter into the composition of infernal machines. In addition, there was discovered a piece of string identical in manufacture to that attached to the bomb which killed the governor. Apparently no attempt had been made by Orchard to destroy any traces of the evidence that might lead to his apprehension. Neither had he made the slightest effort to escape after the explosion of the bomb. According to the hotel employes, he "just hung around," seemingly awaiting for certain arrest, which, no doubt, was a part of the plan.

Twenty-one days after his incarceration, McParland, who had arrived from Denver, Colo., and had taken charge of the case, announced that Orchard had made a typewritten "confession" of 18,000 words, in which he declared that he was hired by Moyer, Haywood and Pettibone to kill Steunenberg with dynamite. He further "confessed" to twenty-six other murders committed by himself at various times in different parts of the country. Altogether, this "confession" was a lurid affair, and its details were gruesome enough to make the most hair-raising writer of dime novel fiction turn green with envy. With this "confession" came the arrest and kidnapping of the officers of Western Federation of Miners.

THE KIDNAPPING.

After business houses had closed in Denver, courts adjourned, lawyers were at their homes, the secret arrest of President Charles H. Moyer, Secretary-Treasurer William D. Haywood and George A. Pettibone, business man, all citizens of Denver, took place, late Saturday night, February 17, 1906.

President Moyer was the first victim, taken prisoner about 9 o'clock. Haywood an hour later and Pettibone taken from his home just before midnight.
The circumstances of the kidnapping of three of Colorado’s best citizens were unprecedented and in line with other high-handed methods employed during the strikes of which these pages are a history. On February 12, 1906, O. M. Van Duyn, county attorney of Canyon county, Idaho, filed a sworn complaint in the office of the county probate judge, charging Moyer, president of the Western Federation of Miners, Haywood, secretary-treasurer, of the Federation and Pettibone with the murder of ex-Governor Steunenberg. On the same day the probate judge issued warrants for the arrest of the accused men, and several hours later Governor Gooding, of Idaho, issued a requisition upon the governor of Colorado for the three men, who were known to be living in Denver. In his affidavit and petition to Governor Gooding, Attorney Van Duyn swore “that the said appellants and plaintiffs in error were in the state of Idaho on the date of the murder of said Frank Steunenberg,” and that they were fugitives from justice from the state of Idaho. In the conference that occurred in the governor’s office before the requisition was granted were Gov. Gooding, Attorney Van Duyn, James H. Hawley and W. E. Borah, attorneys at law residing at Boise City, and several others. It has been stated and not denied that Detective McParland was also present.

J. C. Mills and James H. Hawley were designated to take the requisition to the governor of Colorado and receive the bodies of the men wanted. At 11 o’clock on the morning of February 15, Mills and Hawley, and, presumably, McParland, arrived in Denver, where they at once conferred with Governor McDonald and perfected the conspiracy, already begun in Idaho, whereby Moyer, Haywood and Pettibone were to be kidnapped and carried from the state.

During all of the time while these conspirators were perfecting their plan, Moyer, Haywood and Pettibone were engaged in their business openly and above board, and could easily have been arrested at any time after the arrival of Mills and Hawley in the city. Instead, the conspirators waited all day Thursday, all day Friday, and all of Saturday and then proceeded late Saturday night to carry out the kidnapping.
The kidnapped men were taken to the county jail and every precaution was exercised to prevent either their relatives, friends or attorneys from discovering the arrest. The purpose, undoubtedly being to prevent the prisoners from having recourse to the usual legal method granted to even well-known desperate criminals, to fight the requisition.

Early Sunday morning, shortly after 5 o'clock, the prisoners were driven to a siding near the Union Depot, placed in a special train, consisting of an engine and two coaches, and whirled rapidly out of the state. No stops were made except for coal and water, and this "Kidnapper's Special" had the right-of-way over every other train on the track from Denver to Boise, Idaho. The men were heavily guarded throughout the trip by the parties commissioned by the Governor of Idaho, Adjutant General Bulkely Wells, of the Colorado National Guard and some of his troopers. Upon their arrival at Boise, were taken to the penitentiary, where they were placed in felon's cells and denied communication with the outside world. The arrest in Denver was made by Pinkerton detectives and a detachment of state troops.

Then followed more promising sensations by the press. The statement went out from the State Capitol of Idaho that the prisoners would be given a fair trial and immediately following that statement another saying that the proper authorities of Idaho and Colorado had in their possession documents which, when produced, would be sufficient to hang not only the three kidnapped, but many others who belonged to the "inner circle" of the W. F. M. L. J. Simpkins was badly wanted and others according to the reports.

**ST. JOHN ARRESTED.**

Vincent St. John came in for his share of their venom and immediately after the kidnapping of Moyer, Haywood and Pettibone was seized, in the darkness of night at his home in Burke, Idaho, taken to Boise and committed to the penitentiary on suspicion that he was implicated in the assassination of ex-Gov. Steunenberg. He was held in the penitentiary a period of
twenty-three days, before the attorneys for the W. F. M. could secure his release upon a writ of habeas corpus.

As soon as he was liberated from the penitentiary in Idaho, he was re-arrested on a trumped-up charge of murder and taken to Colorado. Not a single particle of incriminating evidence was produced at his preliminary hearing; notwithstanding this fact he was bound over to a District Court in the sum of $10,000.

In September, 1906, his case was called and the prosecution with the hired attorneys of a Mine Owner’s Association were forced to go into court and move that the case be nolle-prossed on the ground that there was no evidence upon which to base a conviction.

McPARLAND IN EVIDENCE.

The report was whirled over the United States, credited to Governor Gooding and other officials of Idaho, that the kidnapped men would never leave the state alive. McParland was very liberal with his interviews and filled much space with the “terrible secrets” he had “unearthed.” According to his statements, which filled half the daily press, the lives of every prominent official of each state and the Supreme Court judges were in danger and he, at the last minute, had appeared on the scenes in time to avert the tragedy. According to him Denver was about to be blown off the map on account of Gabbert or Goddard residing in the city. Some way he always, for reasons best known to himself, perhaps, failed then and until now to produce this “startling evidence” which was to hang so many.

WRIT OF HABEAS CORPUS DENIED.

February 23, 1906, attorneys for the imprisoned men filed petitions in the Supreme Court of Idaho, asking for a writ of habeas corpus to test the validity of the imprisonment. March 12, the Supreme Court refused the writ and remanded the prisoners. March 15, the attorneys for the defense filed petitions for a writ of habeas corpus in the office of the clerk of the United States Circuit Court of Idaho. After several days’ con-
A writ of habeas corpus was issued, and the prisoners were brought to the court for consideration, the writs were refused and the prisoners remanded. A bill of exceptions was filed, and an appeal was taken to the United States Supreme Court. The decision of the Supreme Court, handed down Monday, December 3, 1906, fully ten months after the men had been kidnapped from Colorado, sustained those of the lower Federal and Idaho state courts. This meant the legalization of kidnapping, an act heretofore considered a crime by the highest judicial authority in the land.

If the reader will read the synopsis of Justice Harlan’s opinion there can be but one impression left in the mind—that the constitutional laws are but hollow mockeries when the working men of the land test them to obtain their rights under the so-called laws of this Republic. Others will find as time puts them to the test that the constitution of our state or nation has not during the past few years and will not in the future, so long as monied interests predominates over justice, come to the rescue of any but the monied power unless, perchance, it suits the convenience of the corporate power that controls the executive, legislative and judicial departments of government of state or nation. A decision such as Justice Harlan’s should be sufficient cause to shatter the reverence felt in the past for the judiciary, when it is so plainly shown they are but the willing tools of corporations to put the stamp of legal approval upon the lawlessness of the trusts and monopolies of various kinds.

Through the decision of Justice Harlan, the United States Supreme Court said to the world: “We approve of kidnapping.” According to the decision, kidnapping is legal if perpetrated by the governors of two states, who have entered into a plot with a corporation, to seize in the midnight hour, the victims and spirit them away to another state, in which they have not lived, and confine them in a felon’s cell. If this is not a violation of the constitution of the United States then let it be amended in such a manner as to make it a crime. If the governors can do this legally, in what manner would private citizens offend if they should follow the example of the executives of the state? Does kidnapping become legal only when indulged in by the gov-
ernors? Are men who are clothed with executive authority licensed through the positions they hold to mock laws and jeer at the lauded rights we are told are guaranteed by a constitution.

Synopsis of the Supreme Court decision follows:

SYNOPSIS OF SUPREME COURT'S DECISION.

"Looking first at what was alleged to have occurred in Colorado touching the arrest of the petitioner and his deportation from that state, we do not perceive that anything done there, however hastily or inconsiderately done, can be adjudged to be in violation of the constitutional laws of the United States."

He added that the governor of that state had not been under compulsion to demand proof beyond that contained in the extradition papers. His failure to require independent proof of that fact that petitioner was, as alleged, fugitive from justice, can not be regarded as an infringement of any right of the petitioner under the constitution or laws of the United States. He also said that even if there was fraud in the method of removal there had been no violation of rights under the constitution.

"It is true, as contended by the petitioner, that if he was not a fugitive from justice within the meaning of the constitution, no warrant for his arrest could have been legally issued by the governor of Colorado. It is equally true that after the issuing of such a warrant before his deportation from Colorado it was competent for a court, Federal or State, sitting in that state, to inquire whether he was in fact a fugitive from justice, and if found not to be, to discharge him from the custody of the Idaho agent and prevent his deportation from Colorado.

WHERE IDAHO WINS.

"No obligation was imposed by the constitution or the laws of the United States upon the agent of Idaho so to time the arrest of the petitioner and so to conduct his deportation from Colorado as to afford him a convenient opportunity before some judicial tribunal sitting in Colorado to test the question whether he was a fugitive from justice and as such liable, under the act of Congress, to be conveyed to Idaho, for trial there.

"It can not be contended the the circuit court, sitting in Idaho, could rightfully discharge the petitioner upon the allegation and proof simply that he did not commit the crime of murder charged against him. His guilt or innocence of that charge is within the exclusive jurisdiction of the Idaho state court. The question in the court below was not whether the accused was guilty or innocent, but whether the Idaho court could
properly be prevented from proceeding in the trial of that issue upon proof being made in the Circuit Court of the United States sitting in that state, that the petitioner was not a fugitive from justice and not liable, in virtue of the constitution and laws of the United States, to arrest in Colorado under the warrant of its governor and carried into Idaho."

**HARLAN’S SUMMING UP.**

In summing up his lengthy opinion Justice Harlan says:

"Even were it conceded, for the purpose of this case, that the governor of Idaho wrongfully issued his requisition and that the governor of Colorado erred in honoring it and issuing his warrant of arrest, the vital fact remains that Pettibone is held by Idaho in actual custody for trial under indictment charging him with crime against its laws, and he seeks the aid of the circuit court to relieve from custody so that he may leave that state. In the present case it is not necessary to go behind the indictment and inquire as to how it happened that he came within the reach of the process of the Idaho court, in which the indictment is pending, and any investigation as to the motives which induced action by the governor of Colorado and Idaho would be improper as well as irrelevant as to the real question to be now determined. It must be conclusively presumed that those officers proceeded throughout this affair with no evil purpose and with no other motive than to enforce the law. The decision of the lower court is therefore affirmed."

This decision caused little surprise. In this age, where corporate interests predominate over justice and right and the constitution is ignored, when it suits the interest of capital, it is not strange that the Supreme Court of the United States should have sustained the lower courts, regardless of the rights of the masses.

Justice McKenna had the courage to hand down a dissenting opinion. This opinion was, undoubtedly, such a one as would have unanimously been rendered by the United States Supreme Court if the personnel of said court were true to the constitution of these United States and were concerned in safeguarding the interests of the masses, rather than subservient to the interests of a favored class.

**McKENNA’S DISSenting OPINION.**

Justice McKenna’s magnificent dissenting opinion follows: "I am constrained to dissent from the opinion and judgment of the court. The principle announced, as I understand it, is that ‘a circuit
court of the United States, when asked upon habeas corpus to discharge
a person held in actual custody by a state for trial in one of its courts
under an indictment charging a crime against its laws, cannot properly
take into account the methods whereby the state obtained such custody.'

"In other words, and to illuminate the principle by the light of the
facts in this case (facts, I mean, as alleged, and which we must assume
to be true for the purpose of our discussion), that the officers of one state
may falsely represent that a person was personally present in the state
and committed a crime there, and had fled from its justice, may arrest
such person and take him from another state, the officers of the latter
knowing of the false accusation and conniving in and aiding its purpose,
thereby depriving him of an opportunity to appeal to the courts; and
that such person cannot invoke the rights guaranteed to him by the con-
stitution and statutes of the United States in the state to which he is
taken. And this, it is said, is supported by the cases of Kerr vs. Illinois
(119 U. S. 436), and Mahon vs. Justice (127 U. S. 700). These cases, ex-
treme as they are, do not justify, in my judgment, the conclusions de-
duced from them. In neither case was the state the actor in the wrongs
that brought within its confines the accused person.

"In the case at bar the states, through their officers, are the offenders.
They, by an illegal exertion of power, deprived the accused of a con-
stitutional right. The distinction is important to be observed. It finds
expression in Mahon vs. Justice. But it does not need emphasizing.
Kidnapping is a crime, pure and simple. It is difficult to accomplish;
hazardous at every step. All the officers of the law are supposed to be
on guard against it. All of the officers of the law may be invoked against
it. But how is it when the law becomes the kidnapper?

"When the officers of the law, using its forms and exerting its power,
become abductors? This is not a distinction without a difference—another form of the crime of kidnapping distinguished only from that com-
mitted by an individual by circumstances. If a state may say to one
within her borders and upon whom her process is served, I will not in-
quire how you came here; I must execute my laws and remit you to pro-
ceedings against those who have wronged you, may she so plead against
her own offenses? May she claim that by mere physical presence within
her borders an accused person is within her jurisdiction denuded of his
constitutional rights, though he has been brought there by her violence?

"And constitutional rights the accused in this case certainly did have, and valuable ones. The foundation of extradiction between the
states is that the accused should be a fugitive from justice from the de-
manding state, and he may challenge the fact by habeas corpus im-
mediately upon arrest. If he refute the fact he cannot be removed
(Hyatt vs. Corkran, 198 U. S. 691), and the right to resist removal is not
a right of asylum. To call it so, in the state where the accused is,
misleading. It is the right to be free from molestation. It is the right of personal liberty in its most complete sense; and this right was vindicated in Hyatt vs. Corkran and the fiction of a constructive presence in a state and a constructive flight from a constructive presence rejected.

"This decision illustrates at once the value of the right, and the value of the means to enforce the right. It is to be hoped that our criminal jurisprudence will not need for its efficient administration the destruction of either the right or means to enforce it. The decision, in the case at bar, as I view it, brings us perilously near both results. Is this exaggeration? What are the facts in the case at bar as alleged in the petition, and which it is conceded must be assumed to be true? The complaint, which was the foundation of the extradition proceedings, charged against the accused the crime of murder on the 30th of December, 1905, at Caldwell, in the county of Canyon, state of Idaho, by killing one Frank Steunenberg, by throwing an explosive bomb at and against his person. The accused avers in his petition that he had not been 'in the state of Idaho in any way, shape or form, for a period of more than ten years, prior to the acts of which he complained, and that the governor of Idaho knew accused had not been in the state the day the murder was committed, 'nor at any time near that day.'

"A conspiracy is alleged between the governor of the state of Idaho and his advisers, and that the governor of the state of Colorado took part in the conspiracy, the purpose of which was 'to avoid the constitution of the United States and the act of Congress made in pursuance thereof; and to prevent the accused from asserting his constitutional right under clause 2, section 2, of article IV, of the constitution of the United States and the act made pursuant thereof.' The manner in which the alleged conspiracy had been executed was set out in detail. It was in effect that the agent of the state of Idaho arrived in Denver, Thursday, February 15, 1906, but it was agreed between him and the officers of Colorado that the arrest of the accused should not be made until some time in the night of Saturday, after business hours—after the courts had closed and judges and lawyers had departed to their homes; that the arrest should be kept a secret, and the body of the accused should be clandestinely hurried out of the state of Colorado with all possible speed, without the knowledge of his friends or his counsel; that he was at the usual place of business during Thursday, Friday and Saturday; but no attempt was made to arrest him until 11:30 o'clock p.m. Saturday, when his house was surrounded and he was arrested. Moyer was arrested under the same circumstances at 8:45, and he and accused thrown into the county jail of the City and County of Denver.'

"It is further alleged that, in pursuance of the conspiracy, between the hours of 5 and 6 o'clock on Sunday morning, February 16th, the officers of the state, and 'certain armed guards, being a part of the forces
of the militia of the state of Colorado,' provided a special train for the purpose of forcibly removing him from the state of Colorado; and, between said hours, he was forcibly placed on said train and removed with all possible speed to the state of Idaho; that prior to his removal and at all times after his incarceration in the jail at Denver he requested to be allowed to communicate with his friends and his counsel and his family, and the privilege was absolutely denied him. The train, it is alleged, made no stop at any considerable station, but proceeded at great and unusual speed, and that he was accompanied by and surrounded with armed guards, members of the state militia of Colorado, under the orders and directions of the adjutant general of the state. I submit that the facts in this case are different in kind and transcend in consequences those in the cases of Ker vs. Illinois and Mahon vs. Justice, and differ from and transcend them as the power of a state transcends the power of an individual.

"No individual could have accomplished what the power of the two states accomplished. No individual or individuals could have commanded the means and success could have made two arrests of prominent citizens by invading their homes; could have commanded the resources of jails, armed guards and special trains; could have successfully timed all acts to prevent inquiry and judicial interference. The accused, as soon as he could have done so, submitted his rights to the consideration of the courts. He could not have done so in Colorado. He could not have done so on the way from Colorado. At the first instant that the state of Idaho relaxed its restraining power he invoked the aid of habeas corpus successively of the Supreme Court of the state and of the Circuit Court of the United States. He should not have been dismissed from court, and the action of the Circuit Court in so doing should be reversed."

**ADAMS CASE.**

Not many days elapsed after the imprisonment of Moyer, Haywood and Pettibone before another member of the Western Federation of Miners, Steven Adams, was arrested on his farm in Oregon, and taken to Idaho and placed in the penitentiary. McParland had another brain storm and gave the Associated Press several thousand words as to Adams' corroboration of Orchard's "confession" and how Adams would testify to the crimes that had been committed and others anticipated by the "inner circle."

Steve Adams was placed in the cell with Orchard. In
September, 1906, however, Adams, in an affidavit, which was published, swore that he was coerced by McParland into signing the confession. He declared that Gooding threatened him with death if he refused to "confess" that he was implicated with Orchard in the Steunenberg affair, and in the other crimes revealed in Orchard's "confession."

Up to the making of the affidavit by Adams, both he and Orchard were kept in solitary confinement. No one was permitted to visit them save Gooding and McParland. The Orchard "confession" and the Adams corroboration comprised the evidence that was to take the lives of the imprisoned leaders of the Western Federation of Miners. When Adams broke down and declared he had been forced by McParland into signing a lie, he was released through habeas corpus proceedings instituted by Attorneys Darrow and Richardson, but was immediately re-arrested and charged with the murder of two men in northern Idaho, Tyler and Boule.

Again the interests of corporations ran counter to the welfare of the people. For years great lumber companies had been plundering the common heritage. Nature's magnificent gift, the forests, protecting man's water supply and furnishing the means of shelter had been ravaged to satisfy the greed of corporations. In carrying out their nefarious work, the robbery of the people, they committed crimes ranging from perjury to murder. Their tools were men, sunk almost to the level of Pinkertons, who entered lands swearing they were for their own use and benefit, later they turned them over to the lumber companies, but bonafide settlers who had to make a living while perfecting title had entered valuable tracts—it was part of the professional perjurers work to jump these claims. The men who have developed the West place the claim jumper below the horse thief.

Tyler and Boule were found dead in the woods. They were tumbled into their graves without ceremony. Dead men can make no profits. So whether the victim meets his fate in the infamous occupations of deputy, scab, homesteader or as a man at
his work, crushed on the railroad, maimed in the factory, blown up in the mine, there is the same callous indifference to his fate. Tyler was forgotten until there seemed to be an opportunity to implicate a member of the Western Federation of Miners, then the lumber companies joined with the Mine Owner’s Association in using all the machinery of the state of Idaho, not to avenge him, but to plant fear in the breasts of all opposers.

After Adams repudiated his confession the remains that were supposed to be Tyler’s were dug up to be used in the trial by the prosecution. About three weeks were spent in the trial. The jury was out two days when they returned into court announcing that they could never agree and were discharged. From the first to the last ballot they stood seven for acquittal and five for conviction. Adams was returned to jail to await another trial.

In November, 1907, he was again tried. The prosecution entertained the opinion that the conviction of Adams could be trusted to a jury of farmers, a change of venue was asked by the State, in order that the trial might take place in an agricultural district. In the first trial of Adams at Wallace, Idaho, in the very heart of the Coeur d’Alenes, where Standard Oil reigns supreme, the jury stood seven for acquittal, and at the second trial, held at Rathdrum, the jury stood eight for acquittal, yet Adams was still held to appease the vengeance of mining corporations at the expense of the taxpayers of Idaho.

The attorneys for the Western Federation of Miners after the disagreement of the jury the last time, secured his release on bond. Shortly after this legal procedure he was again arrested and taken to Telluride, Colo., confined in jail and it is said he is to be tried at some future date for the murder of Arthur Collins. At this writing no time has been set for the trial.

**THE WORKERS BUSY.**

From the kidnapping of Moyer, Haywood and Pettibone on February 17, 1906, until Haywood was acquitted in July, 1907, the working class was aroused as never before in its his-
The methods used by the State of Idaho to obtain custody of the prisoners was considered indicative of the principle that would guide the court in the hearing of the case. The workers had not forgotten how the Pinkertons, through perjured evidence had hurried the Mollie Maguires to the scaffold, nor that a court had given legal sanction to the verdict of a mob in hanging the Chicago anarchists. They knew the mighty forces united for the destruction of labor's most advanced organization.

Knowing the power they had to combat, organized capital in control of all the departments of government, they prepared for the contest. Fearing nothing but falsehood, asking nothing but justice, they called the American people into court and submitted their case to a jury that only needs to know the truth to do right. As labor reared its Titanic form its shadow fell across the palace and the counting house and its voice penetrated the dim recesses where owl-like men pondered over the mouldy precedents of the past and aroused them with the call of the new day.

The way had been blazed for such a campaign. Labor was already aroused. The Colorado strike had been discussed in every hamlet. Every phase had been given on the floor of local unions, in mass meetings, before national conventions of labor bodies with the result that the workers of the country felt as if the wrongs done in Colorado had been committed against them in their own town.

Working men are accustomed to seeing laws and constitutions set aside when their interests are affected and are passed by with little thought, but deportations, bull pens and insults to women are understood by the dullest, resented by the most submissive.

In carrying on the strike the officials of the Federation had found it necessary to appeal to organized labor for funds, the necessity was even greater when the three men were put on trial for their lives, confronted by the treasury of a state as well as the wealth of the Mine Owner's Association. Obedient to the request of Gov. Gooding, the Idaho legislature appropriated
$104,000—not for the prosecution of Steunenberg’s murderer, but for the prosecution of Moyer, Haywood and Pettibone. Labor rose to the needs of the hour. Protest meetings grew in number and fervor. Money for the defense and resolutions of protest poured in from all sides. The Appeal to Reason sent out more than three million copies of a single edition stating the worker’s side of the controversy. No lie could live in such a light—no wrong could triumph before such a jury.

The Mine Owner’s Association, standing for the capitalist class, were not prepared for such a test. They had thought to strangle these men in the dark, their best appeal is to prejudice, their reliance the Pinkerton perjured by their gold, their answer to citizens demanding constitutional rights had been the bayonet and bull pen. Their methods were disclosed, their batteries unmasked. How could they meet this new giant, an aroused working class, grown conscious of his power?

They had hoped to procure a legal assassination and justify it by labor’s traducers, the capitalist press, but the light of millions of copies of the Socialist and Labor press fell upon them. They had hoped Labors groan would go out in silence, but it was transformed into speech, its cry on a world’s lips.

They had thought to pillory these men but lo! Their prison became the loftiest height in the western world. Capitalism will yet climb the scaffold it erected for these men, from it one may see the light of a new day and in its shadow discern the grave of the old system.

All along the line the battle raged. Nothing that malice could invent or fraud encompass was neglected by the prosecution. The writer has only space to note a few of the sensations intended to prejudice the cause of the defendants, will only mention that every agency controlled by capitalism from Roosevelt down was used against them. Fearing that the Idaho laws gave the accused a fair chance for life, protecting them from prejudice, the legislature raised the number of peremptory challenges that could be used by the state from five to ten, bankers were remarkable for their presence and union men for their ab-
sence in the several venires called for jury duty. Roosevelt took occasion to denounce them on several occasions and in a letter to Congressman Sherman coupled Harriman's name with Moyer and Haywood as "undesirable citizens." It was a blow worthy of the man who could boast of shooting another in the back.

Friends of the accused were alarmed as to its effect on the trial. Haywood issued a statement to the effect that the words of the President would do more to prevent a fair trial than all that had occurred before. The effect was overestimated. Most men felt that passing on the guilt of the accused was not among Presidential prerogations. We are "undesirable citizens" became the slogan of the defense and will doubtless become the battle cry of the workers in the campaign of 1908.

TAFT TO THE RESCUE.

During the campaign of 1906, when Governor Gooding of Idaho, was a candidate for re-election, he made the Moyer, Haywood and Pettibone case the chief issue. Political speeches teemed with denunciations of the defendants. Secretary of War Taft was sent to Idaho and made Gooding's cause the administration cause. United States Senator Heyburn raised his voice and denounced the opponents of Gooding as enemies of law and order and friends of anarchy and crime. Gooding, by the help of Taft and the influence brought to bear from Washington was re-elected. He recommended that the legislature appropriate $104,000 to prosecute Moyer, Haywood and Pettibone. The money was appropriated unanimously.

HAYWOOD CANDIDATE FOR GOVERNOR.

The battle took on national proportions, it was made an issue in the states of Idaho and Colorado. In Colorado the Socialist party took up the gauntlet which capitalism had flung down.

July 4, 1906, the Socialist party of Colorado, in convention assembled nominated Wm. D. Haywood for governor of Colorado.
J. W. Martin made the nominating speech and the eloquence of his words will long be remembered.

The Socialist party did themselves proud when they selected the prisoner in Caldwell jail to carry the banner of Socialism—the working class party—in the state campaign. Haywood was not the first candidate of the Socialist party nominated while confined in a capitalist prison—Eugene V. Debs, the hero of Woodstock jail, was twice Socialist candidate for the Presidency of the United States.

Mr. Haywood accepted the nomination in a manner worthy of his ability, intellect, and the principles of the class which he was to represent. I quote the first paragraph of his letter of acceptance:

"Ada County Jail, Boise, Idaho, July 14, 1906.

"State Committee Socialist Party of Colorado.

"Comrades and Fellow Workers: While sitting with my lately widowed, gray-haired mother, in the shadow of this jail, surrounded by guards, I received your message notifying me that I had by acclamation been nominated by the Socialist party, candidate for governor of Colorado. After a brief reflection on the duties of a member of the party, I said to mother, 'I will accept the nomination.' The maternal love in her eyes was partly veiled with a mist gathered from the lake of tears, while, like a benediction, she spoke these words: 'It is well, my son.' Thus your notification was received and accepted."

THAT FIRE FIASCO.

Few things were more effective in arousing the indignation of organized labor than the continual postponements of the trial by the prosecution. They seemed determined the men should be punished before the trial if they could not be afterward. The Victor safe was one of these. The time set for trial was approaching, something must be done to explain the lack of evidence. The cry of fire was sent in from the National hotel,
Cripple Creek, Colo., where the Mine Owner's Association had offices. When the firemen arrived smoke was pouring from the cracks between the door and walls of the safe. The secretary of the association was standing by, the heat had not affected the lock yet he said it could not be opened.

The safe was supposed to contain acids, "Pettibone dope," photographs and evidence incriminating the accused. Certainly a strange jumble. Only men with the prescience of a Mine Owner's Association would place supposedly valuable papers in conjunction with such inflammable material. The unduly critical might suggest that such articles constituting a part of the evidence should have been in the care of the prosecuting attorney where the trial was to be held.

**BLACK MAIL MOYER.**

"You told a lie; an odious, damned lie; Upon my soul, a lie; a wicked lie."

—Shakespeare: Othello.

There appeared in the Chicago Journal of May 10, 1907, an article from the pen of some tool of the combination fighting unionism, which declared Charles H. Moyer, president of the Western Federation of Miners, was an ex-convict, claiming he had served time in the Joliet, Ill., prison from 1886 to 1887. It was easy to prove that from 1886 to late in the fall of 1887, Mr. Moyer was working for J. H. Damon, in the Black Hills. Having gone to South Dakota in 1884.

This malicious report was not circulated without reasons. While a dastardly, base falsehood, it was used with the hope of blackening the name of President Moyer and to create the impression that the Federation was a criminal organization, with hope that organized labor would withdraw support. This resort to trickery was soon discovered and coolly met by a record of Moyer's residence at the date given by the false report.


IT WAS A WORTHY DOCUMENT AND SHOULD HAVE A PLACE IN THESE PAGES BUT SPACE FORBIDS.

THE PETITION WAS INTRODUCED MARCH 2, 1907, BY SENATOR CARMACK OF TENNESSEE. DEBS FELT THAT THE FOUNDATION WAS LAIĐ FOR A CONGRESSIONAL INVESTIGATION AND EXPRESSED THE HOPE THAT THE NEXT SESSION WOULD ORDER THE SAME, BRINGING THE TRUTH BEFORE A SECTION OF THE PUBLIC THAT HAD NOT BEEN REACHED.

EUGENE V. DEBS.

THERE COULD BE NO MORE FITTING PLACE TO NOTE THE SERVICE OF THIS GIFTED MAN DEBS, NOT ALONE TO THE IMPRISONED MEN, THAT WAS BUT AN INCIDENT IN THE LIFE OF THIS KNIGHT-ERRANT OF HUMANITY. ALL WHO COME AFTER HIM WILL BE HIS DEBTORS. FROM THE GREAT STRIKE OF THE AMERICAN RAILWAY UNION, IN 1894, TO THE PRESENT, HIS VOICE AND PEN HAVE BEEN DEVOTED TO THE OPPRESSED. PERHAPS HIS WORK IN BEHALF OF THE IMPRISONED MEN WAS HIS GREATEST SERVICE.
The love he felt for them as men gave a fiercer glow to his impassioned denunciations of oppression, his fervent appeal in behalf of men threatened with martyrdom. In special editions of the Appeal to Reason exceeding three million copies he pleaded their cause with unsurpassed eloquence, from a hundred platforms he declared: "Their only crime is loyalty to the working class," then lifted his audience to a heroes' level as he thundered: "If they hang Moyer and Haywood I will make them hang me." His daring was the highest discretion. In the light of his intrepid courage men walked bravely when they might have faltered. Well he knew prison doors would fly open before an aroused working class, but if capitalism should press on, seek their blood careless of impending fate, well he knew the shadow of the scaffold he climbed would fall across its grave. In one glad, supreme moment, he would have sealed the devotion of a life.

More than any other man capitalism fears Eugene V. Debs; more fully than any other he holds the hearts of the toilers. Their dumb agony finds speech through his lips. Their bowed and broken bodies grow tall and fair in his presence. The dreams of the ages flower in the love of that lofty soul.

James Whitcomb Riley spoke in music for thousands when he said: "God was feeling mighty good when he made 'Gene Debs."

**MOTHER JONES.**

"Happy he
With such a mother! faith in womankind
Beats with his blood, and trust in all things high
Comes easy to him, and though he trip and fall,
He shall not blind his soul with clay."

—Tennyson.

Among the Socialists two names stand out like mountains above the plain—"Mother" Jones and Eugene V. Debs. What holy memories cluster around the woman Re-Christened Mother in the hearts of the workers of the new world. It speaks of a service to humanity, devotion to a cause, love of individuals that
can be measured only by the Infinite. Her heart is as warm as
in life's springtime and her sympathies as wide as the needs of
her children, notwithstanding her seventy years.

For forty years "Mother" Jones has stood in the vanguard.
Her labors have covered a continent and reached every class of
workers. Lavishly she has given herself, when she has given all
she has yet more to give. Her speech is a summons to action.
Patience with wrong is a crime. How grandly she drove that
truth home throughout the imprisonment of Moyer, Haywood
and Pettibone for she can "touch the hearts of men as the storm-
god touches the ocean's keys."

No sorrow of humanity is alien to her. She is the incarna-
tion of the proletarian spirit. Those who have heard her before
a throng, the avenging spirit of justice, kindling dead hearts in
the glow of her own, grim, relentless, implacable, as she drew
the indictment of capitalism in words that roused like a bugle's
call, would scarcely recognize the woman that knelt above Vir-
ginia mine workers, murdered by corporation thugs, and bathed
their faces with her tears, yet it was but the expression of the
Universal Mother heart. Naught but a great cause could give
strength for such tasks.

"Mother" is the worker's refuge and inspiration. "Mother"
is the cry when overawed by corporation hirelings they yet seek
to join hands in a common struggle and "Mother" again is the
cry when the troops, re-inforced by hunger, are beating them in-
to the earth; often she has changed defeat into victory, but
always her best gift is the transfused courage of her own un-
conquerable soul. Words are weak here. Her work is her eu-
logy. Let no granite shaft rest on her, but let the flowers tell
the sweetness of her life and prattling children, wrested from
mine and mill and given back to childhood's joy sing her praise.

McPARLAND TALKS.

"But still his tongue ran on, the less
Of weight it bore, with greater ease;
And with its everlasting clack,
Set all men's ears upon the rack."

—Butler.
May 7, Detective McParland, the Pinkerton on whose "evidence" the prosecution hoped to dispose of Moyer, Haywood and Pettibone had another attack and forgot "Silence is Golden." Evidently this man of Mollie Maguire fame has never made a special effort to uphold the teaching:

"The man who to the highest rung goes easiest and best
Is he who always gives his tongue vast quantities of rest."

At any rate he gave out the statement for publication that he had procured absolute evidence against Haywood that he and his associates were responsible as principals for all the crimes in the Colorado mining strikes. The "inner circle," as the officials of the Federation were called, were, according to McParland, to be exposed, and atrocious and diabolical murders fixed upon the men who managed the affairs of the miner's organization. Among the felonies McParland declared Haywood, Moyer and Pettibone to be directly connected with were the following:

April 29, 1899.—The blowing up of the Bunker Hill and Sullivan mine at Wardner, Idaho.

December 27, 1901.—Murder of Martin Gleason, manager of the Wild Horse mine at Cripple Creek, Colorado. Gleason was thrown down an abandoned mine shaft.

January 23, 1901.—Murder of J. W. Barney, non-union shift boss, Smuggler-Union mine, Telluride, Colorado. Barney was attacked in a livery stable, dragged out and never seen again.

March 2, 1901.—Murder of Wesley J. Smith, non-union shift boss, Smuggler-Union, Telluride, Colorado.

November 19, 1901.—Murder of Arthur Collins, manager of Smuggler-Union mine, Telluride, Colorado. Collins was killed by a bullet fired through a window.

July 5, 1903.—Dynamiting of Colorado Springs Electric Company's power house.

September 1, 1903.—Non-union carpenter named Stewart, beaten to death at Cripple Creek.

November 21, 1903.—Murder of Superintendent McCormick and Foreman Beek in the Vindicator mine, Cripple Creek, Colorado.
June 6, 1904.—Assassination of fourteen men at Independence railway station.

December 30.—Assassination of Former Governor Steunenberg at Caldwell, Idaho.

This is the list of crimes McParland said he had absolute "evidence" to prove the three men guilty of, beyond all question of doubt, when the time arrived for trial.

WIVES ATTEND TRIAL.

At the time the trial was opened Mrs. Chas. H. Moyer was seriously ill in a hospital, in Boise, Idaho. She had gone to Idaho soon after the kidnapping to be near her husband. The little woman made a brave fight to keep her spirits up, but knowing the confinement of her husband would have a tendency to completely undermine his health there was a continual gnawing dread at her heart that the extended confinement would prove fatal.

Mrs. William D. Haywood, accompanied by her nurse reached Boise the latter part of April, to be present at the trial. This little wife has been confined to the house or an invalid chair for eight years, but when spoken to of the cases from the first day after their kidnapping until the final outcome of the trial—her pale but bright face would light up with a glorious smile of pride and she would proudly say the prosecution could not convict any of the men and that they would be acquitted with laurels fit to adorn a martyr—her confidence in her husband's innocence never wavered. She had placed her faith in the labor movement and believed the workers of the land would help restore to her her husband. This brave little woman had taken the trip from Denver to Boise at the risk of her life. Her two daughters accompanied her—the youngest a mere baby of ten summers whose eyes had opened wide as she innocently asked the question that rang over this country from the Atlantic to the Pacific: "Will they hang my Papa?"

The meeting of this loving family that had been cruelly separated for fourteen months was pathetic to say the least. The
corporations can always call in the assistance of the courts to issue injunctions against strikers when they are afraid of losing a fight, but in cases like the Idaho tragedy there are no injunctions against the blow that strikes the wife’s heart—no injunction to prevent her loneliness or to restrain her tears.

After Pettibone was taken from his place of business so unceremoniously, his wife went regular every morning and opened his store and remained there all day looking after his business interests. Neither Mrs. Moyer or Mrs. Pettibone had a family, so it was much less trouble for the two ladies to be near their husbands than Mrs. Haywood who was an invalid and had the responsibility of two daughters.

It requires nothing less than heroism for women to take up such a fight and keep a smiling face under the conditions these three little wives did and the men were blessed, indeed, in not having women of the clinging vine type—who were not mentally capable of understanding the cause of the inconvenience of having innocent husbands in jail indefinitely without trial.

The families of the three men were in Boise at the opening of the trial, also Haywood’s gray-haired mother.

**PRISONER’S TREATMENT IN JAIL.**

To the query from friends as to how the men were treated in prison, the answer was always: “All right, we have no complaint, no men were ever treated better under the circumstances—the sheriff and his men have been fine to us—we have absolutely no complaint.”

Moyer, Haywood and Pettibone were caged in steel at night, but their days were spent in a large room with steel-barred door and window. For two hours each day they exercised on the lawn under guard. A sheriff, and three or four deputies, tall, lithe, clear-eyed chaps, men of the West, were the alternating guards. When they were on the lawn it was difficult for strangers to distinguish prisoners from officials. Pettibone tells with glee of a farmer who mistook one of his guards for him and
descanted on his ferocity and depravity. In an interview with the sheriff he said: "They are good prisoners."

After the families went to Boise they were permitted to spend a part of the day with the prisoners on the lawn under guard or in the large room. While their surroundings could have been worse it is doubtful if many would envy the prisoners their long confinement in Idaho.
WILLIAM D. HAYWOOD
Secretary-Treasurer Western Federation of Miners
The Haywood Trial

"In peace, there's nothing so becomes a man
As modest stillness and humility;
But when the blast of war blows in our ears,
Then imitate the action of the tiger:
Stiffen the sinews, summon up the blood."

—Shakespeare.

At last the day for trial arrived. It was a measuring of the forces. The prosecution had centered its fight on Haywood. Moyer, a man of medium stature, thoughtful, reserved, taking council of all, keeping his own, devoted to his organization, inflexible in a question of right, wholly averse to the limelight. A man whose strength was only realized by his closest associates, underestimated by many of his friends and all his foes, had only been arrested to give the color of conspiracy to the case. The prosecution admitted that the case against him was the weakest of the three.

Pettibone has not been introduced to the reader in the foregoing pages of this history, while the other two, Moyer and Haywood, on account of their prominent positions in the Western Federation of Miners, have been constantly before the reader—especially President Moyer who was made a special target during the thick of the fight on account of his unfaltering loyalty. An organizer usually feels the venom of the opponents of his organization—so as such President Moyer was persecuted in every way that could be hatched in the polluted brain of hirelings of organized capital.

Pettibone was not actively connected with the Colorado labor troubles but was engaged in business in Denver. To know George Pettibone is to be his friend, jolly and philosophical. He has a droll way of expressing himself and a marked native wit. Having this happy disposition he made the best of his pro-
longed imprisonment and made as much fun for the others as possible. For amusement during the days when the three were together in Idaho, he took up pyrography and often sent out souvenirs to his many friends in Colorado. Just at the beginning of the Haywood trial he exhibited some of his work to press representatives and friends saying jokingly: "Mr. Darrow tells me these will be worth a great deal of money after I'm hung but I am not saving any of them." In the same interview he said:

"This day cell of ours is really the home of the Western Federation of Miners, for it was here, back in 1892, after the first trouble up in the Coeur d'Alenes, that the Federation was first proposed and discussed. You will remember that they arrested a lot of our men in 1892 and held us until the Supreme Court decided in 1893 that we were illegally in custody. While we lay here in this cell we planned the Federation. This is indeed a historic place for the old Federation. People who have not been in the Coeur d'Alenes and underground there know nothing of the frightful conditions that prevailed. We were wretchedly housed and miserably fed. A company store supplied everything at outrageous prices, a company doctor was supposed to look after us, and we were paid in scrip, if there was anything coming to us when the company got through. I've seen a company surgeon refuse to go to the home of a dying miner. Now what are men to do? Is there anything too mean to do to men who grind down their laborers under such circumstances?"

Organized labor has no stauncher friend than George A. Pettibone—that is why he occupied quarters without a permit to go and come as he desired—in a prison cell in Idaho. Corporations appreciate too well the power of such men and both fear and hate them.

President Moyer in a personal conversation with the writer, in discussing the labor movement in general, the Idaho trial in particular, characterized Pettibone as "the biggest man in the United States."

Haywood was on trial. It was for Haywood's blood that capitalism lusted. Big, magnetic, whole-souled "Bill" Haywood,
terse, forceful, frank to impulsiveness, a stranger to fear, he was 
the idol of the crowd, the incarnation of evil to the Mine Owner's 
Association. Through him they hoped to discredit labor or-
ganizations, in his death to disrupt and destroy the Federation. 

But little they knew of the cause of labor unions or the 
strength and capacity of the men whose labor opens nature's 
treasure vaults and pours into the channels of commerce the 
golden streams that turn the wheels of a world's industry. The 
strength of the granite hills is in their sinewy arms, the know-
ledge of dateless centuries in their brains, the vision of sunlit 
futures in their eyes—the irresistible forces of modern civiliza-
tion driving them on. They know the world with the intimate 
knowledge that comes from doing things, their hands have 
taught them great lessons. They know the rough way over 
which Labor has borne humanity to the heights of civilization. 
They have the key to the world's progress and get more meaning 
out of their newspapers than spoiled darlings are able to get 
from great libraries. The world's constructive thoughts is in the 
ranks of labor. They know that history repeats itself in but one 
thing, and that is that tyrants reach the scaffold, Bastiles fall, 
oppressive systems die, man ever marches on to higher ground. 
They realize that industry has knit the bonds of a world's 
brotherhood that knows not the red boundary of nations, that 
stops not at the shore. They would gladly die that the ages' 
hope might live.

The day has long since gone by, if indeed it ever existed, 
when an individual was indispensable to a cause. A great cause 
developes great theories in its champions, their strength is evi-
dence of its virility. The forces of the universe are behind the 
social needs of the race. The wisdom of all the past belongs to 
those who have grasped the processes of civilization and are able 
to read its history. This was the vantage ground occupied by 
the defense and their myriads of supporters that made them 
more than a match for the combined forces of capital and gov-
ernment. Their thought had swept the past and forecast the 
future. They knew the forces that wrote history when men 
groped in the dark for the goal. They did not make that force,
they did not enact the law of economic determinism, they did
not decree the class struggle—they discovered them, knowing
them, they are masters of them. They did not place employer
and employee in conflict, they found them so—in the cause of
evolution the master had become an employer, the slave a wage-
worker, when the struggle breaks out in open revolt—the strike
—Fear and Hate make earth a hell for all.

The worker’s goal is always right, the means to reach it
often wrong.

The trial was a judicial combat between the Mine Owner’s
Association standing for organized capital everywhere, directing
the forces of the state and Federal government on the one side
and the Western Federation of Miners on the other, supported
by labor organizations, the Socialist party practically directing
the campaign in their behalf.

Organization is the measure of social progress, from the clan
and tribe, to the state, the nation, the world organization of capi-
tal and labor. Self-interest, which is another name for self-
preservation, is the main spring of human action. Economic com-
bination proceeds among those who have common purposes to
effect, who get their living in the same way. Naturally, organi-
sation was most perfect among those who got their living from
the labor of others, could give all their thought to the advance-
ment of their economic interests. Since labor produces all
wealth, pays its own wages, makes improvements and dividends,
all the gains of capital are at the expense of labor. The capitalist
brought a large measure of intelligence to the direction of in-
dustry while actively engaged in the management of affairs, but
with the advent of the great corporation—the trust—the manage-
ment was turned over to hired men—he no longer performed a
social service, he drew dividends, his appetite grew by what it
fed on, the exploitation of labor proceeded at a more rapid rate,
men were worn out at forty-five. Experience wakens men to a
consciousness of the facts of life and time teaches them to uti-
lize their knowledge. The combination of dollars compels the
organization of men. But dollars control the law. The law
gives the owner of property the right to control it. Through his organization the worker seeks to exercise a joint control, regulate hours, wages, conditions—this could come only with joint ownership. He uses the strike to enforce his demand but as he is only paid a living wage when employed he soon becomes hungry, the militia is used against him, the injunction is brought into action and men are bull penned. The strike is lost. He struck at the wrong place. He asked too little. The power of the state was used against him, it must be used for him before he can succeed—that can come only through the aid of the workers, organized and unorganized. Unity of action can only be attained through understanding of the goal. The labor movement economic and political rests on the education of the worker.

Private ownership of the machine and the gifts of nature stand between the worker and an abundant life. The present rulers, owners of the earth have taken what they wanted by legal technicalities, by economic might, by the sword. The worker would not travel the old blood-stained path, he must find a new way. By what right? By the right of common heritage of the earth, creator and user of the machinery of industry. By what means? By the organization of a political party whose goal shall be the control of government and when in control, change through legal enactment the title to the productive wealth of the country.

No other movement has had a base of knowledge that grasps the universe and analyzes its processes from star dust to worlds and systems of worlds, from the amoeba to man, from the cave-dweller to Marx and Darwin, from the flint ax to the steam engine and the wireless telegraph. The future is to be shaped by the conscious action of society. Man no longer the victim of blind forces is their master. He would organize the world's knowledge to explore the unknown and widen his empire over nature, organize forces of production to supply the wants of producers, would eliminate prostitution, fear of want and dig up war by the roots.
COURT CONVENES.

Upon the convening of Court, May 9, a bill of particulars was asked for by the attorneys for the defense who explained that they had a right to know what the state had against the prisoners. Ordinarily in criminal cases there is a preliminary hearing at which the defendant is present, he sees and hears the names of witnesses examined and on whose testimony the indictment was found. In this case nothing ordinary occurred. It was an extraordinary case from the kidnapping to the end. Absolute secrecy was maintained by the prosecution. They continued to declare they had unlimited evidence but refused to allow the defense to share their confidence as to the manner they expected to proceed. Senator Borah, for the prosecution said: “We are forced to move secretly as some of our most important witnesses have disappeared from Colorado.”

Judge Wood withheld his decision for a few days. While awaiting the decision the attorneys continued their preliminary work. Judge Wood overruled the motion of the defense for a bill of particulars. This decision cleared away the last of the preliminary technicalities. Gladiators in the legal profession stripped for the combat and labor, with justice on its side, begun a fight against bank vaults with untold millions.

The work of selecting twelve men to act as jurors begun May 9. This proved to be a tedious task on account of the prejudice that had been created during the campaign by Gooding and associates, President Roosevelt’s characterization of the men as “undesirable citizens” and false press reports.

Attorneys representing the state were James H. Hawley, of Boise, known as one of the best criminal lawyers in the West, represented the Federation in one of its greatest conflicts; U. S. Senator W. E. Borah, also of Boise; Public Prosecutor O. M. Van Duyn, of Ada County, Idaho, and George Stone, special attorney for Canyon County, in which the murder was committed. A change of venue was taken to Boise from Caldwell upon application of the defense. A fair trial at Caldwell being considered impossible.
The attorneys for the defense were: E. F. Richardson, of Denver, Colorado; Clarence S. Darrow, of Chicago; Frederick Miller, Spokane, Wash.; John F. Nugent, of Boise; Edgar L. Wilson, of Boise as assistant counsel and John H. Murphy, of Denver, general counsel for the Western Federation was on the ground to act in an advisory capacity, his health being such as to prevent him taking an active part.

Edgar L. Wilson is a former law partner of Judge Fremont Wood who presided at the trial, his retention as assistant counsel was a surprise to the prosecution.

With such talent as Clarence Darrow and E. F. Richardson as leading counsel organized labor was ready to measure steel with organized greed inspite of their countless millions and government machinery.

May 9, three jurors were passed by the state and defense, panel exhausted. Special venire of one hundred ordered. Court adjourned until Monday, 2 o'clock, afternoon, May 13. This was the result of the first day's actual work in the trial of William D. Haywood.

From May 9 to May 30, the work of examining jurors continued in tedious monotony. Until on the night of the 30th the sixty-first citizen of Ada county was rounded up on the third special venire. The examination of prospective jurors sometimes brought out amusing as well as serious facts. At the close of the afternoon session June 3, the jury had been completed, sworn in and the indictment read.

Jurymen that rendered the verdict in the famous Haywood trial:

Thomas B. Gess, farmer, 59; Finley McBean, rancher, 52; Samuel D. Gilman, farmer, 57; Daniel Clark, farmer, 32; George Powell, farmer, 60; V. Sebern, farmer, 52, (served on Tom Horn jury also); H. F. Messecar, farmer, 52; Lee Scrivener, farmer, 60; J A. Robertson, farmer, 73; Levi Smith, carpenter, 42; A. P. Burns, retired rancher, 52; Samuel Russell, farmer, 68.

Perhaps the hardest fight between attorneys during the empaneling of the jury occurred in the case of a banker who did
not hesitate to admit he was opposed to the Federation, that he would allow that prejudice to influence him, and upon being questioned, admitted he would not want anyone to sit on a jury to try him if they had formed an opinion such as his own. This occurred on the last day. Judge Wood overruled the challenge that was raised by the attorneys for the defense. The action of the court in this instance caused fair-minded people to think the judge was showing partiality to the prosecution. The prosecution had challenged (and been sustained by the Court) for no other reason than the fact that the prospective juror admitted reading some Socialist or Labor paper. Of the large number of men that were summoned for jury duty in this trial there were few, if any, members of organized labor, yet Boise has a membership of organized workers of over one thousand. Among the men summoned for jury duty the bankers were decidedly in the majority.

The jury selected to try Haywood was not composed of men who had any particular love for organized labor. They were men whose environments, vocations in life and reading gave them wrong impressions as to the objects and aims of men banding together in labor unions. Politically, the jury stood eight Republicans, three Democrats and one Prohibitionist. Not one member of organized labor. Majority Republican—the dominant party in Idaho.

**ORCHARD AS WITNESS.**

"If weakness may excuse,
What murderer, what traitor, parricide,
Incestuous, sacrilegious, but may plead it?
All wickedness is weakness; that plea, therefore,
With God or man will gain thee no remission."

—Milton.

In the afternoon of June 5, the scenes were swiftly shifted and the curtain raised on another act in the tragedy. Hawley dramatically said: "Call Harry Orchard." Orchard was not far away—he had been closeted during the day three or four
hours with McParland, who, no doubt, had put him through a rigid rehearsal. He was the star witness and through his testimony the state must either lose or win.

Orchard appeared in a few minutes and with uplifted hand took the oath that made him a perjury. The first question—"where do you live" seemed to be a surprise and for a moment unnerved him. Upon being re-assured by the state's attorneys he told his story.

Here it would be well to mention that Detective McParland claimed Orchard's "confession" was brought about on account of a change of heart—he had repented of his sins and did not hope for reward here but had "confessed" in order to be at peace with God.

The writer regrets space will not permit the reproducing of Orchard's testimony. The slightest intimation upon his part, while he was telling his story, that he was actuated by compunction or reformation brought a sneer to the lips of the auditors in the court room. He recited chapter after chapter of cold-blooded murders, without a flicker of an eye-lash a story of heartless villainy that showed he had memorized even to the slightest detail, the story framed up for him to deliver on the witness stand. He told without a quiver of the lips how he had gone to California to poison the Bradley family. How he purchased strychnine to place in the milk left by the milkman, that would kill a family of four, one of which was an innocent babe. Even the baby in its cradle did not appeal to this soulless monster, whose own story upon the witness stand, if true, wrote his name upon the page of history in letters of blood as the deepest dyed villain that ever polluted the earth.

Continuing, Orchard related how he planned to kill Peabody but failed; how he shot Lyte Gregory in Denver; how he planned the Murder of Moffat, Goddard, Gabbert and others but failed. He claimed the explosion that killed Wally in Denver, was caused by a bomb he had placed for Judge Gabbert. How the wrong man had picked up the pocket-book he had attached to a wire, which, when picked up would explode the bomb, Gabbert, accord-
ing to Orchard, passed without noticing the pocket-book. Before he left the witness stand he had charged himself with every kind of crime from bigamy to twenty-six cold-blooded murders. Some of the crimes he referred to as "jobs" he claimed to have been assisted by others—it seemed to please him especially to implicate Steven Adams. The latter, he stated, assisted him in the blowing up of the Independence depot in 1905. The dates of the murders he testified to being guilty of ranged from 1899, at Wardner, Idaho, to the murder of ex-Governor Steunenberg, December 30, 1905, in the same state. According to his testimony, at intervals between the greater crimes, he was engaged in high-grading, kidnapping children or any odd job of villainy he could find to do either for money or from force of habit. He claimed he had taken part in every crime committed in Colorado since strike troubles existed—according to his account he blew up the Vindicator mine, killing two men; the Independence depot disaster of June 6, 1904, was all his work. He told every detail with a careless air as though reciting a mere incident.

When Harry Orchard had finished his blood-curdling story of crime he made the great criminals of the world look like amateurs compared to this man who told, without a sob of ushering a score of men into eternity without provocation—just for a few paltry dollars. The writer is constrained to doubt if mere "confession" to a Pinkerton would be sufficient reparation in a case so heinous.

Orchard was thoroughly groomed and coached in all the revolting details to give an element of plausibility to his "confession." But it is safe to say that not one of the three million unionists who were watching the trial of William D. Haywood, believed any part of the story of crime as related by this degenerate. His story branded him as unreliable, a confirmed liar, a seeker after notoriety, a Nero of modern times and the Ananias of today. He was the chief instrument in the colossal conspiracy to destroy organized labor.

No one but Orchard, over-trained by a criminal detective agency, advanced any testimony that incriminated either of the
three kidnapped victims. He was the tool of the Pinkerton detective agency and the same agency used him in order that thousands of dollars might flow into the coffers of a gang who make a specialty of furnishing convictions through professional perjurers.

The testimony on both sides, proved absolutely, that for years the Pinkerton agency used blood money to purchase the honor of weak men in the Federation and make them Benedict Arnolds to violate the obligation that they had taken in the sanctuary of organized labor.

Orchard, foul and infamous as he proved himself to be, said in his cross-examination that Haywood had nothing to do with the Vindicator explosion or the murder of Lyte Gregory, one of his alleged victims. He also admitted neither Moyer or Haywood advocated law-breaking during the strike in the Cripple Creek district, Colo. During his testimony he had described the blowing up of the Bradley home in California by dynamite. He had also climbed on the porch of this same Bradley home to await the milk man, his intentions being to place strychnine in the milk. It was shown the house in which Bradley lived did not have a porch. The explosion at the Bradley home was caused by gas. The statements made relative to the poisoning and later of dynamiting the Bradley home was disproved by numerous depositions taken and also witnesses introduced by the defense.

Mention should be made of the treatment accorded Orchard by the state officials after the alleged confession. He was well dressed in a summer suit, sleek, well fed, and, judging by appearances might have been a capitalist, rather than a self-confessed criminal of so many aliases that it is doubtful if his true name has been included in the list. He was treated more as a distinguished guest of the state than as the villain he painted himself when he swore on the witness stand he had murdered twenty-six people for a few dollars, he had stolen sheep, collected money on insurance on stolen cheese, deserted his wife and become a bigamist, made bombs to destroy life for a Pinkerton agency and other crimes which would brand him as the most heartless Cain that ever lived in a world's history.
Was it because the state had taken McParland’s word as a fact when he sent broadcast the statement that Orchard had repented of his sins and was ‘as harmless as a Saint?’ True it is he was well-groomed and treated as an honored guest. It has been stated and not denied to the writer’s knowledge, that the widow of the dead governor had even expressed a willingness for him to go free. Presumably, this was the reward for his effort to punish some one for the crime.

OTHER WITNESSES.

The prosecution summoned about one hundred and fifty witnesses in their effort to substantiate Orchard’s testimony. Pinkertons were employed to watch their witnesses. The state was forced to send an army of witnesses back home who had not been called to the witness stand. The prosecution begun to realize early in the hearing of testimony that the testimony that they had to offer would have but little weight before any fair Court. McParland was lacking in nerve when the time came for him to testify. He had experienced one siege of Darrow’s rapid fire cross-examination during the Adams trial and he was afraid another grilling of the same kind would land him behind prison bars. In the slang phrase he got ‘cold feet.’ He was afraid to tell the jury what he had so often caused the capitalist press to herald to the world. He found different conditions to face to what confronted him in Pennsylvania when he caused many innocent victims murdered upon perjured testimony. He, no doubt, realized he could not murder working men in the West today as he did in the East thirty years or more ago. Notwithstanding this, however, the Idaho taxpayers will pay the debt of an enormous sum as did the small property owners pay the mine owner’s war debt during the reign of Peabody in Colorado.

While James McParland, who lives by blood money as a spy, failed to testify for the mine owners—his brother who earns an honest living as a shoemaker, did not fail to take the witness stand and tell of the high-handed methods of the mine owners in Cripple Creek. He was among the deported by the mandate
of a mine owners organization. He made a strong witness for the defense. Strange there could be such a contrast in the same family.

The defense introduced witnesses from all walks of life, in unlimited numbers, no ground was left uncovered. The attorneys for the defense upon cross-examination of the state’s witnesses and by the introduction of scores of witnesses summoned from all sections that had been mentioned by the prosecution soon razed to the ground the conspiracy house built on sand by the mine owners and the political ring of two states, indorsed by organized capital of the United States.

NO CORROBORATION.

McParland and the attorneys for the state frequently declared that the unbelievable story of crime and bloodshed as told by Orchard would be fully corroborated but when the prosecution closed its case the perjured story of Orchard stood alone. The whole case of the state turned upon his testimony, which, under the law, had to stand or fall on the success or failure to introduce a measure of corroborative evidence. When the test came the state could not show outside of Orchard’s testimony even a connecting link between any of the crimes credited to the officials at Western Federation headquarters, directly or indirectly.

PEABODY AND GODDARD WITNESSES.

Among the distinguished witnesses for the state was the name of Judge Goddard of the Supreme Court of Colorado. Conspicuous in the list of witnesses for the state appeared the name of Peabody and daughter, of Colo. His former Adjutant General Bell and the present Adjutant General Wells, who had acted as escort to the victims to Idaho and many others who had acted as tools in the capacity of deputy sheriffs during the Colorado labor troubles. The writer asks the reader how you would like to see your daughter go on the stand to corroborate the testimony of such a one as Orchard?
NOT GUILTY.

Into the stillness of a summer morning—into the beautiful sunlight of a Western Sabbath day, William D. Haywood walked forth a free man, July 28, 1907.

It was after it had been out for twenty-four hours that the jury, which at first had been divided eight to four and then seemed deadlocked at ten to two, finally came to an agreement shortly after the first faint streaks of the coming day showed gray above the giant hills which wall Boise to the North and East. The weary, snow-bearded old bailiff, who had kept an all-night vigil before the door of the jury room, was startled into action by an imperative knock from within. Events moved rapidly enough after this, and when at last the principal actors in the trial had been gathered into the court room at a few minutes before 8:00 o'clock, the white envelope handed by the foreman to the judge was torn open and the verdict read:

"State of Idaho against William D. Haywood: We, the jury, in the above entitled cause find the defendant, William D. Haywood, not guilty.—Thomas B. Gess, foreman."

Then came the congratulations, in the midst of which Judge Wood said:

"The defendant will be discharged and the jury dismissed for the term."

"Twelve good men and true" have been the hope of justice among Anglo-Saxons for centuries—and in the twelve farmers of Idaho has been found men who place life and principle above gold. Our form of government is vindicated. It is only when dishonestly administered that the law fails.

The acquittal of William D. Haywood was accepted everywhere as the vindication of Moyer and Pettibone. In the language of John M. O'Neill: "The verdict of the jury means the most glorious battle that has ever been won by the Western Federation of Miners and puts a sparkling gem in the crown of organized labor of this country."

The verdict of the Boise jury marks a decisive stage in a serious crisis in the life of this country. For the Haywood trial
was a National crisis. The struggle between the working class and capitalist class was displayed in all its tremendous significance. But a jury of twelve men, living almost on the scene of the crime, admittedly prejudiced in advance, one of them having dwelt with the murdered man for two years, after listening to the evidence, was won over to the defense. They acquitted Haywood and therefore justified our confidence in our comrades and our faith in humanity.

"Not Guilty" soon flashed over the wires, was pronounced in every nook and corner of the globe, hands were clapped and hearts rejoiced and tears of joy were shed.

The Haywood case was the greatest case ever submitted to the decision of a court; not even excepting that world-renowned one wherein Edmund Burke impeached Warren Hastings at the bar of the House of Commons. Then the prosecutor spoke for humanity, India's silent, submissive millions found voice through Burke, Sheridan and Fox. Here the contrast ends, the likeness begins, for in that historic trial all the forces that enable the strong to hold down the weak were on the side of the exploitee invested with regal power and against the robbed. Here those same forces were arrayed enmasse against the accused, the hopes of the silent ones were with him. He had helped to teach them how to strike and when. They knew he was confronting death because he had battled for them. They were looking upon what might be a sacrifice. Here was a man who had attested his faith in life, stood ready to prove it in death.

Some way his fellows had lost the submissiveness that had stamped them in the old days. Their hands were not clasped, they were clenched, they did not implore the Heavens for mercy, in tones that would not be denied they demanded justice. In every zone and tongue the protest was registered and eyes peered through the mist, saw men high in place stooping to make a mockery of the forms of law, President and perjurers alike the tool of forces that made mockery of justice, noted the gold in the scales and wondered how much steel would be required to balance it.
In every land they gathered. The Alaskan gold seeker under the play of the Northern Lights wondered what new curse would be written on the rule of gold. The Englishman, walled in by conservatism, had felt the walls fall in his own country when the Taff Vale decision was handed down, saw the hands sweep backward on the Clock of Time when our Supreme Court legalized kidnapping and felt that perhaps Runnymede was in vain after all. Under the Southern Cross the Australian miner and herder looked up at the starry vault, thought how long the greed of gain had lain on the soul, over what oceans and deserts it had come to cast its shadow over all the sons of men. The German felt within him the fires of '48 as the wires brought to him the story of an autocracy more brutal than that of Germany's war lord. Only the Marsellaise could tell the revolt in the Frenchman's soul and the Italian longed for a new and nobler Garibaddi. In the silent watches the Siberian exile recalled the long, weary way, counted the miles behind and the days before him, pondered on the crimson pathway Freedom's sons have ever trod to prison and scaffold, pondered how much the Liberty of the new world resembled the despotism of the old, pondered till he fell asleep and dreamed it was Dawn.

Yea, not only from Boston to San Francisco, but throughout these wide lands the hearts of the workers were united by this menace to one of their class!

At the bar of the court the formal charge said Haywood was to answer on the charge of complicity in the murder of Frank Steunenberg, but in reality the crime was a graver one in the judgment of the conspirators. The ferocious hate borne the prisoner by the ruling class was but thinly veiled by the indictment charging him with a terrible crime. All other crimes may be forgiven but he who would teach the slave the love of freedom must bear the hate of the master through his life, fortunate if in death the odium of prison or scaffold do not fall upon his grave, blasting all who come near him in life.

Haywood had hopes wider than his own fireside, desires that could only be gratified when his fellow workers took a seat with
him at the banquet of life. He had a nobler incentive than to shift the burden of his chains upon a weaker or less fortunate brother. Had he been content with a place for himself, strong hands would have lifted him up and the mercenaries of press and pulpit would have pointed out the rewards to ambition. Haywood's organization, does not exist for the benefit of the officers but for the toilers. It did not come to hide the class conflict but to end it and Haywood merely did his duty—gave the members what they wanted.

The conviction of the secretary-treasurer of the Western Federation of Miners would have been a deadly blow to the labor movement of this country and the unions appreciated the situation. They realized that organized labor would receive a staggering blow if the conspiracy was not exposed—so they rose in a body to meet the emergency and fought a legal battle and won.

It would be impossible to review the many chapters in the history of the trial. Attorneys Richardson, Darrow, Murphy, Nugent, Breen, Wilson, Miller and Whitsell covered themselves with glory and won a battle that enrolled their names on the page of history as legal giants.

**DARROW DIAMONDS.**

**THE PLEA TO THE JURY.**

"Gentlemen, I need not tell you how important this case is. How important to the man on trial and to those who still must be placed where he is today. How important to his family and his friends. How important to society. How important to a great movement which represents the hopes and the wishes and the aspirations of all men who labor to sustain their daily life. You know it! You could not have sat here day after day so long as you have without understanding it, and grasping it, and excusing us if in our haste and zeal we seemed to say things we should not have said, and forgot things we should have spoken of to you.

"And, gentlemen, we are here as aliens to you. Our client and the men who are with him down here in this jail have been brought fifteen hundred miles to be tried by a practically foreign, alien jury, a jury unfamiliar with their method of thought, a jury unfamiliar with their methods of life, a jury who has not viewed life from the standpoints of
industry as these men have viewed it; I am here, two thousand miles from home, unacquainted with you, with your life, with your methods of reasoning—all of us are brought here in an alien country, before people, if not unfriendly, whom at least we do not know, and we are here met by the ablest counsel that the state of Idaho ever produced—the peer of any counsel anywhere; and, more than that, we are here in the home of the man who was killed in the most ruthless, cowardly, brutal way that any man could meet his death.

"We are here, strangers, aliens, if not regarded by you as enemies, to meet an accusation of the murder of a man whom you all know, whom many of you voted for, maybe, whom one of you at least did business with, a man in whose house one juror lived for two long years. We are trying this case to a jury that is almost the family of the man who is dead. We are trying it to a community that has no community of interest with the men whom we defend. We are defending these men for what seems to you almost an assault upon your own home, and your own fireside, and we must be contented with results. We can only appeal to you, gentlemen, to lay aside those common feelings which possess the minds of all men, to not be governed by passion or feeling or prejudice, but to look at us as if we were of you, to try to find out the standpoints from which these men acted, to give us that same fair, impartial trial that should be given to a defendant if you did not know the deceased or as if you knew the defendant and stood equally between him and the law.

MEN CONTROLLED BY ENVIRONMENTS.

"More than that, gentlemen, we are all human. We have come into this court room and into this community, a community that has been deliberately poisoned for a year and a half, a community where feeling, and sentiment, and hatred have been deliberately sown against this defendant and his friends; a community where lie after lie has been sent broadcast like poison to infect the minds of men. We have come here after a year and a half of that, and must submit our case to a jury that has been fed upon this poison for all these months. We have no redress. We ask for none. You have sat here for two months, and you know the lies that have been scattered broadcast on the leaflet of every paper almost that is circulated in this community. You have heard it from the witness stand, and you know it, and they could not have failed to have influenced this jury and this court. Men cannot rise above their environments. We are all alike, and if I were to tell this jury that I believed they were great enough and wise enough and strong enough to overcome the environments in which they live, and if I were to say to this Court that he could do what no other judge in Christendom ever did, rise superior to his environments and his life, you
would know I was lying to you. You would understand that, if you did not understand anything else. We are all human, we are all influenced alike, moved by the same feelings and the same emotions, a part of the life that is around us, and it is not in the nature of things that this Court or this jury would not to some degree have been influenced by all that has gone before. But, gentlemen, as men go, as we see our neighbors and our friends. I have no doubt that you twelve men before me intend to carefully guard and protect the rights, the hopes, the interests and the life of this defendant. I have no doubt that you mean to give to him the same honest trial, the same benefit of the law, that you would expect twelve men to give you, if by some trick of Chance or by some turn of the wheel of Fate your life was hanging in the balance and twelve of your fellows were passing upon it.

* * *

ASKS NO COMPROMISE.

"Gentlemen of the jury, one thing more: William D. Haywood is charged with murder. He is charged with having killed ex-Governor Steunenberg. He was not here. He was fifteen hundred or a thousand miles away, and he had not been here for years. There might be some member of this jury who would hesitate to take away the life of a human being upon the rotten testimony that has been given to this jury to convict a fellow citizen. There might be some who still hold in their minds a lurking suspicion that this defendant had to do with this horrible murder. You might say, we will compromise; we cannot take his life upon Orchard's word, but we will send him to the penitentiary; we will find him guilty of manslaughter; we will find him guilty of murder in the second degree instead of the first.

"Gentlemen, you have the right to do it if you want to. But, I want to say to you twelve men that whatever else you are, I trust you are not cowards, and I want to say to you, too, that William Haywood is not a coward. I would not thank this jury if they found this defendant guilty of assault and battery and assessed a five-dollar fine against him. This murder was cold, deliberate, cowardly in the extreme, and if this man, sitting in his office in Denver, fifteen hundred miles away, employed this miserable assassin to come here and do this cowardly work, then, for God's sake, gentlemen, hang him by the neck until dead. Don't compromise in this case, whatever else you do. If he is guilty—if, under your conscience and before your God, you can say that you believe that man's story, and believe it beyond a reasonable doubt, then take him—and hang him. He has fought many a fight—many a fight with the persecutors who are hounding him in this court. He has met them in a battle in the open field, and he is not a coward. If he is to die, he will die as he
THE HAYWOOD TRIAL

has lived, with his face to the foe. This man is either innocent or guilty. If he is guilty, I have nothing to say for him.

* * *

"Mr. Hawley tells you that he is a friend of the union. There cannot be any doubt about that! He told you in his opening statement that this labor union was a criminal conspiracy from the beginning, and that Ed. Boyce, who led it in its earliest troubles, and its early triumphs, who organized this great mass of unorganized labor, that they might look up in the face of their master and demand a portion of what they earned, that he was a criminal—that he is guilty; and all you would need to do would be to go to Mr. Van Duyn and get him to sign his name, and Hawley could get him to bring Boyce in here, too, and charge him with this murder as well.

"He told us how from the beginning it was a criminal organization, and yet he organized it himself—and he admits it after we have proved it—and he organized it while the leaders of this union, or a large part of them, lived, from that day to this, down here in the jail. He organized it where for conscience sake these men were confined in the cells down below. He said to them, 'You have your poor, weak individual organizations all over; you have one in Dutte, you have them in Idaho, you have them in Colorado; there is nothing on earth but to get together into one great Federation so you can fight together.' That was good advice wasn't it? And he went out here in the jail yard and he told them about it, and when he got through and they got out, released for a crime which the court said did not exist, after they had suffered eight months' imprisonment for a crime which was not a crime, there was no way to give them their liberty back, any more than there is a way to give Moyer, Haywood and Pettibone the eighteen months they have spent here in the Boise jail. These are all a part of the premium that one gets, and has always received, for his services to his fellow man. For the world is the same now that it always was, and if a man is so insane that he wants to go out in the wilderness and preach and work for the poor and the oppressed and the despised, for the men who do not own the tools, the newspapers, and the courts, and the machinery, and organization of society, these are the wages that he receives today—and which he has received from the time the first foolish man commenced to agitate for the uplifting and the upbuilding of the human race.

"But Mr. Hawley took their money; he organized them; he fought their battles; he was their first attorney; and he says to this jury, 'I have always been a friend of labor unions.'

"Yes, gentlemen, Mr. Hawley has always been a friend of labor unions—when they got their cash to his office first. But when they did not they had better hunt some other friends. Mr. Hawley is advising the
state in this case—he had better stick to the state and let the labor unions be taken care of by some one of their own choice.

* * *

SOME KNOTS IN THIS STRING.

"Let us see, now, gentlemen: I will give you a specimen. When I opened this case I said to this jury that before the first witness left the stand I would convince Mr. Hawley that his precious client had lied upon one important fact. Now, I want to apologize to the the jury—I did not. That is because I did not understand Mr. Hawley. I thought he had some sense. Let me tell you who was the first witness in this case—you may have forgotten it, it was so long ago; it was Mrs. King. Do you remember Mrs. King? Let us hold an inquest on Hawley's sanity for a minute, and let us see whether he is sane or insane. Now, gentlemen, Mrs. King was a matronly woman of perhaps 55 or 60 years of age; she was not a member of the Western Federation of Miners; she did not work in the mines at all. She has two sons working in the mines and they are both scabs, so she would not favor us on that account; both of them are working there now, neither one belonging to the union or having ever belonged to the union.

"I submit there has not been a witness placed upon this stand in this trial who had more of the appearance of truth and candor and integrity than Mrs. King. Is there any doubt about it? Is there any man in this jury box that would not as soon doubt his own wife, except for the fact that she is his own wife, as Mrs. King? I do not believe it. Will you tell me what license this lawyer has, for a few paltry deficiency warrants, to say to this jury that Mrs. King is a perjurer to get the blood of Mr. Haywood; and yet you twelve men are expected to take that sort of talk so you can get his blood and accommodate Mr. Hawley with another scalp at his belt in his declining years!

"Mrs. King swore that she kept a rooming house and that Mr. Sterling the detective of the Mine Owners' Association, occupied a front room, and she saw Harry Orchard come there at least six or eight times, and he came up the back stairs at any time, and she only saw him when she happened to see him. She does not stand alone, for her daughter, a bright, intelligent, comely girl, who is not a member of this organization, swears that she saw him four or five times, and she is a perjurer, too, and it is a wonder that Mr. Hawley doesn't swear out a warrant for them before they leave the state; in these hot days and hot times—you could expect Mr. Hawley to do most anything.

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THE HAYWOOD TRIAL

ORCHARD'S MOCKERY OF RELIGION.

"I want to say a few words for the benefit, not of this jury, but of those sickly slobbering idiots who talk about Harry Orchard's religion. If I could think of any stronger term to apply to them I would apply that term. The English language falls down on Orchard and likewise upon all those idiots who talk about Orchard's regeneration. Now I am going to take a chance and talk about that for a few minutes.

"There is one thing that is well for them to remember right at the beginning, and that is that at least a month before Dean Hincks persuaded him to lay his sins on Jesus, Father McParland had persuaded him to lay his crimes on Moyer, Haywood and Pettibone. You might remember that in starting. It is on a par with the character of a characterless man—I am referring to Orchard now, so there will be no mistake. It is a smooth game of shifty Harry. You are asked to give him immunity and to give immunity to everyone of his kind. You are asked to say to the old and to say to the youth, you may kill, you may burn, you may lie, you may steal, you may commit any crime or any act forbidden by God or forbidden by man, and then you can turn and throw your crimes on somebody else, and throw your sins on God, and the lawyers will sing your praises. All right, gentlemen. If in your judgment public policy demands it, go ahead and do it. Don't stop for a little matter like Bill Haywood's neck.

"Shifty Harry meets McParland. He has lived a life of crime and been taken in his deeds, and what does he do? Why, he saves his soul by throwing the burden on Jesus, and he saves his life by dumping it onto Moyer, Haywood and Pettibone. How can you beat that game, gentlemen? Can you beat it? And you twelve men are asked to set your seal of approval on it and to make that contract good so it may go out to every youth in the land. You may need to do it, but it should be a mighty strong necessity that would lead you to do it, should it not?

AN ELOQUENT TRIBUTE TO RELIGION.

"Now, gentlemen, like Brother Hawley and I know like Senator Borah, I, too, have a profound regard for religion. Mine may be broader than Brother Hawley's. I don't want to say to these twelve men that I think the Christian religion is the only religion that the world has ever known. I do not believe it for a moment. I have the greatest respect for any religion or any code of ethics that would do anything to help man, whatever that religion may be. And for the poor black man who looks into the black face of his wooden idol and who prays to that wooden idol to make him a better man and a stronger man, I have the profoundest respect. I know that there is in him, when he ad-
dresses his prayers to his wooden idol, the same holy sentiment, and the same feeling that there is in the breast of a Christian when he raises his prayer to the Christian's God. It is all one. It is all a piece of ethics and a higher life, and no man could have more respect for it than I have. In the ways of the world and in the language of the world I am not a professed Christian. I do not pretend to be. I have had my doubts, my doubts about things which to other men's minds seem plain. I look out on the great universe around me, at the millions and millions of stars that dot the firmament of Heaven in the night time; I look out on all the mysteries of Nature, and the mysteries of life, and I ask myself the solution of the riddle, and I bow my head in the presence of the infinite mystery and say, 'I do not know.' Neither do I. I cannot tell. But for that man who understands it all and sees in it the work of a Supreme Being, who prays to what he honestly believes to be this higher power, I have the profoundest regard; and any communion with him, any communion of that poor, weak mortal with that higher power, that power which permeates the universe and which makes for good, any communion that lifts a man higher and higher and makes him better, I have regard for that. And, if Orchard has that religion, well and good. I am willing that he should have it. I hope that he has it. I would not deny that consolation and that solace to him, not for a moment. But I ask you whether he has it, and what it means to him? I have no desire to injure Harry Orchard. I am not made that way. I might have once when the blood in me was warmer and my feelings were stronger. But I, like Hawley, have been tempered by years, and I have no desire to hurt even Harry Orchard, despicable as I think he is. I have no desire to take his life. I am not responsible for his being. I cannot understand the purposes of the infinite God who fashioned his head as he saw fit to fashion it. I cannot understand the purpose of that mysterious power who molded Harry Orchard's brain as he pleased. I am willing to leave it to him to judge, to Him who alone knows.

A PLEA FOR ORCHARD, THE UNFORTUNATE.

"I never asked for a human being's life and I hope that I may never ask for a human life to the end of my days. I do not ask for his. And if the time should ever come that somebody pronounces against him the decree of death and nobody else asks to save his life, my petition will be there to save it, for I do not believe in it. I do not believe in man tinkering with the work of God. I do not believe in man taking away the life of his fellow man. I do not believe that I understand, I do not believe that you understand, I do not believe that you and I can say in the light of Heaven that if we had been born as he was born,
if our brain had been moulded as his was moulded, if we had been surrounded as he has been surrounded, we could say that we might not have been like him.

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**THE KILLING OF HEROES.**

"To kill him, gentlemen! I want to speak to you plainly. Mr. Haywood is not my greatest concern. Other men have died before him. Other men have been martyrs to a holy cause since the world began. Wherever men have looked upward and onward, forgotten their selfishness, struggled for humanity, worked for the poor and the weak, they have been sacrificed. They have been sacrificed in the prison, on the scaffold, in the flame. They have met their death, and he can meet his, if you twelve men say he must. But, gentlemen, you short-sighted men of the prosecution, you men of the Mine Owner's Association, you people who would cure hatred with hate, you who think you can crush out the feelings and the hopes and the aspirations of men by tying a noose around his neck, you who are seeking to kill him, not because it is Haywood, but because he represents a class, don't be so blind, don't be so foolish as to believe you can strangle the Western Federation of Miners when you tie a rope around his neck. Don't be so blind in your madness as to believe that when you make three fresh new graves you will kill the labor movement of the world. I want to say to you, gentlemen, Bill Haywood can't die unless you kill him. You must tie the rope. You twelve men of Idaho, the burden will be on you. If at the behest of this mob you should kill Bill Haywood, he is mortal, he will die. But I want to say that a million men will grab up the banner of labor at the open grave where Haywood lays it down, and in spite of prisons or scaffolds or fire, in spite of prosecution or jury, or courts, these men of willing hands will carry it on to victory in the end.

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**THE BULL-PEN OF THE COEUR D'ALENES.**

"Now, gentlemen, I am not going to discuss to this jury whether his method was right or wrong. I believe it was wrong. I don't believe any lawyer can defend the right of any human being to indiscriminately take his fellow man without any criminal charge whatever, without any trial or any hearing, and shut him up in a pen, as was done in the Coeur d'Alenes in '99; and whatever Governor Steunenberg might have thought, and however honest and sincere his motives were at the time (and I am not here to impugn them) when he established the bull-pen in the Coeur d'Alenes he sowed the seed of more strife and contention than was ever sown by any governor from the days that this nation was founded
LABORS GREATEST CONFLICTS

to the present time. There was nothing to justify it. If the arm of the law was not strong enough, if the civil authorities were not strong enough, then the military authorities should have been called in to assist. But when you say that a governor or a general may reach out indiscriminately and take whom he will, without warrant, without charge, without a hearing of any kind, and lock them up as he sees fit, then you say that all government should be submerged and the only law be the law of might, and I don’t think the man lives who can defend it. Doubtless Governor Steunenberg felt at the time of this crisis that there was nothing else to do—I don’t propose to discuss him for a moment on that account—but I believe that large numbers of right-minded people, in labor organization and out, have always denounced that act and always will denounce that act so long as we pretend to have a government by law in these United States. It is not strange that at that time large numbers of miners and workingmen, that honest lawyers, ministers, congressmen and all classes of people protested against it as being an outrage, a crime against the liberties of man. But what had Moyer, Haywood and Pettibone to do with it? Orchard was doubtless there and he ran away.

HUNTED BY MANY, BAYED BY ONLY ONE.

After Bill Haywood becomes the secretary-treasurer of the Western Federation of Miners, and, mark you, the next thing they have against him, the very next act, does not occur until 1903, four years after the Bunker Hill and Sullivan mill has been blown up, four years after the time when he was an obscure miner over here at Silver City. In the meantime he had been one of the officers of the Western Federation of Miners for three years, and all was peaceful and serene, and they have not brought to this jury one single act up to 1903, and then they gather up another act of Harry Orchard’s to charge to him. It is a strange thing, is it not, gentlemen. Here is Mr. Haywood, the secretary-treasurer of the Western Federation of Miners. Here is Mr. Moyer, the president. They have been leading a strenuous life, God knows. Their organization is a militant organization and has been from the beginning, from the time Mr. Hawley advised them how to construct it, when its officers were lying in the county jail, until now, when the hand of the powerful and the great has been raised against it. They have had to fight every inch of their way, and fight it, gentlemen, in the face of courts, in the face of jails, in the face of scaffolds, in the face of newspapers, in the face of every man who could get together a body of stolen gold to spend to fight this organization. Mr. Moyer and Haywood were connected with it for several years. Haywood has not been in Idaho since 1900 until he was brought to this state in 1906. Will you tell me where any voice has
been raised against Haywood excepting Harry Orchard’s? Will you tell me—where the Pinkertons, with their million eyes focused upon him, with their million ears trained to catch every sound that could come from his voice; can you tell me while the public was poisoned against him and where its captains of industry poured out there gold to compass his death—can you tell me—why it is that there hasn’t been one word, one look, one letter, one circumstance that does not come from this foul creature upon whose testimony I undertake to say there is not one of you farmers but would blush with shame if you should kill a sheep-stealing dog! A man who would not give a dog a show for his life against Orchard would not be a man. Who else has said anything against him—the world of wealth, the world of power, the world of influence; the world of officialdom—and they have produced Harry Orchard and they have not produced another line or another letter or another word or another look or another thing. Gentlemen, another thing: In all of their unions everywhere were the Pinkerton detectives, ready to report every act, every word, every letter. They were present with them in all their trials and in all that took place. The Pinkertons were with Moyer in the bull-pen and stuck to him as close as a pull-pen tick. Why didn’t they get a word out of him in the days of his unlawful imprisonment and his tribulation? Why haven’t they found something somewhere that would give twelve men a reason, if they wanted it, for taking away the life of their fellow man? Why haven’t they found it? And these men have been conspiring, they have been talking, they have been writing, they have been working—this Pinkerton and all his cohorts—with the money of all the mines and all the mills behind them, and have produced nothing except the paltry story which you have heard upon this witness stand.

* * *

"The state of Colorado passed an eight-hour law in 1899—under the evidence in this case, 1899 is right, isn’t it? And the Guggenheims fought it, and they took it before the Supreme Court—and the courts are always the last to move, and the higher they are the slower—and they took it before the Supreme Court and of course the Supreme Court declared it unconstitutional. It is unconstitutional to pass a law which won’t permit Guggenheim to take ten hours out of the hide of his men instead of eight."

"Mr. Richardson—It was twelve hours in the smelter."

"Mr. Darrow—Well, a man that will work in a smelter ought to be worked twelve hours a day.

"The courts declared it unconstitutional. Of course they would. What is the constitution for except to use for the rich to destroy the laws that are made for the poor? That is the main purpose in these latter days. Then what did the workers do? They said, if the constitution is wrong, let us change it. And they appealed once more to the state—to the people. The people are blind and stupid, but still more generally
right upon an issue like this—and they put it to a vote of the people, and the people voted six to one to change the constitution which was in their way, and the new constitution provided that the next legislature should enact an eight-hour law. This was the strike which Hawley says was unconstitutional—was unwarranted. They appealed to the people, and by six to one they changed the constitution of the state and then the legislature came in in 1902, and was asked to pass that law which the constitution commanded them to pass, and what did they do? Why, the constitution is only meant to be obeyed by the poor. What is the law for if a rich man has to obey it? Why should they make it if it can reach them? Why should they have the constitution if it could be used against them? The constitution said that they must change the law—must pass an eight-hour law, and Mr. Guggenheim and Mr. Moffat and the Union Pacific railroad and the Mine Owner's Association and all the good people who lived by the sweat and blood of their fellow men—all of these invaded the chamber of the house and the senate and said: 'No, you must not pass an eight-hour law; true, the constitution requires it; but here is our gold which is stronger than the constitution.' The legislature met and discussed the matter, and these miners were there. The evidence in this case has shown you who they were. Haywood was there; the labor organizations were there and they were there pleading then, as they have always pleaded, for the poor, for the weak, for the oppressed. I don't mean to tell this jury that labor organizations do no wrong. I know them too well for that. They do wrong often, and sometimes brutally; they are sometimes cruel; they are often unjust; they are frequently corrupt; they will be as long as human nature is human nature, and there is no remedy for it. But I am here to say that in a great cause these labor organizations—despised and weak and outlawed as they generally are—have stood for the poor, they have stood for the weak, they have stood for every human law that was ever placed upon the statute books. They have stood for human life. They have stood for the father who was bound down with his task; they have stood for the wife threatened with being taken from the home to work by his side, and they have stood for the little child, who has also been taken to work in their places, that the rich could grow richer still, and they have fought for the right of the little one to have a little of life, a little of comfort while he is young. I don't care how many wrongs they have committed—I don't care how many crimes—these weak, rough, rugged, unlettered men, who often know no other power but the brute force of their strong right arm, who find themselves bound and confined and impaired which ever way they turn, and who look up and worship the God of might as the only God that they know; I don't care how often they fail—how many brutalities they are guilty of. I know their cause is just. I know that trouble and strife and contention have been invoked, yet
through brutality and bloodshed and crime has come the progress of
the human race. I know they may be wrong in this battle or that, but
in the great long struggle they are right, and they are eternally right,
and they are working for the poor and the weak, they are working to give
more liberty to the man, and I want to say to you, gentlemen of the jury,
you Idaho farmers, removed from the trades unions, removed from the
men who work in industrial affairs, I want to say, had it not been for the
trades unions of the world—for the trades unions of England, for the
trades unions of Europe, the trade unions of America—you today would
be serfs instead of free men sitting upon a jury to try one of your peers.
The cause of the men is right.

* * *

**ORCHARD'S INTRODUCTION TO HAYWOOD.**

"Who was he, and what was he doing at that time? Let us see about
this fellow. Harry Orchard swears that he tried first to explode a
carload of gunpowder and failed, and he did not get any money for it,
and then Bill Davis told him he was going to have plenty of money when
they wrecked this train and it made Harry Orchard jealous because some-
thing was going on and he was not in it; to feel that anybody should ex-
plode a mine or tear up a railroad track, or kill any human being and
Harry Orchard not considered. He said: Here is the union putting out
their good money for a comparatively easy job; why don't they hire me?
And he went to Scott. Now, do you suppose that was the reason? I
don't know how anybody can tell. If you can tell, you are wiser than I,
but there is one thing he did and that is sure—he did go to Scott. He
went to Scott, the chief detective of the Florence and Cripple Creek rail-
road, and he had a conference with him, and, strange to say, the first time
he ever saw Moyer or Haywood in the world he went up to Denver with
a pass furnished by this detective and twelve or fifteen dollars in his
pocket which this detective had given to him. Now think of it. And
you are asked to believe that we are responsible for him. Before Hay-
wood ever saw him or had heard of him, he had Scoot's money in his
pocket. He was sent to Haywood with a pass and cash to get next to the
offices of the Western Federation of Miners. Whose hired man was he?
Now, let me be plain about this matter.

* * *

"Orchard went up to Denver with Scott's money and Scott's pass, and
there he says he saw Moyer and Haywood. Now, Scott and he do not
agree. I asked Scott how much money he ever gave him, and he said
forty-five dollars at the most. I asked Orchard how much money he ever
got of Scott, and he says he got either twelve or fifteen dollars once, and
five dollars afterward, and that is all. They don't agree. Perhaps neither of them tells the truth. I don't care which, or whether either of them does.

* * *

THE ABSENCE OF JACK SIMPKINS.

"Gentlemen of the jury: Before I overlook it I want to refer to a few suggestions made by Mr. Hawley as to Jack Simpkins and why he is not here. I suppose the reason he is not here is because he is afraid to be here. That is the best reason I can give. I do not propose to go around the question or get up any fantastic reason. That is the reason. But Mr. Hawley says to you that the fact that he ran away proves that he is guilty beyond a reasonable doubt. With that statement I take serious issue. If the fact that Jack Simpkins ran away proves that he is guilty, then the fact that Haywood and Moyer did not run away, but waited in their offices and stayed to face whatever might come, proves that they are innocent. Neither statement is true. One is as true as the other, but neither statement is true. I used to think that I could tell something about whether a man was innocent or guilty by the way he acted. But I have gotten over it. Sometimes the guiltiest wretch on earth is the coolest man. Accuse a guilty man of crime, one who has known it and has lived in it and is accustomed to it, and he is often the coolest man you can imagine. Accuse an innocent man of crime, a man who has lived an upright life, and he may drop dead with fear, or he may tremble with confusion, or he may run away. No man can tell what an individual is going to do under circumstances like that. When you undertake to judge a man's guilt or innocence by his conduct when he is accused, you are on very dangerous ground. Mr. Hawley says that because Jack Simpkins ran and hid himself therefore he is guilty beyond a reasonable doubt. Now, Mr. Hawley is an expert on the subject of conversion and what it does for a sinful man. I don't know whether he is a student of the Bible or not. But I can call his attention to one historical illustration of what an innocent man will do; and if he is as well posted on the acts that prove guilt as he is upon conversion, he is making a pretty dangerous statement when he says that if a man hides or runs away that is conclusive evidence of his guilt. There was once a great reformer and agitator who lived on the earth and walked with men and who was a disturber in his day and generation, one of the kind of men that Mr. Hawley describes who always makes trouble wherever he is, because if a man stands for truth and justice and righteousness he is bound to make trouble no matter when he lives or where. There was a man nineteen hundred years ago who stood for truth and justice and righteousness as they understand it. And this man offended the Jerusalem Daily Adver-
tiser and the other fake newspapers which published the ads. of the Pharisees of that time, and he offended the great and the strong and the mighty raised a mob in Jerusalem, just as they raised a mob at Cripple Creek and Victor, and they went out after this disturber and this outcast. What did he do? Why, he ran away and hid. Was he guilty? He ran away and hid to save his life from the mob, from the righteous mob that believed in order and law, especially order so long as they made it. And he hid himself securely, until one of his friends and disciples, Judas, betrayed him for thirty dollars, I believe it was. I wonder if he was guilty! I wonder if he was a criminal because he hid himself because he did not wish to throw himself into the hands of the mob of that time!

* * *

PERORATION.

"Gentlemen, Mr. Hawley has told you that he believes in this case, that he would not ask you to convict unless he believed Haywood was guilty. I tell you I believe in my case. I believe in it as I believe in my very life, and my belief does not amount, nor his belief does not amount to anything, or count. I am not an unpredisced witness in this case. Nobody knows it better than I. My mind is not unbiased in this great struggle. I am a partisan, and a strong partisan at that. For nearly thirty years I have been working to the best of my ability in the cause in which these men have given their toil and risked their lives. For nearly thirty years I have given this cause the best ability that God has given me. I have given my time, my reputation, my chances—all this in the cause of the poor. I may have been unwise—I may have been extravagant in my statements, but this cause has inspired the strongest devotion of my life, and I want to say to you that never in my life did I feel about a case as I feel about this. Never in my life did I wish anything as I wish the verdict of this jury, and, if I live to be a hundred years old, never again in my life will I feel that I am pleading in a case in which involves such momentous questions as this. You are jurors in a historical case. You are here, with your verdict to make history, here to make history that shall affect the nation for weal or woe, here to make history that will affect every man that toils, that will influence the liberties of mankind and bring weal or woe to the poor and the weak, who have been striving through the centuries for some measure of that freedom which the world has ever denied to them.

"Gentlemen of the jury, this responsibility is on you, and if I have done my part I am glad to shift it upon your shoulders and be relieved of the grievous load.
"I have known Haywood. I have known him well and I believe in him. God knows it would be a sore day to me if he should go upon the scaffold. The sun would not shine or the birds would not sing on that day—for me. It would be a sad day, indeed, if any such calamity could come to him: I would think of him, I would think of his wife, of his mother, I would think of his children, I would think of the great cause that he represents. It would be a sore day for me, but, gentlemen, he and his mother, and his wife and his children, are not my chief concern in this great case. If you should decree that he must die, ten thousand men will work in the mines and send a portion of the proceeds of their labor to take care of that widow and these orphan children, and a million people throughout the length and breadth of the civilized world will send messages of kindness and good cheer to comfort them in their bereavement and to heal their wounds. It is not for them I plead. Other men died before. Other men have died in the same cause in which Will Haywood has risked his life. Men strong with devotion, men who loved liberty, men who loved their fellow men, patriots who have raised their voices in defense of the poor, in defense of right, have made their good fight and have met death on the scaffold, on the rack, in the flame, and they will meet it again and again until the world grows old and gray. William Haywood is no better than the rest. He can die if die he must. He can die if this jury decrees it; but, oh, gentlemen, do not think for a moment that if you hang him you will crucify the labor movement of the world; do not think that you will kill the hopes and the aspirations and the desires of the weak and poor. You men of wealth and power, you people anxious for his blood, are you so blind as to believe that liberty will die when he is dead. Think you there are no other brave hearts, no other strong arms, no other devoted souls who will risk all in that great cause which has demanded martyrs in every land and age?

"There are others and these others will come to take his place; they will come to carry the banner when he can hold it up no more.

SPEAKS FOR THE WEAK AND WEARY.

"Gentlemen, it is not for him alone that I speak. I speak for the poor, for the weak, for the weary, for that long line of men, who in darkness and despair, have borne the labors of the human race. The eyes of the world are upon you—upon you twelve men of Idaho tonight. Wherever the English language is spoken or wherever any tongue makes known the thoughts of men in any portion of the civilized world, men are talking, and wondering and dreaming about the verdict of these twelve men that I see before me now. If you kill him your act will be applauded by many.
If you should decree Bill Haywood’s death, in the railroad offices of our great cities men will applaud your names. If you decree his death amongst the spiders of Wall street will go up paeans of praise for these twelve good men and true. In every bank in the world, where men hate Haywood because he fights for the poor and against that accursed system upon which the favored live and grow rich and fat—from all those you will receive blessings and unstinted praise.

“But if your verdict should be ‘Not Guilty’ in this case, there are still those who will reverently bow their heads and thank these twelve men for the life and reputation you have saved. Out on our broad prairies where men toil with their hands, out on the wide ocean where men are tossed and buffeted on the waves, through our mills and factories, and down deep under the earth, thousands of men, and of women and children—men who labor, men who suffer, women and children—men who labor, men who suffer, women and children will kneel tonight and ask their God to guide your hearts—these men and these women and these little children, the poor, the weak, and the suffering of the world, are stretching out their helpless hands to his jury in mute appeal for Will Haywood’s life.”

ATTORNEY JOHN H. MURPHY.

John H. Murphy’s part in the struggle is best told by a glowing tribute from the pen of the gifted Journalist and Orator John M. O’Neill, editor Miner’s Magazine, which appeared in the Magazine August 8, 1907.

“THE NOBLEST ROMAN OF THEM ALL.”

“While the Western Federation of Miners is being showered with congratulations, and while Richardson and Darrow, the shining lights of the legal profession, are receiving the highest encomiums of praise for their ability and eloquence as lawyers, yet, when we return to our normal condition of mind after such a grand and glorious victory achieved, we can behold the wan and wasted figure of a man looming up before us, whose very name and work are linked inseparably with the history of the Western Federation of Miners.

“The history of the labor movement of this country cannot be written in full without placing the name of John H. Murphy upon its pages. Murphy, the general attorney for the Federation, has made history in every state and territory covered by the jurisdiction of the organization. From the statute books of Colorado, Utah, Nevada, Missouri and other states, eight-hour laws arise as monuments to perpetuate the heroic energy of the man whose advice and counsel have been priceless to the
organization that has faced courts, bull pens and deportation. Murphy, the attorney, is a man who has carved an enviable name and record out of the hard rock of adversity. His youth was not spent in the lap of luxury. As a boy he revelled in no dazzling magnificence, but was among the great army that was struggling for the necessities of life. In his young manhood, with the bloom and blush of health upon his cheek, we find him upon an engine, serving in the capacity of fireman. But while he was exhausting his physical energies in the battle to secure the necessities of life, this student upon the engine was communing with Blackstone and other great legal minds that had filled the libraries with the products of their brain.

"Murphy, the fireman, became the lawyer, and his heart and soul at once became aroused in a yearning desire to render service to the great mass that were struggling against the wrongs of oppression. In the state of Utah he made his first great fight for the constitutionality of the eight-hour law. With the ablest lawyers which corporations could secure to assassinate the validity of the Utah eight-hour law, Attorney Murphy ultimately won a decision from the Supreme Court of the United States which stamped him as a gladiator in the judicial arena worthy of the best steel.

"For four years Attorney Murphy has been in a battle against death. His close attention to his work and the long hours that he has spent in equipping himself to meet the ablest at the bar, has undermined his vitality, and he is now a physical wreck, bravely struggling against the inevitable.

"No member of the Western Federation of Miners can forget the services that Attorney Murphy has rendered to the organization.

"When the great trial at Boise, Idaho, opened, he arose from his bed of pain, and though the dew of death was gathering upon his brow, he wended his way towards the 'Gem of the Rockies' to give his counsel and advice in one of the greatest trials that has ever taken place in this country. Day after day he sat in the court room in the sweltering heat, and though he endured agony of a thousand deaths, yet his loyalty to the organization nerved him for the ordeal. The pale and emaciated face, upon which disease had written the lines of pain and suffering, lighted up with hope and joy whenever the defense scored a point in the great legal battle that had human life at stake, and the future of the militant labor organization of the West.

"When Haywood was at last liberated and vindicated by a jury of twelve men, and rushed from the court room to embrace the silvery-haired matron at whose knee he once lisped the name of mother; when he had clasped his invalid wife to his breast and folded in his strong arms his two loving daughters, in his great joy he did not forget the brave, fearless little man upon his couch of pain in the hospital who had braved
death to be identified in the struggle. In that moment, when Haywood lifted in his arms the devoted attorney of the Western Federation of Miners, and when there broke from the lips of the frail and wasted lawyer, 'Bill! In this hour of your great triumph be humble and thankful,' the great, big, whole-souled Haywood must have felt that here is a loyalty that rivals the fraternity of a Damon and a Pythias. In the years that are to come, when memory shall revert to the great trial that has taken place at Boise, Idaho, when men and women shall be paying tributes to the great lawyers who have participated in the battle, the name of John H. Murphy shall shine as ‘the Noblest Roman of Them All’.

Attorney John H. Murphy passed away, at his home in Denver, March 3. His life had been one of continuous service to organized labor. In the death of this gifted attorney, the workers lost one of their staunchest and most able defenders.

**HAYWOOD HOME AGAIN.**

Sunday, August 4, William D. Haywood and party reached Denver just before midnight. Notwithstanding the lateness of the hour it was estimated 10,000 people had assembled and anxiously awaited his arrival to tender a welcome of cheers to the man who had spent nearly eighteen months in an Idaho jail.

It was a day long to be remembered in Denver! As the train steamed into the Union depot the thousands in waiting gave vent to their pent up enthusiasm. Carriages were in waiting and the party were escorted to the Albany hotel where a suite of rooms had been engaged for the family. When the party reached the hotel—cheer after cheer rent the air and cries for a speech followed in rapid succession. The vast assembly simply went wild over the man McParland had said ‘would never leave Idaho alive.’ Haywood, after a brief address that was drowned in the shouts of enthusiasm, mingled with the crowd and upon several occasions was lifted off his feet by the frantic crowd that yearned to grasp him by the hand and congratulate him.

No man in history was ever given a more hearty welcome than William D. Haywood upon his return home to the “Queen City of the Plains.”
PRESIDENT MOYER RELEASED ON BOND.

After a delay of thirty-six hours after the verdict of the jury in the Haywood case, Charles H. Moyer was released from Ada County jail on a bond of $25,000.

President Moyer did not return with the Haywood party. An editorial in the Miner’s Magazine, August 8, explained thoroughly President Moyer’s attitude better than the writer would be able to do. The Editorial follows:

"Charles H. Moyer and wife did not reach Denver with the Haywood party. The president of the Western Federation of Miners did not feel that the time had come for him to receive the congratulations of his friends. He is yet facing that charge that was made by a combination that feels no scruple in putting a noose around the neck of the man who does battle for the interests of the laboring people. President Moyer has been permitted to enjoy temporary freedom under a bond of $25,000. When he has conquered his enemies and when the doors of an Idaho jail have opened to give liberty to his loyal and staunch friend, George Pettibone, Moyer will then feel that the victory is complete and will enjoy the downfall of the conspiring fiends who attempted to perpetrate the crime of judicial murder.

"The health of President Moyer and wife is not of the best, and it is probable that he will rest for several days before he takes up the active work of the presidency."

Long live the President of the Western Federation of Miners, Charles H. Moyer!

PETTIBONE REFUSED BAIL.

Formal application was made July 30, before Judge Wood to have Pettibone admitted to bail. The motion was submitted without argument and promptly denied. So George A. Pettibone still remained a prisoner in the state of Idaho. No generosity could be felt by the prosecution for the philosophical man who had borne with patience and a cheerful spirit eighteen months imprisonment. But while he was left alone in his prison cell the hearts of all organized labor was with him and pledged their “fortune and their all” in his behalf.

Steve Adams was still held to appease the wrath of corporate despotism but the Federation pledged itself to exhaust every dollar in the treasury, if necessary, in protecting his honor with the others.
After the satisfactory termination of the Haywood trial, the workers throughout the country seemed to fall into a lethargy of indifference, which had the effect of giving hope to the conspirators. Any one who understood the case in all its details realized it was as important to completely vindicate Moyer, Pettibone and Adams as Haywood—this was not a battle for individuals, one any more than another, but justice for all.

It was the consensus of opinion all over the land that the acquittal of Haywood was the vindication of the others and that the cases would be dismissed against Moyer and Pettibone.

George A. Pettibone suffered the pangs of imprisonment for a period of nearly two years. Notwithstanding his health was shattered, the conspirators, in cold-blooded brutality demanded that he be refused bail. So when the day dawned that had been set for the trial, he had been confined so long behind the walls of a jail that he was but a physical wreck of the philosophical Pettibone when he enjoyed good health.

Immediately after the disagreement of the jury in the Adams case in November, the Pettibone case was called and the long, tedious task of selecting a jury begun on November 27. Judge Wood announced that he would not allow the latitude of challenges that he had permitted in the Haywood trial. He also stated long sessions would be held each day in order to conclude the trial as quickly as possible.

The Pettibone trial was practically a repetition of the Hay-
wood trial. Judge Fremont Wood presided; James R. Hawley representing the prosecution and Clarence Darrow chief counsel for the defense.

Here I wish to mention that the prosecution during the examination of talesmen had the unexcelled audacity to ask each juror that took his seat in the box if he would convict Pettibone on the same evidence that was produced at the Haywood trial. If the juror gave a negative reply, the prosecution challenged the eligibility of the man to sit as juror.

**JURY COMPLETED.**

December 6, 1907, the jury to try Pettibone was completed and sworn in and were as follows:

J. H. Frazier, 25 years old, student; E. L. Evans, age 38, farmer; A. A. Tillotson, age 29, merchant; W. A. Palmer, age 40, liveryman; Wm. Stahl, age 48, placer miner; A. C. Boot, age 52, printer; Charles Wilmot, age 45, farmer; Arthur Estes, age 38, farmer; C. R. Smead, age 29, liveryman; J. H. Garrecht, age 40, butcher.

Both Clarence Darrow for the defense and James R. Hawley for the prosecution expressed satisfaction with the jury selected. The defense used but seven peremptory challenges and the state nine, each side being allowed by law ten challenges. Practically one week of actual work was consumed in empaneling the jury, and eighty talesmen were examined. In the Haywood trial it required more than three weeks to obtain a jury, three hundred and twenty men having been called. Court adjourned until Monday, December 9.

December 9, after a long conference between attorneys for the state and defense, a stipulation was signed, providing that all testimony introduced in the Haywood trial on the Bradley explosion at San Francisco, be read to the jury from the court records and that no witnesses on that feature of the case testify in the trial.

No agreement could be reached regarding the testimony on the crimes which Orchard claimed he committed in Colorado.
Judge Wood announced no testimony would be admitted concerning the deportation of miners, but practically all of those who testified in the Haywood trial both for and against the state were summoned as witnesses.

Judge Goddard of the Supreme Court of Colorado, again went to Boise, Idaho, to bolster up the confession that was framed up for Orchard by the Pinkerton agency.

When a judge on the supreme bench of a state is called on to make credible the monstrous story of a confessed degenerate, it is needless to say that the judiciary is in need of disinfectants.

Here may be mentioned that the prosecution had a great deal to say about L. J. Simpkins, member of the Western Federation Executive board, not going forward and surrendering to the state. McParland had included Simpkins in the list of the "inner circle" that he had absolute "evidence" against. The opponents of the Federation claimed Simpkins keeping secret his whereabouts was evidence of his guilt.

Simpkins not testifying or surrendering to McParland was not evidence against him when even his former experience in the strike of '99 is known. People are not always guilty because they do not fall into the arms of their persecutors and become martyrs.

Simpkins had suffered nine months in the military stockade of the Coeur d'Alenes in '99 and to this day carries a scar on his breast from the thrust of a bayonet in the hands of one of Uncle Sam's "peace preservers." Notwithstanding his imprisonment of nine months he never had a trial. Is it any wonder Simpkins didn't seek any more of Idaho's interpretation of Justice? Does the English language contain another word that has had to bear the burden of so many crimes committed in her name as the word "Justice?"

"Justice, while she winks at crimes,
Stumbles on innocence sometimes."—Butler.

About December 10, Senator Borah returned from Washing-
Hawley stated the case against Pettibone in substance about as follows:

"Pettibone has been the paymaster into whose hands was passed the money given to the actual murderers by officers of the Western Federation. He was an actual participator in some of the crimes, and was the constant counsel, with others, engaged in the conspiracy. He operated a store in Denver, near Federation headquarters, and that store was the arsenal and the scene of the hatching of many a murderous plot. Pettibone was the most important factor in the conspiracy. He was mediator between the Federation leaders and the desperate men who made murder a trade and assassination a means of livelihood. It was Pettibone who manufactured a peculiar kind of explosive known as 'Pettibone dope' which, when thrown upon anything, causes fire which cannot be put out; it was he who sawed off the shotguns which became common weapons for the use of the assassin; he helped to make the bombs which caused a score of deaths."

For two hours Hawley spoke of what he termed the most gigantic conspiracy in the annals of crime, always keeping in the foreground the part which he alleged Pettibone took in it.

At the conclusion of the statement by Hawley for the state, Darrow calmly announced that the defense would reserve its statement until the conclusion of the state's case.

The taking of testimony was begun at the afternoon session, December 10. Two or more witnesses were heard and then Harry Orchard was put on the stand and under the guidance of Hawley retold the story of his crimes. It was the same story with but few omissions and one special addition. He went more into detail as to the manufacture of what he termed "Pettibone dope." Otherwise, the time of the court was consumed by hours in listening to the recital of Orchard's story of crime in detail. From the days of high-grading to the murder of Steunenberg. In the cross-examination by Darrow, it was brought out very clearly that Orchard had been a deep-dyed criminal, possessed of many aliases before he met either Moyer, Haywood or Pettibone, according to his testimony.
From the latter part of November to December 24, the case continued, long sessions being held. It would be impossible to go into the all the details of the testimony, the charge, the proof offered and the ultimate outcome is all the writer has made an effort to record.

The defense had filed a motion for an instructed verdict of acquittal. December 24, at the morning session, Judge Wood announced his conclusion on the question of corroborative evidence, and stated that there had not been sufficient corroboration of Orchard’s testimony on the killing of Governor Steunenberg alone to warrant a conviction. He said that corroboration was necessary to establish a conviction. He also said that corroboration was necessary to establish a conspiracy and invited argument as to whether or not such corroboration had been given by the state and whether or not the defendant had been connected with that conspiracy.

This announcement created a great deal of excitement and some curiosity as to what his ruling on the motion would be.

In the Haywood trial Judge Wood held that it was necessary for the state to produce evidence tending to connect the defendant with the specific crime charged, independent of the testimony of Orchard. He stated he would rule on the motion Thursday, December 26, and directed the defense to be ready to proceed with its case at that time in the event the motion was not sustained. Attorneys for the defense offered arguments in support of the motion to instruct jury to acquit, going at length into all the technicalities of the law in the case. Senator Borah spoke for the prosecution.

December 26, Attorney Darrow, chief counsel for the defense, was too ill to rise from his chair and spoke with difficulty. By permission of the court he remained seated as he outlined his case to the jury.

On the 26th Judge Wood said he did not have his ruling ready and would be prepared by the following day, 27th. He, later, denied the motions filed by the defense that a verdict of acquittal be advised by the court. In considering the motion he
reviewed the independent testimony on each side of the crimes confessed by Orchard and stated that in his opinion there was sufficient corroboration of each of them to require the submission thereof to the jury. Concluding, Judge Wood said:

"I think the facts already in evidence tend to show a conspiracy as contended by the prosecution and I think that the independent testimony sufficiently tends to connect the defendant Pettibone therewith to require the submission thereof to the jury."

On the convening of court in the afternoon of December 26, Darrow again asked permission to remain seated as he addressed the jury. This was granted. He reviewed briefly the early life of Pettibone in Pennsylvania and of his coming West and engaging in mining in the Coeur d'Alenes, where he became president of the Gem union. In 1892, Darrow said, the defendant left the Coeur d'Alenes and never engaged in mining again. "It was a number of years after he went to Denver that Pettibone heard of the Western Federation of Miners. But one day he learned of a convention that was to be held and he attended it, becoming acquainted with the officers and leading members. He was later made an honorary member of the organization. He never attended a meeting of a local union in his life, never paid any dues and never had anything to do with forming policies of the organization."

Darrow called attention to the alleged indignities to Simpkins in the Coeur d'Alenes bull pen, and of the bitterness that he had always retained. He said that Haywood lived in Idaho at the time and had considerable feeling over it, but Pettibone and Moyer had nothing to do with the troubles of 1899 and had no feeling in the matter. He told of the passing of the eight-hour law in Colorado, of the Supreme Court declaring it unconstitutional, of the adoption of a constitutional amendment, of the failure of the Legislature to act, and of the smeltermen's strike at Colorado City, Colo., and the resulting strike at Cripple Creek, which he characterized as the greatest labor war in the history of the country and the most disastrous to organized labor.
Harry Orchard was referred to by Darrow as a man always looking for easy money, who never stuck to anything except gambling. He told of Orchard's transferring his interest in the Hercules to Gardner, from whom he always had hopes of getting his claim back, and said the defense would show that he tried to sell this interest a year after he had disposed of it to Gardner. Darrow said the defense would prove by fifteen or twenty witnesses that Orchard swore vengeance on Steunenberg for the loss of his rich Hercules interests. Darrow declared that while Orchard was drawing benefits from the Miner's Union he was being paid as a detective for the other side and that he had claimed credit for a good many crimes with which he had nothing to do.

Darrow said that the defense would show that the Vindicator explosion was a pure accident and that Orchard went out and hunted up all the crimes he could and claimed them as his own, boasting frequently of crimes as his own which were not his.

Taking up the Independence depot explosion, Darrow said he did not wish to charge the mine owners with intentionally killing anyone—but that this explosion occurred while Orchard was working for Scott and Sterling. "Something had to be done to bring the troops back!" he said, "but they made a mistake of a few seconds and got a lot of men they never intended to."

December 27, Clarence Darrow was forced on account of ill health to retire from the Pettibone case for the time being and left for Los Angeles, California, where he had an operation performed to remove an abscess in the ear. The physicians told him after he made the opening address to the jury, that if he did not submit to the operation at once his life would be endangered.

This left Attorneys Wilson and Nugent in charge of the defense. The remainder of December 27 and 28 was consumed in reading depositions of San Francisco witnesses on the explosion in the Bradley home.

December 30, George A. Pettibone was seriously ill and court was adjourned on his account. He had been a very sick man all
through the trial and had frequently been taken to the hospital at night because of his suffering but urged constantly that the trial be continued. At times his illness seemed very critical and doubts were expressed as to his being able to last through the long dreary trial.

On one occasion, while he was confined in a hospital, before his trial commenced, he left the hospital and wandered back to the jail and asked to be locked up. At this time the prosecution claimed Pettibone was not able to stand trial. So Pettibone made his escape from the hospital and returned to jail hoping to prove his health would permit the hearing of his case, thus thwarting the flimsy excuse of the prosecution.

Judge O. N. Hilton, of Denver, was entered December 30, as an attorney for the Western Federation of Miners.

December 31, when court convened Pettibone was in his place looking paler than usual from his severe attack.

After the formalities of opening court had been concluded, Judge Hilton, for the defense, announced that the defense would rest its case and offer to submit the case to the jury without argument. This announcement came as a complete surprise to the state. Judge Hilton said that he had gone over all the testimony and as the state had failed to connect the defendant with the crime charged in the indictment, it had been decided to offer no further testimony.

Senator Borah asked for a recess in order that the proposition of the defense might be considered, and Judge Wood granted the request. After a brief conference of the state's attorneys, Senator Borah stated that the question of dispensing with the arguments could not be settled until the instructions of the court had been examined. Judge Wood announced that he would have his instructions ready by January 3, 1908, and after he had instructed the attorneys to submit their suggestions an adjournment was taken.

There was nothing of special interest between December 31 and January 3. Only brief sessions being held. Judge Wood
announced night sessions would be held in order to complete the
case during the week.

January 3, the jury in the case of George A. Pettibone began
its deliberations at 8:50 p. m. The last day of the trial was be-
gun by James Hawley for the prosecution, and the instructions
of the court. The defense carried out its announced intention
not to argue the case, thus preventing Senator Borah from ad-
dressing the jury. Hawley fairly dared the attorneys for Petti-
bone to speak in his behalf, but they sat dumb when he conclud-
ed, and when asked by Judge Wood if any argument would be
presented by the defense, Judge Hilton answered:

"Certainly not."

The courtroom was cleared before the jury retired, but the
attorneys, defendant and a few of his friends waited for a time in
the hope of hearing the verdict at once. No session of court was
held in the afternoon on account of the illness of Juror Stahl, but
he recovered sufficiently for the trial to proceed in the evening.
Pettibone was very sick during the day, but insisted on the trial
being concluded. It was necessary to carry him to the courtroom
after supper on account of him being too ill to walk.

In closing Hawley argued that every circumstance in the
evidence pointed to the guilt of Pettibone. Recalling the list of
the score of men killed by Orchard, the prosecutor said that
every one was an enemy of the Western Federation of Miners,
and said that during that time no friend of the Federation met
his death through violence; he said that while Orchard was,
he conceded, one of the worst criminals of the century, he re-
garded those who hired him and directed him as vastly worse
than he. Hawley concluded at 8:10 o’clock and Judge Wood
asked Juror Stahl, who had been ill, if he felt able to proceed
that night.

"Yes," answered Stahl, "I would like to hear from the other
side."

This significant remark was passed and Judge Wood pro-
ceeded with the reading of his instructions.

The instructions differed to some extent from those given in
the Haywood trial. Judge Wood held that on proof of the existence of a conspiracy to kill enemies of the Federation; that the defendant was a member of such conspiracy; that Steunenberg was regarded as an enemy of the Federation and that his murder was a result of the conspiracy, the defendant should be found guilty.

The jury was instructed that if these facts were proven it was not necessary to show that the defendant was cognizant of the crime charged in the indictment at the time it was committed. The jury was instructed that the accomplice must be corroborated by independent testimony tending to connect the defendant with the crime charged.

Saturday, 11:00 a.m. January 4, 1908, the jury in the case of George A. Pettibone rendered a verdict of "Not Guilty."

**MOYER CASE DISMISSED.**

The case of Charles H. Moyer was called by Judge Wood in the afternoon. James H. Hawley, representing Prosecuting Attorney Van Duyn, signified the desire of the state to have an order of dismissal entered. So the formal dismissal of Charles H. Moyer, President of the Western Federation of Miners occurred at 4:00 o'clock p.m. January 4, 1908.

"I am satisfied," said Judge Wood, "that the course taken by the district attorney and decided upon by attorneys for the state is the proper one to be taken. I have watched the evidence carefully, so far as the connecting and corroborating evidence under the statute was concerned in its application to this defendant, and certainly nothing has been developed in the two cases that would justify the court in submitting the case against him to a jury, unless there was considerable additional connecting testimony, and for that reason the case will be dismissed and an order entered exonerating the bail of the defendant."

At the request of the state the case against Dr. Magee and C. W. Aller, charged with perjury by reason of testimony given by them in the Haywood case, were also dismissed.

At the conclusion of the Pettibone case the Western Federa-
tion of Miners had expended a total sum of over $300,000, in the
defense of those persecuted in connection with the conspiracy.

This ended the farce of the conspirators to murder judicially,
the three men kidnapped from Colorado, February 17, 1906. The
Federation after all the slander came forth from the battle
grander and stronger to continue the great struggle for Indus-
trial Liberty.

Adams is the only victim left to be vindicated. He stood
trial twice in Idaho and in each case the jury failed to agree but
in both instances the majority stood for acquittal. The enemies
of the Federation finally came to the conclusion they could not
convict Adams on the charge of being implicated in any of the
Idaho cases, transferred him to Telluride, Colorado, on the charge
of murdering Arthur Collins years ago. Court will convene in
that district in May, 1908. A change of venue in the case of
Adams will be asked. In case this is granted, his case will go
over to the fall term of court. In the meantime, Steve Adams
occupies a prison cell.

As this work goes to press, April, 1908, Charles H. Moyer,
President of the Western Federation of Miners, is again at the
helm—having assumed his duties as president immediately upon
the acquittal of his friend George A. Pettibone. After the ac-
quittal of Haywood and the release of President Moyer upon
bond, the latter devoted his energies almost entirely to the Pett-
ibone case—was untiring in his determination not to desist until
the prison doors were thrown open and Pettibone walked forth a
free man.

HAYWOOD ON LECTURE TOUR.

In January Mr. William D. Haywood started on an extended
lecture tour through the Eastern states. Mr. Kirwan resigned as
acting secretary-treasurer and Mr. Earnest Mills, executive board
member of Greenwood, B. C., was appointed by the executive
board to fill the position of secretary-treasurer. Mr. Mills has
been closely connected with the movement for years and is
recognized as a man of executive genius and ability.
Mr. Haywood was greeted in all the large cities by audiences that packed every meeting place. His Boston meeting probably ranks among the most notable of his extended tour on account of the history that has been made in the hall where the workers gathered to listen to him.

Faneuil hall, the cradle of liberty, was the scene of a historic gathering Monday night, February 17. It was the most impressive, enthusiastic and inspiring meeting ever held there. Patrick Henry, with words of fire, demanded constitutional rights. Wendell Phillips asked for the freedom of the negro. Haywood, in a speech logical, eloquent and so heartfelt that many wept, demanded the freedom of the wage slave.

Patrick Mahoney, of Cigarmakers No. 97, acted as chairman. As first speaker he introduced Joseph Spero, who did so much for the great Boston demonstration held on the Common May 5, 1907, where one hundred thousand people gathered to protest against the hanging of Moyer, Haywood and Pettibone.

Mr. Mahoney introduced Miss Luella Twining as the little woman who had come from the West and done more for the liberation of Moyer, Haywood and Pettibone than any other person. She made an appeal for Steve Adams and the miners in Goldfield. The collection was $150.

In introducing Haywood Chairman Mahoney said: "On this platform have stood many renowned men and women. Here our forefathers came to protest against the oppression of King George. They made the rafters of this hall ring for over a century. Never has so important a meeting been held here, never has so great a man stood on this platform as William D. Haywood." When Mr. Haywood, stepped forward he was given an ovation. The people of Boston had been waiting to see and hear him in Faneuil hall and they expressed their pent-up feeling in the reception they gave him.

His address was brilliant; many said the best they had ever heard in that hall. The Social Revolution is already producing its orators. He was interrupted by great applause. He made his points well and brought them out with telling effect.
A meeting had been arranged and widely advertised, permit granted and an audience of 3,000 congregated to hear Haywood speak February 5. Delegations from all over New England gathered and when the doors of Faneuil Hall were thrown open at 7 o'clock they poured in. Ten minutes before the hour set for opening, a messenger arrived with a notice to the committee on arrangements canceling the permit for the meeting. The crowd, when this was explained, refused to go, and the janitor sent in a call for the police. For a time it looked like serious trouble, but the police reserves were called and the crowd was literally forced out of the hall and the doors locked.

Just then Haywood arrived and started to address the people from the street corner. The police threatened to arrest him, so he advised the people to go home. The city authorities explained their conduct by stating they had had considerable trouble with the unemployed and were afraid Haywood’s speech would incite them to riot.

Mr. Haywood also addressed the convention of the United Mine Workers of America who were assembled in annual convention at Indianapolis. This visit of Mr. Haywood’s brought the organization of the U. M. W. of A. and the Federation in closer sympathy than ever before. A step was taken, by the appointment of a committee from the coal miners to visit the coming Western Federation of Miners convention to see if a joint understanding could be reached that would result in the amalgamation of the two miners’ organization.

All organized labor would be pleased to see the two great miner’s organizations united into one body—many times in the past they have differed to a great extent as to tactics—notwithstanding this, when either were in trouble, differences of opinion were forgotten and they were united when either was being oppressed by their common foe.

The United Mine Workers contributed liberally to the defense fund—more than one donation of $5,000 being sent immediately following the kidnapping besides the amount donated by local unions of the organization. It was very fitting that Hay-
Wood should address the great convention at Indianapolis for the coal miners protested vigorously against the treatment accorded Moyer, Haywood and Pettibone and substantially backed their moral support with the necessary prerequisite—cash.

While Moyer, Haywood and Pettibone have been vindicated—tyranny still lives and Labor has yet to fight the battle for the Industrial emancipation of the toilers in the ranks and the complete overthrow of corporate tyranny—"Why don’t they vote as they march on Labor Day?"
General Summary

The Industrial conflict in the West while to the public at large has seemed more strenuous, perhaps, than in other sections of the country, but while that seems to be the case on the surface, the conditions that have prevailed in the West, exist to a large degree, over the entire country. The powers in control brook no opposition to their absolute tyranny. When the corporations are opposed they become insane—resort to any method in order to subdue.

The arrest and imprisonment of the president and secretary-treasurer of the Western Federation of Miners was due to an erroneous idea of the mine owners that if they could dispose of the officers of the Federation that it would disrupt the organization—they had resorted to every other means and failed. The unfaltering loyalty and eternal vigilance of these men had baffled every effort of organized capital to crush organized labor. For once the power of wealth had met opposition immovable—they had met face to face men at the head of a powerful organization, whose honor was proof against their bribes. They were accustomed to bribing judges, using governors as their willing tools, Supreme Courts to render favorable decisions for them.

The Federation has in its ranks many men who are capable and would jump to the helm and steer the Western Federation ship clear of the corporate rocks had the plotters succeeded in their plan of judicial murder. They met their Waterloo.

Upon the kidnapping of President Moyer and Secretary Haywood, Vice President C. E. Mahoncy became acting president and James Kirwan succeeded to the duties of secretary-treasurer. They picked up the banner that had fallen at the prison doors and bore it on until the imprisoned men regained their freedom.

The Federation lost nothing in the efficiency of its officers. The labor movement has passed beyond that stage in which the fate of an organization depends upon one or a few men.
Whether in the work of organizing his men or conferring with the employers, President Mahoney displayed excellent judgment. At headquarters everything went smoothly under the direction of Secretary Kirwan. His genial personality, united with rare ability and unaltering devotion to the cause of labor, won prestige for the organization and hosts of friends for himself.

The imprisonment of Moyer, Haywood and Pettibone and other members of the miner’s organization marks once more the seduction of government from its primary functions as an instrument for the promotion of the common welfare of the people. It is a surrender by those in authority to the machinations of capitalist conspirators.

Organized labor nor the Socialist party do not object to punishment of crime—exactly the contrary—crime is especially repulsive if committed in the name of law. To organized labor, kidnapping is simply kidnapping whether taken part in by individuals or by governors officially. In fact, when the offender is clothed with official authority he becomes not only infamous but monstrous and inexcusable.

The beginning of the fight seemed a mere skirmish but soon developed into an irrepressible conflict between capital and labor. When the crimes recorded in the pages of the first edition failed to exterminate the miner’s organization another was planned; the scene of it was laid and the conditions of its commission so arranged that when its actual execution had taken place, the world, following the accusing finger of the Mine Owner’s Association, would at once fasten its gaze upon the officers of the Western Federation of Miners.

Backed by millions of dollars and the assistance of hundreds of agents, the mine owners stealthily enlisted the support of many other corporations in the concoction and execution of its final conspiracy.

This organization, through its power, political and financial, managed to reach the President of the United States. There is no question in the writer’s mind as to the truth of the fact that the plutocracy and the government of two states at least, and the
National government, (at the behest of the two,) were leagued together to effect the judicial murder of the three men. Plutocracy selected the ground and laid out the campaign but the brave Spartans of labor from the Atlantic to the Pacific, from the lakes of the North to the Gulf at the South, raised its voice which said in its might to organized greed: "Beware, thou shalt not murder these innocent men! In the language of the noble Debs: "If Moyer and Haywood die 20,000,000 working men will know the reason why."

Twenty years ago brave, courageous men were hanged in Chicago, not because they committed crime, but because they stood with their faces to the foe, true and dauntless, with their hearts beating for the economic freedom of their fellowmen.

Since that judicial murder in Chicago labor has learned some lessons from the book of experience, that have enabled the wage slave class to observe more clearly the infamy of the monstrous system that sacrifices human life to perpetuate the merciless reign of profit.

The general sum total of the kidnapping cases reviewed are about as follows:

The state officials of Idaho, without the slightest hesitation, issued certificates of indebtedness to the amount of more than $50,000. When the legislature met the governor in his message devoted the greatest space to urging that body to not only redeem the certificates but advised that they make an additional appropriation, in order that the prosecution would be enabled to hang their victims to gratify a mine owner's organization and all at the expense of the taxpayers.

The governor in his zeal assured the legislature that with available funds the conviction of Moyer, Haywood and Pettibone was certain. Not only was the state looted of its funds but even the legislature was infested by a lobby that railroaded bills into law that gave the prosecution special advantages. The legislature appropriated $104,000 and that amount was practically exhausted at the end of the Haywood trial.
It mattered not that the state of Idaho paid out $40,000 to the blood-hounds of detective agencies to furnish a corroboration of the Orchard frame-up; it mattered not that $147,000 were expended in corpulent fees to attorneys and for booze and debauchery to make life one continuous round of pleasure for professional perjurers; yet the state of Idaho was again fleeced and plundered in the trial of George Pettibone. The prosecution must have known the case would end disasterously for their side of the controversy.

Trials of Colorado’s citizens, most hated by the corporations; the secret kidnapping; special train to Idaho; denial of writ of habeas corpus; Supreme Court’s decision; Orchard’s tale of murder; a complete expose of Pinkertonism; Roosevelt’s “undesirable citizen” utterance and the unexpected awakening of the workers—all these things in this particular case are now history in America’s most thrilling battle of Capital versus Labor.

The writer does not suppose our children in the public schools will be told any thing of the details—our public schools will go on teaching reverence of “Old Glory,” “that all men are equal,” that this is the “land of the noble free”—that any poor farmer’s son may become President of the United States, etc., etc. But by and by what an awakening!

Governor McDonald of Colorado in 1906, who allowed the kidnapping, and Governor Gooding of Idaho, who provided money for McParland and Orchard, the banks that floated the loans, Senator Borah and all others who gave freely their time and energy have been dealt a crushing blow, for these champions of “law and order” burned all bridges behind them in an attempt to convict.

The acquittal of Pettibone, January 4, and the dismissal of the charges in the Moyer case is a complete vindication of these men, which should compel that champion of the “square deal”—Roosevelt—to hang his head in shame for prostituting his mighty office in an attempt to sway public opinion and cover the retreat of mine owners and land thieves in the Northwest.
The cases aroused international interest and the workers in this country stormed the very White House doors with strange threats because of Roosevelt's statement.

Monster meetings and parades of workers were held everywhere. In Boston alone 40,000 men and women marched twenty abreast, while 100,000 assembled on the city's historic Commons to hear the Chief Executive grilled and flayed in a dozen tongues. The mighty wave of angry protest served its purpose and a change of front was made by those who saw the growing sentiment of class hate.

If the writer should offer a comment as to who of the three kidnapped men suffered the most in the Idaho outrage it would be from a general point of view, Pettibone. Moyer was president of an organization founded upon the principles of liberty—principles that will live through all eternity, even though the organization be disrupted—Haywood in charge of the funds, what more natural than that they should be selected as targets by the enemies of organized labor.

And yet who can judge another's suffering or measure another's happiness! To the writer, who knows each of the three men personally, there is something indescribably pathetic in the Pettibone case. Passing lightly over the manner of his kidnapping from his home, wife, business, city and state, the slander of the capitalist press, the President's words of "undesirable citizen," we reach the acquittal of Haywood and the release of Moyer on bond. After eighteen months of confinement mitigated, at least, by the presence of his fellow prisoners, he is left alone. He is made to endure another six months imprisonment. All the time aware the case against him cannot be stronger than that which failed to convict his comrade. Notwithstanding his health is failing every day, he is gayety personified. His spirit is at all times heroic and irrepressibly humorous. He wins the heart of every man with whom he comes in contact. During his imprisonment he refused to face the future with anything but the whimsical smile with which the heroes of Les Miserables met death behind the barricade.
Now, when, after two years of unjust imprisonment, he is acquitted by "twelve men true," his release comes to him as an expression of the world's belief in his innocence, he is broken in health by his long confinement. Here lays the tragedy! While unionism never had a more loyal friend, yet he was not even a member of the Western Federation of Miners at the time of his arrest. Years ago, Pettibone served months of imprisonment for the same principle he has served two years in jail in Idaho, later, the organization in recognition of his loyalty and indomitable spirit made him an honorary member. For the benefit of those who hate the word Socialism, the writer adds that Pettibone has never held a membership card in a Socialist local.

This man endured with a smile and a jest all an individual could be made to bear on account of his loyalty to the cause of humanity. Now that his liberty has been restored by a jury of peers, the very shadow of death seems to hover near. What can the world offer a man in return for loss of health? There is a pathos in these facts which no incapacity of the chronicler can obscure. There is a tragedy here nothing can hide!

Now that the legal proceedings are over, so far as this chapter in the class conflict is concerned, who is to compensate the victims who have been made the butt of the tyranny of the ruling class? Is Pettibone to suffer the injustice, false imprisonment, and ruined health of the past years without compensation? Is it possible that in the land of so many bitter and historical struggles for liberty and right—in the land which owes its existence as a nation to the fact of its struggles for liberty? and the proud—perhaps arrogant—position it holds amongst the so-called free and independent nations of the world, because of its demand for liberty—is it, can it be possible, that in this land whose very foundations, walls and roots are constructed out of the sacrifices made by our ancestors for that little of freedom which is left—that such things can be done?

As the last pages of this work is being completed, the very shadow of death hovers over the martyr in the case—George Pettibone. For awhile it was hoped he would recover. But Sun-
day, March 15, a telegram was received at Federation head-
quarters from San Diego, California, where he is confined in a
hospital, announced that he was very low and not expected to
recover. The telegram requested the presence of President
Moyer at the bedside of his devoted friend and Moyer left at once
for San Diego.

Some day, the unthinking man animal will shake himself
from his long sleep and realize that his freedom is a farce, that
his power is equally so and that he is but a strong man bound
and when this time dawns he will shake off his fetters.

This brief history of the Idaho cases is not written for the
purpose of eulogizing individuals. The acquittal of Haywood and
Pettibone and the dismissal of the Moyer case has a greater sig-
nificance than any consideration of individuals can impart to the
drama. The verdicts of the Idaho jury mark a phase of the con-
fusion between the employing and the working class. It is the
dawn of consciousness. Henceforth he will make history as well
as dividends, each page luminous with a people’s hope. The
Idaho cases, like the strike at Cripple Creek, Telluride and Gold-
field, Nevada, are a series of connected incidents in the class
struggle.

The Mine Owner’s Association, in this case, represented the
employing class and was a clear forecast of the conduct of that
class in many incidents that will write the history of the future.
The acts of the employing class in any of the conflicts recorded
are conspicuous for nothing but their brutality and cunning.
Capital in its fight against organized labor has depended upon
money, fraud, the abuse of great power, the perjuries of con-
victed and unconvicted criminals, the destruction of legal safe-
guards to the individual, and recourse to the prejudices of men
whose material interests had been menaced by the organization
they attempted to disrupt.

In the Idaho cases, labor won its first great victory in a court
room, won it through the aroused intelligence of the working
class. The mine owner’s gold weighed naught in the scales
against simple truth. The plain straight-forward evidence of
working men and women secured an acquittal from the jury and what is of vastly more importance, vindication at the bar of history. Ten years ago it is highly probable, the men would have been hung. We shall furnish no more martyrs. When capitalism makes the mistake of selecting a man for that role, we shall send him to the State house instead of to the scaffold. For humanity sweeps onward.

Capitalism's faith in gold is shaken, broken—labors' faith in man supreme. We need naught but light, they fear but that. By that we conquer. All the forces of the universe are behind the workers.

Had those men been hung through perjured testimony, no man prominent in labor circles could have felt secure. The course followed in this case would have been followed in scores of others. The Pinkertons could have vied with the Supreme Court for the favor of capitalists, but now they are thoroughly discredited.

There are so many salient phases of the case—so many that should not be passed lightly—one other should be mentioned in particular, briefly—the establishing of precedents.

The class in power have set precedents and examples that may some day be followed by the brain and brawn of this nation. Suppose, by way of illustration, the workers were as vindictive as the capitalist class have proven themselves to be. What would happen when the working class gain control of the machinery? They will have these precedents before them for their guidance. If they should follow the examples set by the class now in control what would prevent the proletarian government from kidnapping Justice Harlan, Rockefeller, Morgan, Harriman, or some of the lesser lights, the Rev. Buchtel, Gooding or U. S. Senator Borah, taking them on a "Kidnapper's Special," to some place where the workers control the powers of government, placing the accused on trial before a proletarian jury from which every capitalist had been carefully excluded?

Do you realize if the workers should do this at some future time, they would not establish a precedent but merely follow one
recently established by the Supreme Court of the United States? The reader thinks that would be wrong—we agree with you that the workers are lovers of liberty and would be more just than the corporations have been. But the Supreme Court says this method of procedure is legal. If legal for mine owners, it must be alike lawful for the miners. So it will be seen at once a dangerous precedent has been established.

Cannot the ruling class learn something from history? Are they too dense to learn even from the book of experience? Do they imagine they will always be in control because they hold the reins today? The slave-holders had control as did their prototypes of the French Revolution. But a day of awful reckoning came when wrongs were wiped out in an ocean of blood!

The conflict between capital and labor does not cease with the vindication of the men kidnapped from Colorado any more than their liberty rights the wrongs endured by them. Every device that can be concocted by the retainers of capital will be used without scruple or mercy against those who dare to do aught to incite slaves of capital to tug at their chains. Before wage-slaves are free the list of Labor’s martyrs will be a lengthy one. We must keep this tragic fact ever before us, remembering the words of a great statesman: “Eternal vigilance is the price of Liberty.”

Even now, as the writer pens the closing words of this record, the country is in the throes of a financial crisis. Thousands of people who are willing to work have been thrown out of employment, leaving them penniless with families dependent upon them for food and clothing. It is practically impossible to convince a man the country is overflowing with prosperity when his loved ones are facing starvation, while he begs for the most menial labor at any wage in order to provide for his destitute family. Yet we read in the capitalist daily papers of multi-millionaires whose ambition (as expressed through the press) it is to dispose of their wealth “in order to die poor.” It seems this would be easy to arrange if they were consistent. Alas, the best they offer is a Public Library, where human beings, who have
created their wealth, are perishing for bread. Books are a boon—education a necessity, but when the pangs of hunger are unsatisfied they are scarcely appreciated. If Carnegie is consistent in his expressed desire to die poor it could be accomplished by ordering the great accumulation of wealth divided among the poor slaves who produced it at Homestead.

In support of the statement that the conflict goes on and that in every case the workers’ rights to life and liberty are denied by the ruling class we mention two mining sections of the country several thousand miles between, that have attracted unusual attention recently. One in the coal fields of Virginia, almost unorganized. The other in the metal mining section of Nevada, thoroughly organized. The greed for profits has cost 23,000 lives in seventeen years in coal mines alone. In Virginia in one mine five hundred men were killed because the company found it cheaper to murder than to properly timber and ventilate their coal mine. A lesson of criminal profit may be found in this. From this same mine was taken the corpse of a boy of eleven years, a mere child. The press reports chronicled in a pathetic way that other little trapper boys were hidden in the catacombs, that they had never known the joys of tops or marbles—had never been children. That the little fellow first taken out, with his little face charred and begrimed, was a weakling and in life could hardly have lifted a bushel of coal. What pathos in those words—what tragedy!

Pages could be written, yea, volumes, recording just such incidents—this is only one individual sacrificed—thousands of children have been murdered by greed for gold—profits. Not necessarily in coal mines—in thousands of ways, in the factories, department stores, the cotton mills of the South, cellars, garrets, the cities of the United States are filled with sweatshops where little lives are crushed out by over work, lack of food, proper clothing, air and sunshine and all to gratify that monster capitalism.

In the other section, Goldfield, Nevada, the miners refused to dig the gold and be paid in worthless paper which the mine
owners would not guarantee. In defense of their position the operators said they could not get the money. At the same time they advertise a production of from $300,000 to $400,000 of gold per week. It is significant that just before the announcement of the payment of wages in scrip, the Consolidated Mining company announced it had enough money on hand to pay dividends for a year but nothing for the men who brought out the gold that created the dividends. The miners offered to wait until the operators were in a position to pay in cash or to let the ore stand as a guarantee for their wages but the proposition was refused. Troops were asked for by the governor of the state and Roosevelt rushed nine companies there. Immediately wages were reduced a dollar a day and the mines resumed with all non-union labor it was possible to secure. So the scheme of the mine owners was plain to the most dense.

The press reports have not mentioned troops being sent to Virginia to punish the operators for the disaster in the Monongah mine and it was only one of many disasters that have occurred on account of criminal neglect. Almost every day the daily papers report some horrible mine disaster and in almost every instance the cause is neglect in timbering and ventilation. Laws exist on the statute books regulating timbering and ventilation, they cost money, men are cheap. The ruling class never enforces the law against itself. Strange as it may appear to the casual observer of this state of affairs, we never read of the operators being punished. By the foregoing illustrations alone it will be seen that while the curtain has fallen on the Idaho cases, the same lessons go on, being repeated in different forms but Abraham Lincoln said:

"There are two principles that have stood face to face from the beginning of time, and they will ever continue to struggle. The one is the common right of humanity and the other the divine right of kings. It is the same principle in whatever shape it develops itself. It is the same spirit which says: 'You work and toil and earn bread and I'll eat it.' No matter in what shape it comes, whether from the mouth of a king who seeks to bestride
the people of his own nation and live by the fruit of their labor, or from a class of men as an apology for enslaving another class, it is the same tyrannical principle.'

Under the operation of the capitalist system, recent calculations show that fifty-one multi-millionaires in the United States have amassed total fortunes of $3,295,000,000. Of this fifty-one, John D. Rockefeller, the oil king, leads with $600,000,000. Andrew Carnegie, the steel magnate of library fame, follows with half this amount. The secretary of commerce recently made a report showing the population to be 89,000,000. If we analyze the wealth of this total citizenship as given in his report we will find these fifty-one multi-millionaires control one-thirty-fifth of the wealth of the entire nation!

What an alarming concentration of wealth! What an alarming concentration of power! The class in control have gone insane in their frenzied efforts for the dollar. Men seem willing to sell their souls for one bright smile from the god of mammon. Money is king; money is their God; without wealth the doors of opportunity are closed; the doors of society are shut; the doors of the church do not welcome the unfortunate in rags and tatters. How will it all end? How shall this deplorable condition be changed?

The workers were united in demanding justice for their comrades, in the kidnapping case and thus saved them from martyrdom. United at the ballot box they could forever wipe out wageslavery which makes possible conditions such as portrayed in the foregoing pages, and usher in a form of government which will in the truest sense of the word be a government by the people and for the people where no man could be master and no man slave.

The brief history related in these pages is truly Labor's Greatest Conflict under the yoke of capitalism.

"There is a moving of men like the sea in its might,
The grand and resistless uprising of labor;
The banner it carries is justice and right,
It aims not the musket, it draws not the sabre."
But the sound of its tread, o'er the graves of the dead
Shall startle the world and fill despots with dread;
For 'tis sworn that the land of the Fathers shall be
The home of the brave, and the land of the free."

ORCHARD SENTENCED—LENIENCY RECOMMENDED.

Harry Orchard was arraigned in District Court at Caldwell, Idaho, Tuesday, March 10. He pleaded guilty of the murder of ex-Governor Steunenberg. March 18, Judge Fremont Wood sentenced Orchard in accordance with the law of Idaho in such cases, which is the death penalty. The judge in sentencing Orchard to hang May 15, 1908, recommended that the board of pardons commute his sentence to imprisonment in the penitentiary—adding that in spite of the jury's verdict in the Haywood and Pettibone cases he believed that Orchard had told the absolute truth. He stated that the state could gain nothing by hanging Orchard and on the other hand he could probably be of service in the future. The judge reviewed the cases and the substance of his decision summed up was to the effect that Orchard should be imprisoned in the penitentiary and not hanged. Will he be hung? The writer doubts it—time alone can answer.

That Orchard was promised a reward and immunity is generally accepted by thoughtful men who have made a study of the great conspiracy trial that was staged in the Courts of Idaho.

But Gooding has declared that the murder of Steunenberg must be avenged, and more than $200,000 has been expended by the state and Gooding scarcely dares to show leniency or mercy to the man who in open Court admits that he is the Cain whose hand cut short the life of an ex-governor.

Organized labor will keep its vision riveted upon the state of Idaho until the last word is written in the closing chapter of Idaho's tragedy.
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Thirty Years of Labor—Powderly.
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The Story of a Labor Agitator—Buchanan.
Mosaics of Grecian History—Willson.
Industrial Wars of Colorado—Langdon.
The Typographical Union

"Blest be the gracious Power, who taught mankind
To stamp a lasting image of the mind!
Beasts may convey, and tuneful birds may sing,
Their mutual feelings, in the Spring;
But man alone has skill and power to send
The heart’s warm dictates to the distant friend;
'Tis his alone to please, instruct, advise
Ages remote, and nations yet to rise"
—Crabbe.

It may be instructive to trace the history of a labor organization from its inception to the present time. The records of the printers are probably more complete and begin at an earlier date than that of any other organization. For this reason we will trace the Typographical union for a few years as an example of the progress of the trade union movement in general.

Historians differ to some extent, but John Gutenberg is usually credited with the invention of movable types, about 1437, but a strong contestant is Laurens Janszoon Coster, of Holland, who claimed to have invented wooden type in 1428 and at a later date metal ones.

All association among printers, prior to 1795, was temporary, having a single purpose, the compact was dissolved when its object was accomplished. When a question of importance arose a call was signed by members of recognized influence for a meeting, which was usually held at the home of a member. After a discussion, resolutions were adopted, committees appointed and frequently those present signed an agreement to stand by each other during the difficulty. Meetings were held frequently during the trouble, especially if a strike. Labor was not yet conscious; it was the age of the individual as opposed to the corporation.
The Typographical Society of 1795, lived two and a half years and raised wages to $1 per day for the New York City printers. The Franklin Typographical Society of Journeymen Printers of New York, was organized in 1799. It formulated the first complete wage scale ever adopted by the printers of New York and went on strike for its enforcement. It demanded twenty-five cents per 1,000 ems, not less than $7 per week in book and job offices and $8 per week on newspapers.

The New York Evening Post in its issue of September 19, 1803, contains the following acknowledgment: “The president of the Franklin Typographical Society, of New York, acknowledges the receipt of $83.50 from the Philadelphia Typographical Society, for the relief of such of our members as may be distressed in consequence of the prevailing epidemic.” The Society ceased to exist in 1804, but the scale of prices formulated by it remained the standard until September 20, 1809, when the New York Typographical Society organized early in that year, formulated a new schedule of prices.

The Philadelphia Typographical Society was organized in 1802, and enjoys the distinction of being the oldest existing organization of the craft. It existed as a benevolent and trade society, as was the rule among the early societies, until 1831, when it became a purely benevolent association and as such exists today.

The Philadelphia constitution as adopted November 6, 1802, is the oldest constitution of a labor organization extant in the United States. It gives prominence to the fraternal features of the organization but does not conceal its industrial purposes. In addition to a sick benefit of $10, “in every case when a member may be thrown out of employment by reason of his refusing to take less than the established prices,” the board of directors “shall advance, if required, on his own security, in their discretion, such sum per week as will be sufficient to defray his ordinary expenses.” If the person was unable to pay the loan, an assessment was to be levied on the membership, to this strike benefit fund was added an obligation to secure employment for
members in preference to non-members; membership being conditional upon an apprenticeship satisfactory to the board of directors.

This union began expelling members for working below the scale of prices in 1806. The following year witnessed a demand for the exclusive employment of union men, the adoption of the monthly working card and a union employment bureau. The initiation fee was raised to $4 and the funeral benefit increased to $25. By resolution of the organization, monthly cards were printed by the Society, renewed monthly by the secretary for the benefit of those out of employment, stating that they were not in arrears with their dues. A fine of $1 was imposed upon any member for informing one who could not produce a card of a situation.

Provision for a "rat list" was made in 1808, by enacting that no member should teach an apprentice who was not bound before his eighteenth year, the penalty being not only expulsion from the Society, but notice of such expulsion was sent to other Societies of printers.

If the unions of today should resort to such measures, the United States Supreme Courts would soon come forward with an injunction.

A new wage scale was adopted in 1815. In the correspondence concerning its adoption, the New York employers were first to insist upon a uniform wage scale throughout the country. In the strike to enforce the wage scale of 1815, the Society again disciplined many of its members. The obligation required members to demand the scale as journeymen and pay it, should they become master printers. Such an one was brought before the Society on six counts, three of which are as follows: "First, for an attempt in combination with a few employing printers to lessen the established wages of journeymen. Second, for introducing into the printing business men wholly unacquainted with it to the exclusion of regular-bred workmen. Third, for refusing to give employment to members of this Society and em-
ploying one not a member in preference—a direct violation of the pledges he has repeatedly given us."

The experience led to amended by-laws in which they recognize "that the actions of men are influenced almost wholly by their interests, * * * as the interests of the journeymen are separate, and in some respects opposite to that of the employers, we deem it improper that they should have any voice or influence in our deliberations, therefore,

"Resolved, That when any member of this Society shall become an employing printer he shall be considered without the limits of the Society and not to vote on any question or pay any dues in the same."

In 1817, the Society resolved to keep a register of its members and their places of employment; one member was appointed to act in each printing office, "to give information as to the state of the trade and the chances of employment for more of our members." The Society made application to the legislature at Albany, for an act of incorporation, the House passed the bill, but the Senate added an amendment prohibiting it from interfering in trade matters. Two years later the act was passed with the following amendment to its constitution: "In no case shall the Society interfere in respect to the price of labor."

The New York union was the stormy petrel of unionism, but for its emasculation by the act of incorporation, it is probable that the Societies organized from 1815 to 1820, would, under its leadership, have been as distinctly trade unions as those organized from 1830 to 1850. From its organization in 1809, until it ceased to be a labor force in 1818, it enrolled 237 members. Samuel Wordsworth, author of The Old Oaken Bucket was among the founders of this union.

The first discussion on women as compositors was in the Philadelphia union in 1832. The Washington union called a special meeting January 17, 1835, because of a statement that girls were being employed in newspaper offices in Philadelphia, to break a strike. Resolutions were embodied in a circular letter sent to the Philadelphia, Boston, New York and Baltimore
unions, asking if any girls were employed, if so how many, and what action these unions "proposed to take to prevent the further progress of the evil." The national convention of 1854, devoted much time to discussion along these lines; it was referred to a committee that recommended the matter be left to the local unions. The discussion continued until a union of women printers was organized in 1870 and sought admission to the international union. The convention of 1872, settled the matter by admitting women to full membership and demanding for them the same wage paid men.

Boston, Albany and Washington were organized in 1815, and the Baltimore Society is first mentioned in that year. The Washington Society was modeled after Philadelphia, at first largely a benevolent society, it still proceeded to regulate prices. It is the only one of the old Societies that has survived until today and developed into a modern trade union, instead of a mutual benefit association.

The Washington union had been waning for some time but in 1821, they made history by adding six new members and in 1822, five names were enrolled. Some improvements were noted and in 1824, the union joined in a civic parade on the Fourth of July, as a society, wearing as badges silver "printer rules." The minutes of a later meeting show the total membership took part. The printers had a press on a wagon in the parade and printed and distributed from it copies of the Declaration of Independence. This was the most notable feature of the celebration, July 4, 1824.

Free membership was a fatal mistake in the organization of the early unions. The member who paid his dues for a period, usually ten years, was freed from further payment. When this period arrived the union or Society, found itself with a free list which acted as a discouragement to new members. The early orders generally ceased to exist about the time the first list of free members appears. The Washington Society escaped disaster from this source through the shifting character of the employment. A study of the minutes of the union shows the character
of trade unionism and its correspondence reveals its nature elsewhere.

The first convention of the National Typographical Society convened in Washington, D. C., November 7, 1836, and lasted five days. Delegates were present from Baltimore, New York, Washington, Harrisburg, Philadelphia, and New Orleans by proxy. Philadelphia was excluded because Washington Society proved their delegate had worked for the Duff Green establishment during the strike. Evidently the Philadelphia union did not know this when he was elected, for they at once expelled him upon his return. Duff Green was notoriously unfair. Another convention was called the following year.

The Society seems to have collapsed in 1840. September 28, 1850, the New York Union issued a call for a national convention, Boston and Philadelphia joining in the call. The National convention of Journeymen Printers of the United States, met December 2, 1850, in New York City with delegates from New York, Albany, Baltimore, Trenton, N. J., Philadelphia and Louisville. Boston, St. Louis, San Francisco, Washington and Cincinnati were heard from by letters. Discussion of the apprentice system occupied much of the time of the convention; from this time on the printers stood definitely committed against a system that had amounted to child labor.

Preparations for a general organization of the printers of the country were made at this convention. Organization was recommended on the basis of a national executive committee, composed of three members from each state, whose duty it was to carry out the resolutions of the convention, to gather information on matters of interest to the trade and to make a quarterly report of the same to the convention and make arrangements for its assembling. The convention also urged that the printers in every town containing six or more should form a union and that after February 1, 1851, no journeyman printer coming from a town known to contain an organization would be allowed to work within the jurisdiction of another union without a card.

The basis of organization for local unions consisted of seven
principles. First: Regulation and adjustment of prices. Second: Traveling certificates to members in good standing, entitling them to assistance and traveling expenses from a union where they could not obtain work, provided they had not brought discredit upon themselves by intemperance or otherwise. Third: A registry of "rats" and unworthy members of the trade, with a description of them to be sent to every union in the country. Fourth: Receiving no stranger as a member without certificate of membership in the place from which he comes. Fifth: Levying a monthly contribution upon each member, sufficient to amount to $10 for each member as a reserve fund. Sixth: Giving any sister union the right to call for assistance to the extent of $1 per member, to be repaid in monthly installments of at least five per cent of the loan, beginning in one month after the difficulty had passed. Seventh: Granting certificates enabling a member to join another union without paying initiation fee.

Local unions were advised to abolish the benefit system and a plan proposed by which the combined unions of the country were to bid on the government printing.

The third day, May 6, 1852, of the Third National Convention of Journeymen Printers, which met May 3, at Cincinnati, Ohio, witnessed the formation of the International organization. There were delegates from fourteen unions, some did not seem inclined to participate. The permanent organization was formed by New York, Boston, Philadelphia, Baltimore, Cincinnati, Albany and Pittsburgh.

The name of the organization was changed to The International Typographical Union June 11, 1869, at the Seventeenth annual session, held in Albany, New York.

The writer would be less than human, being a member of Denver Typographical Union No. 49, if the organization was not mentioned among the historic local unions of the International. The local of Denver, in a historic way, can claim a place with the most interesting of the Typographical organizations. In the first place, it was the very first local union organized in Colorado, if not in the entire Golden West.
Thursday evening, April 12, 1860, a few printers gathered at the home of Charles S. Semper, Terry street, Auraria, now Eleventh street, West Denver. Mr. Semper was then a member of the New Orleans union. General discussion prevailed and finally drifted to the subject of the New Orleans union. The host passed around constitutions and by-laws of the aforesaid local and the result was that it was decided to organize a Denver union. An application for a charter was sent in to the International and the original charter granted, shows the following names as charter members: John L. Merrick, president; George L. Sanborn, secretary; Charles S. Semper, treasurer. The other names on the charter are: T. C. Brown, Joe Clark and Thomas S. Tucker. The charter is dated June 9, 1860.

At the regular meeting June 6, 1897, President George Esterling in the chair, a motion was made by Chas. S. Semper, that the original charter of the union be presented to the State Historical and Natural History Society of Colorado, for safe keeping. The motion carried and Mr. Semper was appointed to take charge of the charter and deliver the same. The writer visited the state capitol building and copied the names given as charter members from the original document. It hangs in the Historical department as the first charter of a labor organization of Colorado—the custodian explained at great length all the history in connection with its origin—of which the writer was quite familiar. The charter in question had been damaged by both fire and water—a copy of it had been made which hangs in the hall where the union meets.

Hon. Chas. S. Semper, a charter member of No. 49, still lives and attends the local meetings of the union. The writer visited him and his estimable wife at their home, Semper Farm, nine miles from Denver, in search of data relating to the history of the printer's union. The pleasure of the visit was one not to be forgotten. Such a collection of statistics as this worthy man possesses—and how his face would light up with interest when asked various questions pertaining to the early history of the organization! He untiringly, told of the formation of the union
at his home, explaining that the inspection of his new house was
the occasion of the gathering of the men of the "rule and stick." His home was the fifth house built in Denver and the first frame
house. The other buildings being ordinary log cabins of the
very crudest form. He exhibited a complete file of "The Rocky
Mountain News" from vol. 1, No. 1, to many years later. The
first copy of the paper being dated April 20, 1859. Some of the
copies he exhibited were printed on but one side of the paper
and were about twelve inches long and six or less wide. This,
he explained, was caused by a shortage of the necessary paper
to print a full size paper. Some were printed on yellow sheets.
The weekly—that was all that was published—sold for twenty-
five cents per copy and the publication was awaited with deep
interest by the entire population.

Mr. Semper said Eastern papers were scarce and were
never sold for less than fifty cents per copy—were bought again
after being read were re-sold at a gradual reduction in price as
they became damaged until they were so worn they could not
be read at all.

The first daily paper published in Denver was the Rocky
Mountain Herald, of which Mr. Semper has a copy, very prob-
ably a file. In speaking of the printers' union he said all the
members held office, and this statement brought a jolly laugh
from Mr. Semper. It is little wonder, when you consider the
contrast in No. 49 in the 60's with barely a sufficient number
of members to hold office, the only paper with three cases of
type, and now. Today the membership of the union is 475 and
hundreds of linotype machines in the newspaper offices. Den-
ver a beautiful city of 175,000 inhabitants, the equal of any
city in the country, a list of morning and evening papers unsur-
passed.

This veteran of the printers organization recited how the
printers kept a flint-rifle standing near the case as they
worked, for protection from the lawless faction which was com-
posed principally of gamblers. The only paper had opposed
the policy of the lawless element and as a result, they combined
to "put the paper out of business." He said sometimes a band of the lawless crowd would ride pell-mell by the office and fire into the windows as they galloped by. So the printers kept a gun near for protection. It is certainly interesting to note the difference in convenience in newspaperdom now and the lack of proper equipment at that time. Time after time he pointed out columns of the paper where "small caps" run out and the compositor finished his copy with any "face" type left unused.

In one of the first issues of the paper it was announced that all future copies would contain a list of "immigrant arrivals." Among others published in a long list appeared the following: "Charles S. Semper, April 23, 1859, forty days from St. Joseph via Platte route."

The owner of the Rocky Mountain News owned the building in which the paper was printed, then as now—in '59 a two-story log-cabin with three cases of type and an old style Washington hand press—now a thoroughly modern building, a score of linotypes and the latest improvements in every department applying to the printing art.

Mr. Semper's home is a regular store-house of treasured documents connected with the labor movement in general—the printers' union in particular. Union cards of 1880; files of all his own job-work; files of papers back as far as 1857-8; badges, etc., etc. Among these treasures was a copy of a history of Trinidad, South America, his birth place. He showed the volume as a sample of his first effort at binding—the book was printed in 1850, many pages of history had been written in his own hand-writing and "tipped in" to make the volume more complete. The only data I wished to secure and failed, was where and when this brother first joined the Typographical union. He said he could not remember—that it was either Chicago or St. Paul and he was not certain which, but believed it was St. Paul—with this statement he enumerated the towns where he worked in those days. He was an all-around-practical-printer in 1853, when he came to the United States from
Trinidad, South America. He had been a member of the New Orleans local union some time when he came to Denver in '59. An autographed copy of Buchanan's "Labor Agitator" was on a stand in the parlor and he read the glowing tribute written to him and his wife by the author in the front of the book—explaining the warm friendship that had ever existed between him and the author, since the pioneer days in which they had been, as now, the closest friends.

The writer being a Southerner and naturally somewhat of a "rebel," mentions the fact that Mr. Semper served as a Confederate soldier in the Civil war. He established Semper Farm in '79 and has scarcely missed a meeting of the Denver Typographical union. He says that until very recent years he walked both to and home from the meetings—a distance of at least twenty miles by the road he followed. He is now past seventy years of age and at the time of the writers' visit was slowly recovering from a serious illness.

How my heart filled with reverence for this couple—sweethearts still—who are among the few surviving pioneers of the labor movement and the man a charter member of the first labor organization of the Centenial state!

The woman in this case shall not be forgotten. Mrs. Semper prepared a real "home-grown" supper—it is not polite to mention what you are served to eat—but the rule must be broken to mention the muffins Mrs. Semper makes and we will not tell the reader about all the other dainties she can prepare equally as well.

Mrs. Semper, as she walked to the depot with me, asked my opinion on the strike question. I mentioned that strikes recently, with but few exceptions, had been lost as a result of the Supreme Courts and the government itself, joining with capital against the workers. This had taught us we must fight our battles in the legislative halls and abandon the strike. She exclaimed: "That is the exact situation, now you are talking common sense!" Mrs. Semper has written many articles for publication and is a brilliant woman. The state of Colorado can justly be
proud of such pioneers that have helped to rear a Golden Empire
and the printers are proud to claim Charles S. Semper as a
charter member.

After the formation of the International Typographical
Union in 1852, the growth of the organization has been almost
phenomenal. As the history has been related up to and includ-
ing the formation of an International labor organization it may
be of interest to note the progress since '52, just a few years be-
ing sufficient to show what rapid strides were taken.

At the International convention held at Atlanta, Ga., 1890,
139 delegates were present. The membership including press-
men, photo-engravers, electrotypers, stereotypers and binders
was 24,194.

The Boston convention, 1891, 166 delegates were present and
the membership had grown in numbers to 25,165. Philadelphia
convention, 1892, showed a still greater increase—170 delegates
present and the total membership 28,187. A similar growth con-
tinued each year, two years later, 1894, the convention was held
at Louisville, Ky., and the total membership had reached 31,379,
which included pressmen and all mentioned heretofore connected
with the printing trade. In 1896, the convention was held at
Colorado Springs. The records show the membership again re-
duced to 28,838, by the surrender of jurisdiction over the press-
men and binders.

In 1900 a total membership of 32,105 had been enrolled.
During the year 3,000 more names were added. And so the
history runs on until the Golden Jubilee convention was held in
Cincinnati, Ohio. 205 delegates answered the roll-call besides
ex-delegates and other visitors. 1,200 visitors registered at head-
quarters of which 152 were women. The membership at this
time stood 38,364, without the electrotypers or stereotypers—
jurisdiction over these two having been relinquished.

August 13, 1902, Cincinnati, Ohio, marked the formation of
the Woman's Auxiliary to the International Typographical
Union. Two years later they had forty auxiliaries with a total
membership of 1,031. They have advanced rapidly ever since, growing in popularity and membership all the time.

In 1904, the International had surrendered jurisdiction over the photo-engravers and still had enrolled a membership of 46,165. In 1905, the convention was held at Toronto, Canada, the registration showed 1,580 names and many visitors were in attendance that did not register. The membership of the International Typographical Union without the pressmen, binders, photo-engravers, electrotypers or stereotypers was 46,734, against 24,194, in 1890, including all of the above. 46,000 seems to be its zenith, in 1908, after the close of the great strike for a general eight-hour day, the membership is between forty-five and forty-seven thousand.

It is useless to trace the progress from year to year but no doubt it would be interesting to note advances gained in obtaining better wages and shorter hours. The organization has progressed as rapidly along these lines as in membership. I shall note only the recent strike and the outcome.

In newspaperdom improvements in method was slow. But when it did arrive progress was extremely rapid. Mr. Lynch, president of the International, said in an article, published in 1906: "The newspaper industry felt the effect of the typesetting machine, and coincident with the introduction of that labor-saving device came the desire on the part of the newspaper printer that animated his forefathers of the past ages. He wanted to reduce the hours of his employment at his trade." The newspaper printer soon succeeded in this and 1906 found the eight-hour work-day established almost everywhere—in fact the rule had applied generally for several years.

The book and job field was a more difficult field for the linotype to fill. As time passed even this obstacle was overcome. Not only was the typesetting machine introduced, but other labor saving devices that could be used in the commercial branch of the printing trade. The book and job printer soon followed the example of his newspaper brother and demanded a shorter work day. As a result of this agitation the nine-hour day was estab-
lished. It did not satisfy the general membership of this progressive organization that a part of its membership should have an eight-hour day and the job printers in some cities work nine hours, so a general demand was made for eighth hours where it had not already been granted.

The battle cry had been taken up in 1905: "We propose to sell to the employer eight hours out of every twenty-four, and we will do as we please with the remaining sixteen!" With this slogan, January 1, 1906, in every office where eight hours was not recognized as the maximum for a days' work the printers "put on their coats."

Many assessments of various per cents on the earnings of the membership was levied as the necessity for money in large denominations grew, but to give the reader a fair idea of the general feeling of the membership, it may be mentioned that a ten per cent assessment on the total membership was submitted to referendum for their approval or disapproval and a majority of nearly thirty thousand voted in favor of the assessment plan. Gradually, as the strike progressed and victories were won, the per cent collected from the membership was reduced until March 1, 1908, marked the complete suspension of the strike assessment—which means no more funds are needed—a complete victory fairly won and a general eight-hour day for all of the craft.

The newspaper publishers were less able to resist demands that are based on justice than the employing printers of the job offices; they may have the same inclination to resist but their business is more liable to suffer seriously by industrial strife—so it was not their devotion to the unions but their own material interest that the newspaper employers considered. The employing printer of the book and job office considers himself more as a manufacturer and is governed in the majority of cases by the methods followed generally, by the Manufacturers' Association. If you follow the history of the labor movement from its inception to the present you will find in every instance, where the workers banded together for mutual benefit, their employers organized to defeat their plans. The Typographical union was met
likewise by the organization of the employers known as the United Typothetae of America. This organization stubbornly resisted the demand for an eight-hour day. The employers were so foolish as to believe it would be easy to win a victory over the Typographical union and that all that was necessary was to resist. So those most opposed to the union movement, welcomed the announced intention of the union printers to demand a general eight-hour day. In a few localities, the employing printers hurried matters along by taking an arbitrary position in advance, they were so sanguine of success.

The trade union movement has seldom witnessed such stubborn resistance on the part of the employers as characterized the efforts of the Typothetae to defeat the printers. The employers were supported morally and financially by other associations of a like nature.

As is usually the case in such struggles between the employing and the working class, the former used the courts to their advantage against the workers. It has been generally admitted the strike of the printers was the most peaceable of any of the conflicts between capital and labor of recent years. The law was strictly observed by the strikers. Despite this, the printers were haled before courts in numberless instances, charged with all the crimes that usually make up the application for injunction writs filed by corporation attorneys. As is also quite common, the judges accepted the affidavits submitted by the employers' attorneys and issued temporary injunctions against the printers, prohibiting picketing and boycotting. These injunctions were later made permanent, despite any evidence that the union advanced. The Federal and state judges trampled under foot all law or sense of right and justice in their eagerness to serve the Typothetae and defeat the union. While the union observed strictly, the recognized laws it did not hold sacred the decisions prohibiting picketing but continued their "peaceful pickets" around all unfair establishments in all kinds of weather.

The printers considered the injunctions "class legislation and therefore, "unconstitutional."
Did they go to jail for ignoring the injunctions? Certainly they did—but others were willing to fall in line and continue the picketing while their brothers served the jail sentence for violating the injunctions. The various injunctions helped to prolong the strike but did not succeed in defeating the cause for which it was called. They simply served to arouse the workers to the dangers that confront them in the injunction court procedure when the courts are controlled by the trusts of this country.

A year of warfare practically won the victory for the Typographical union, although the struggle continued in some places—the majority of the shops had fallen in line and signed the contract granting eight hours before the close of 1906. The fact that the International at the close of February, 1908, discontinued the assessment upon the membership as no longer necessary in a few words means the victory has been won and that the employing printers realize that the job printers as well as those employed on newspapers will "sell to the employer eight hours out of every twenty-four and do as they please with the remaining sixteen."

The cost of the strike to the International is estimated by conservatives at three and a half million dollars and by others at five millions which does not include loss in wages.

Mr. Lynch in an article entitled: "A Struggle for Eight Hours," dated June 14, 1906, published in the Colorado Springs' Souvenir, closed with the following:

"Many people take into consideration only the cost of a strike—this or that strike cost a million dollars—or two million was expended. What a terrible waste of money. In our conflict, a conservative estimate of the loss of money paid out by the union, in money lost in wages, and in money lost by the employers, is at least five million dollars. But the cost of a strike is a bagatelle as compared to the benefits that will accrue in future years. For more than fifty years, the newspaper men struggled for equitable conditions; strike after strike occurred, but in the end industrial peace was achieved. This history will repeat itself in the book and job branch, resulting in a period of
peace and prosperity that we hope will last for years."

This article was written after six months of strike—that the printers won has become a fact since then—the financial cost was many millions if loss in wages is considered—but the victory priceless.

The printers are justly proud of their progress as an organization. In addition to the good accomplished in gaining shorter hours, better wages, etc., etc., we have the distinction of maintaining a Home for aged or distressed members, the bounty of which is unpurchasable. This Home is the only institution of the kind in the United States and as far as the writer can ascertain, the only one of a like nature in the world.

The Union Printers' Home is located at the very foot of Pikes' Peak, Colorado Springs, Colorado. The Home was built and is maintained by the membership of the International Typographical Union. In the early days it was known as the Childs-Drexel Home for Union Printers—this name came as a result of a gift by the late George W. Childs and Anthony J. Drexel, each of whom contributed $5,000 to the International Typographical union in token of their life-long friendship for union printers. This was the first money set apart to be used in some like manner that would benefit the entire organization. At first it was hard to determine in just what manner the money could be best used with the final result as stated. The printers, feeling extremely grateful and wishing to honor the two gentlemen for their gift, called the Home in its infancy the Childs-Drexel Home. Aside from the $10,000 contributed to the institution by Childs and Drexel and a small bequest by Julia A. Ladd, the money spent upon it has come voluntary from the pockets of union printers. The contribution to the support of the Home to each member of the union is but ten cents per month per member but when combined means something like six hundred thousand dollars. In a half minute a union printer earns what he contributes daily to sustain this beautiful Home.

The Union Printers' Home was dedicated May 12, 1893; the original cost of the main building, $70,114.44; later an annex was built which cost $20,820.54; superintendent's cottage, $3,400;
laundry and its equipments, $12,241.55; barns, green houses, corrals and other outbuildings, $10,000; fire escapes, $2,000. The tents for tubercular patients cost $2,000. The beautiful granite archway at the entrance to the grounds, cost $1,500. Many other figures of cost of various additions and improvements could be added but the foregoing will give the reader an idea of the cost of building and maintaining the Union Printers’ Home, the greatest monument to unionism in the world. To appreciate the great advantages, the perfection of the plan and the enormity of the undertaking it would take a visit to the Home to fully realize. Visitors are always welcome and entertained hospitably. The Home has eighty acres of land; five hundred shade trees, seven acres of green lawns, five thousand square feet of cement sidewalks; its own conservatories; a dairy unsurpassed; poultry yards of the highest class and everything necessary to the health and happiness of those who are sick or disabled in any manner. Every year marks some decided improvement, an enlargement or addition in size or comfort of the Home. The library was made a specialty recently with the result that the Home has a splendid collection of the best books published.

In short, the Union Printers’ Home is the pride of every member of the craft and justly so. The rules are broad—more so than any city or county institution—it does not require a year of “red tape” for a union printer to take advantage of the benefits of this institution of which every member is a part owner.

The management of the Home is in the hands of a superintendent and board of trustees, elected by the membership. At this writing the management is as follows: Chas. S. Deacon, superintendent; James M. Lynch, J. W. Bramwood, Thos. McCaffery, L. C. Shepard, W. J. White, Thos. F. Crowley and T. D. Fennessy, trustees. Mr. Deacon has been in charge as superintendent for many years, this fact alone, proving his able management and popularity. Mrs. Deacon is a “mother” to every inmate of the Home they will tell you.

Where giant mountains lift their crests,
And valleys golden secrets hold,
UNION PRINTERS' HOME, COLORADO SPRINGS, COLO.
Erected and Maintained by the Membership of the International Typographical Union.
And perfect air makes men live long,
There stands a home for printers old.

For knights of keyboard, stick and rule,
Whose union faith has stood the test,
If “slow” beneath the weight of years
Or by the needs of illness pressed.

It sent our banners to the van,
It said our brotherhood was true.
The crowning glory of the craft,
It honors Childs and Droxel, too,
Whose names shall live in union hearts
While printers ply the art of arts.
—Sam Christy, Indianapolis.

1908 marks the establishment of a pension fund by the International Typographical Union. Another move in the right direction. This will mean that the superannuated members will eventually receive a pension. The apprentice question is being given a great deal of attention. Schools or unions of apprentices being taken up. These meetings are to be attended by one or more members of the Typographical union that will guide the juniors in the “straight and narrow path,” educating them not only in perfecting themselves as skilled mechanics in the trade but also instilling into their minds the rudiments of unionism.
Supreme Court vs. Labor

"Tyranny
Is far the worst of treasons. Dost thou deem
None rebels except subjects? The prince who
Neglects or violates his trust is more
A brigand than the robber-chief."
—Byron.

This work would not be complete without some mention
of the numerous decisions of the Federal and state
Courts in favor of the employers and striking a direct
blow to the wage workers of the land. The New York
Worker recently published a compilation of decisions in favor of
the trusts. The following compiled from the Worker and from
various other sources, is a summary of a few of the most im-
portant anti-labor decisions rendered by state and Federal
Courts, covering a period of more than six months:

In August, 1907, Judge Dean of Arizona, issued an injunc-
tion forbidding Miners' Union No. 106, each of its officers or
anybody else connected or in sympathy with it to make any ef-
forts to get workmen to join their strike and especially command-
ing them "to desist absolutely from writing or sending through
the mails any written or printed card, circular, letter, or other
communication conveying to any patron or prospective patron of
the plaintiff any information of the miners' strike."

In September, 1907, a Vermont Court issued an injunction
forbidding the Quarrymen's Union to try to persuade any em-
ployee of the Associated Quarry Owners to join the strike.

October 19, 1907, the United States Circuit Court of Minne-
sota upheld a lower Court in issuing an injunction against the
Brotherhood of Carpenters, forbidding the carpenters to carry
out their resolution not to use materials manufactured in non-
union factories.

October 21, 1907, Judge Thompson of the United States Cir-
cuit Court of Ohio, issued an injunction forbidding the officers
of the International Pressmen's Union to pay benefits out of the union's funds or to do anything to support the union's demand for an eight hour day and forbidding the union to take a referendum vote on the question of striking.

October 23, 1907, Judge Dayton of the United States District Court of West Virginia, issued an injunction forbidding the national or district officers of the United Mine Workers to make any attempt to organize the employees of the Hitchman, Glendale and Richland Coal Companies in that state.

November 18, 1907, Judge Hazel of Buffalo, issued an injunction forbidding the Switchmen's Union to take any action toward declaring a strike for reduction of hours or increase of wages on the Lackawanna railroad.

December 13, 1907, a Circuit Court in Ohio, wiped off the statute books the state law prohibiting the employment of young boys at night work in the mills and factories.

December 17, 1907, the Equity Court of the District of Columbia, issued an injunction forbidding the American Federation of Labor to publish in its official organ the name of the Buck Stove & Range Co., as one of the firms that workingmen ought not to patronize on account of its bitter antagonism to the labor movement.

January 6, 1908, the United States Supreme Court declared unconstitutional the Federal law making railway companies engaged in interstate commerce liable for damages in the case of employees killed or injured at their work as a result of defective equipment or negligence of fellow servants.

January 24, 1908, Judge Phillips of the Common Pleas Court of Cuyahoga County, Ohio, ordered the dissolution of the Amalgamated Window Glass Workers of America, on the ground that the union is "a labor trust, an unlawful combination in restraint of trade."

January 27, 1908, the United States Supreme Court declared unconstitutional the Federal law forbidding railway companies engaged in interstate commerce to discharge employees for belonging to a labor organization.
February 3, 1908, the United States Supreme Court rendered a decision against the United Hatters of North America in favor of D. Loewe & Co., hat manufacturers of Danbury, Conn., and indirectly against the American Federation of Labor. The Loewe concern run one of the twelve non-union hat factories in the United States, seventy being unionized. The United Hatters, in the hope of inducing Loewe & Co. to comply with union conditions of work, hours and wages, has carried on an active campaign to induce workingmen and sympathizers with the labor movement to buy only union-made hats and to particularly refrain from buying hats made in the Loewe concern. Loewe was printed in the "We Don’t Patronize" list run in the American Federationist.

Loewe sued the union, its president and two hundred of its individual members under the Sherman Act. The United States Circuit Court dismissed the case as not properly falling under the provisions of that law. Loewe therefore appealed. The Circuit Court of Appeals reaffirmed the decision, but the Supreme Court reversed it, upholding the claims of the capitalist plaintiff.

Loewe alleged that his business had suffered to the amount of $80,000—that is, he thought he would have made $80,000 more profit if the working people had not been informed of the fact that his factory was a non-union place. He therefore proposes to collect from the union and its members $280,000—three times the amount of his loss, plus $40,000 for the expenses of the suit.

The Sherman Act is commonly spoken of as an anti-trust law. Its ostensible purpose, when enacted by the Republican party, was to prevent combinations of great manufacturers or traders with railroads, etc., from combining to crush smaller competitors and drive them out of business. In practice, under Republican and Democratic judges, it has been used almost exclusively against labor organizations.

At a glance the reader can see that in the decision of February 3, the Court takes the position that unions shall not boycott, that the publication of a list of names as "unfair" to organized labor is a criminal offence and punishable by law. The boy-
cotton has been used for many years as one of labor's strongest weapons. The recent decisions only tend to more fully demonstrate to the workers the necessity of filling these positions, occupied now by representatives of the trusts, by members of their own class.
Backward Glances

“They never fail who die
In a great cause; the block may soak their gore,
Their heads may sodden in the sun; their limbs
Be strung to city gates and castle walls;
But still their spirits walks abroad. Though years
Elapse, and others share as dark a doom,
They but augment the dark and sweeping thoughts
Which overpower all others and conduct
The world at last to freedom.”

—Byron.

The strike is probably the most ancient of labor’s weapons, the first protest against injustice. They have continued from Pharaoh’s brick yard to the present. The early history of Greece, Sicily and Rome records disastrous strikes. The strikers were made up of freemen and slaves—the latter owed their miserable condition to birth, conquest, debt or crime, the former weighed down by poverty differed from the slave only in the fact that he had no master.

One of those early strikes left an indelible mark on the pages of history. It occurred during the conflict between Athens and Sparta in the silver mines of Laurium, B.C. 413. It was a revolt of 20,000 workers condemned to the most inhuman toil. Men and women were stripped of their clothing, their bodies painted, their legs loaded with chains, driven on by the clubs of overseers.

In this condition they were set at work drilling rock, breaking it in pieces and carrying it to the mouth of the shaft. Outside were the smitheries, machine shops, etc. The money and supplies of war for Athens were made here. Their work continued three hundred and sixty-five days in the year, they received eighteen cents per day. Employers considered the wage a tempting one.

The splendors of Athenian civilization rested upon their
labors. The Athenians considered themselves kind masters because the citizens of other states treated their slaves still more harshly, the status of labor was yet more degraded.

If such was the condition of the worker among the most enlightened people of antiquity, consider how dire the state from whence labor has emerged.

The strike destroyed the supremacy of Athens and placed Sparta at the head of the Grecian states, it was a victory of aristocracy over democracy. The forces of reaction triumphed over the forces of progress.

When the strikers went over to the Spartans the latter were enthused, the former disheartened. They struck a blow that staggered civilization, but they improved, for the moment, their own condition. What else should they have considered? They were only burden-bearers of the civilization that rested upon them with such crushing weight. The doctrine of each for himself was carried out in that strike. Philosophy, literature and art suffered in consequence. What then? No civilization can endure that rests upon the misery of the worker. Labor will wage no more battles in which victory will but lengthen the night of her bondage, increase the weight of her chains.

Rome was the scene of many fierce labor wars—or strikes. There was an attempt on the part of slaves to burn the city in the year 417 B. C. Another desperate revolt occurred 194, B. C. It was caused by the appropriation of the public lands by the rich men of that time—much like the rich land thieves of today. A third of a hard-working population were being choked from the means of subsistence. The revolt was crushed by a Roman army and 2,500 public executions were its bloody fruit.

The subterranean quarries of Rome furnished stone for the public buildings were differentiated into sewers, workshops and prisons, a person, once thrown in, never again saw the light of day.

Everywhere the success of the Roman arms was followed by the enslavement of great masses of people. At long periods the workers struck back endeavoring to ameliorate their awful conditions. The names of some of the leaders have survived to the
present time, but have only recently been made accessible to the general reader.

The poor and lowly have not written the records nor kept the archives of history. We should have had a very different account had it been written by the lowly. Names long revered are toppling from their lofty pedestals as mankind recognizes that they were the servitors of oppression, and others lost in the gossip of a king's debauches or covered with the opprobrious epithet of demagogue and agitators are being restored their rightful place in the affections of the race.

We can but call the roll of a few who deserve remembrance. The brothers Caius and Tiberius Gracchus who fought against a landlordism worse than that which has devastated Ireland, killed by the Roman nobility. The bondman Drimakos, Viriathus bringing the Roman armies to a halt in Spain; Eunus, a slave rising through revolt, to the rule of Sicily; Clodius an eloquent lawyer restoring to the workingmen the right of organization, and in so doing encompassing the downfall of Cicero; Spartacus, the gladiator, rising at the time the Roman nobles were attempting to destroy the right of organization among the workers defeating numerous armies and only beaten at last through divisions in his own ranks; these are a few of the names that deserve a place in Labor’s Pantheon.

In this connection we might note the slow advance of labor. Conceded the right of organization among primitive people but beaten down as soon as wealth is accumulated and concentrated. Battling under the Caesars for rights fully enjoyed centuries before, suffering restrictions today unknown to our fathers. Yet enjoying rights and possessing powers to which the people of every other age were strangers. The advent of the people is a very modern event. The first public meeting held to enlighten Englishmen in regard to their political rights was in 1769. In 1795 a law was passed giving a justice of the peace power to disperse a public meeting, if it consisted of more than twelve people a refusal to disperse one hour after being ordered to do so was punishable with death. In 1798 five journeymen printers who had been invited by their employers to meet them and discuss
grievances, were upon their arrival arrested, tried and sentenced to penal servitude. For many hundred years Parliament had legislated to keep down the wages of the workers.

One of the first acts of the authorities in our own country was to determine wages—and not in the interests of the laborer. In 1633, the General Court of Massachusetts, decreed that skilled laborers, specifying the crafts of that day, were not to receive more than fifty cents per day. The wage of the better class of unskilled workers was set at thirty-six cents per day. In 1672 wages for common labor did not exceed fifty cents per day and remained almost stationary until after the Revolutionary war.

A strike occurred among the sailors of New York in 1802. The first trade union in the United States was that of the New York Society of Journeymen Shipwrights. A union of house carpenters was incorporated in 1806 and a printers union called the New York Typographical Society existed almost from the beginning of the century. The shipwrights and caulkers of Boston were incorporated under a charter granted by the legislature of Massachusetts. They were considered as a benefit society without any right to take aggressive action.

Then as now the press was unfriendly to labor. The first paper published in its behalf was the Workingmens' Advocate in 1825.

The first trade union council was convened in New York in 1833. With the improvement in facilities for communication, local unions were converted into national and international organizations.

The International Typographical Union formed in 1852, was the first national trade union in the United States. They were followed by the hatters in 1854, the iron and steel workers, in 1858 and the Iron Moulders of North America in 1859.

The Civil war ushered in great combinations of capital and was followed by a more general organization of labor.

The Brotherhood of Locomotive Engineers was organized in 1863, the Cigarmakers International Union and the International Union of Bricklayers and Masons in 1864. Between thirty
and forty national organizations were in existence at the close of 1866.

A working man's party was organized. A bill promising an eight-hour day was passed by Congress in 1869. The first efficient limitation of the working day for women and children was passed by Massachusetts in 1874. The limit was sixty hours per week and provided that the children should show a school certificate.

The Knights of Labor organized in 1869, maintained a precarious existence for the first ten years, had reached but 100,000 in 1885, in the following year however, it added 700,000 members. This marked its zenith. Corruption, internal dissension and the rise of a new organization, the American Federation of Labor, which was organized in 1881, hastened its downfall. One of the most important acts growing out of its agitation was the passage of the Alien Contract Labor Law. Secretary of Commerce and Labor Straus' decision, sustained by Attorney General Bonaparte, that the law did not apply to immigrants brought over by state agency has practically nullified the effect of the law. The mill owners of the South, the coal barons of West Virginia, the employing lithographers have availed themselves of this decision.

One of the first effects of a panic is to reduce wages. This was first clearly shown in the panic of 1873. Month by month wages went down. When the Centenial of the Declaration of Independence was celebrated the workers were suffering more from the tyranny of capitalism than the colonists had from King George.

The spirit of revolt spread among the workers. It reached a climax when President Scott of the Pennsylvania railroad announced a ten per cent reduction in wages that had already reached the starvation point. A train crew abandoned their train saying it was better to starve in idleness than to starve while working. The strike spread until a large part of the country was involved. The troops were called out, for the first time in America the soldier was used to suppress the worker.

A truly remarkable strike was that on the Union Pacific of May, 1884. The company posted a notice over the entire system
announcing a general reduction in the wages of all employers except engineers and firemen of from ten to twenty-five per cent. Not a shop on the system was organized, yet within thirty-six hours every shop from Omaha to Ogden was on strike. The notice of reduction was posted on Thursday, the company rescinded the order Saturday and announced that on Monday work would be resumed at the old scale.

A second strike on the Union Pacific in the same year terminated successfully for the men, as did that of the American Railway Union on the Great Northern in 1894.

The list of unsuccessful strikes on the railways is a long one, no attempt will be made to give it in detail. The engineer’s strike on the ‘‘Q,’’ the one on the Gould system led by the heroic Irons, will recur to most readers as striking instances of failure.

The greatest and most disastrous strike in the railway world was that of the American Railway Union led by Eugene V. Debs in 1894. The American Railway Union was an industrial organization and when the men went out against the advice of its president in sympathy with the Pullman car employees, traffic was tied up from Chicago westward. The entire country realized the tremendous power of labor. President Cleveland and the Courts came to the relief of the corporations. Over the protest of Governor Altgeld the Federal troops were sent to Chicago. Debs spent six months in jail for disobeying an injunction. The strike was lost, thousands of men were blacklisted. They learned how not to do things—and the cause went marching on.

A large number of men scattered over a wide area are not nearly so effective in aiding their fellows in securing better conditions as when restricted to narrower area. Again those whose work is rough and heavy seem most willing to strike hard blows and themselves undergo severe hardships in defense of others. The teamsters of Chicago and other cities afford an illustration of this fact.

In sympathy, interests, mode of organization and assistance to others in time of need, the coal and metalliferous miners are closely related, a short space will be devoted to their organization.
The first union of coal miners was formed in the anthracite region in 1849 but speedily collapsed. In 1869 John Siney organized the Miners and Laborers Benevolent Association. It grew rapidly until 1875 when a general strike was ordered which closed every mine in the district but the strike collapsed and the union was destroyed.

The American Miners' Association was the first attempt at organization among the bituminous miners, in 1861. It went down in the strikes of '67 or '68. It was followed by the Miners' National Association which gained a membership of 20,000 in 1874, but soon disappeared. It was followed by the Knights of Labor which spread throughout the mining regions but at last shared the fate of its predecessors. It had passed its zenith in 1885, in that year the Miners' National Progressive Union was formed. It reached a larger measure of success in the bituminous fields than any of the former unions. Joint conferences were held with the operators in West Virginia, Western Pennsylvania, Ohio, Indiana and Illinois. There was constant friction between the union and the Knights of Labor and the membership of each declined. It became apparent that the mine workers must be united in a single organization if any permanent gain was to be secured.

Assembly No. 135, of the Knights of Labor, which claimed jurisdiction over the coal miners and the Progressive Union, were consolidated in 1890, forming the United Mine Workers of America.

**ANTHRACITE COAL STRIKE OF 1902.**

One of the most notable strikes in the mining industry in the United States was begun in the Anthracite coal district in 1902, when, at a signal, almost one hundred and fifty thousand men and boys laid down their tools. Despite the pangs of hunger, temptations that were offered to desert the cause, only a small minority returned to work in the five months of suffering that followed.

The railroad and mining companies and their financial backers represented a capital of hundreds of millions if not of billions of dollars and their strength was used to its fullest capacity to defeat the mine workers.
The financial losses resulting from the strike showed the costliness of labor conflicts. The Anthracite Coal Strike Commission estimated that the loss to railroads and coal companies in reduced freight and coal receipts was not less than $74,000,000, and the loss in wages to the miners of not less than $25,000,000, the total loss being placed by the commission at $99,000,000. The strike of 1902, is memorable for the terrible hardships which it entailed.

The strike came as a culmination of development lasting through three-fourths of a century. During the last two generations a slow, stubborn contest had been waged by labor in the Anthracite coal fields against the ever-increasing power and oppression of monopoly.

Anthracite coal was first shipped to the seaboard during the War of 1812, but up to 1850, the shipments were comparatively slight. Mining hard coal was considered of little importance and the number of miners only about eight thousand. In 1850, there was no monopoly of the mines, no connection between transportation and mining companies.

It was not until after the Civil war that mining became profitable to any great extent.

After the war, although the operators made large profits, a strong attempt was made to reduce wages and break up the miners' union. From 1867 to 1875, an aggressive war was waged between the operator and the union, known as the Workingmens' Benevolent Association with the result the miners' organization ceased to exist by the end of 1875.

It was during the quarter of a Century between 1875 to 1900, that the abuses leading to the strikes of 1900 and 1902 were inaugurated. During this period of practically unorganized labor, the conditions grew more terrible all the time. The object of the operators seemed to be to prevent the formation of unions and to keep the men in absolute subjection. This they practically succeeded in doing. They were organized from time to time but as often disrupted. One section was used against the other, so that divided, all of the sections fell.
It is not strange that in this semi-unorganized state the miners were wronged, cheated and mistreated in many ways. Chief among these was the increase in what constituted a ton of coal. The size of a ton increased in weight from 2,000 to 2,800 until finally, they exacted from the miner 3,190 pounds of coal and called it a ton and he was paid the same for a ton that weighed 3,190 as he formerly received for 2,000 pounds. Where the coal was paid for by the car, the same system was adopted, and the car grew, as though it were a live oak. So a man was paid no more if three or four inches were added to its size or if he was obliged to fill ten inches of "topping" above the rail. The company adopted a system of docking, which was arbitrary, unjust and tyrannous. The Strike Commission stated that the amount docked by even fair companies diminished fifty per cent when the miners were allowed to employ check docking bosses.

As late as 1899 the idea of organizing the miners of the Anthracite region of Pennsylvania was regarded as all but impossible by all but a few of the most enthusiastic members of the mine workers. Some of the greatest difficulties being the difference in race, religion, and ideals of the twenty Nationalities in the region, the variations in the standard of living, all conspired to make them distrustful of the movement, especially so on account of the mutual distrust of the races and the failures of the different unions organized before.

The market was overcrowded with coal and the region with men. The operators were united in a bitter hostility toward any form of organization among the miners. Pioneer miners were threatened with being blacklisted. Men that had grown old in the Anthracite region, shook their heads doubtfully and predicted it would be impossible for any organization to gain a foothold in the Anthracite region. Within a year all this changed and the leaders of the organization claim the Anthracite settlement as one of their greatest victories.

The local organizations of the miners were organized under so many different names, grew then died from 1861 to the final formation of the United Mine Workers of America, it would take a great deal of space to enumerate them. Many times the organ-
ization under one of the old names in the bituminous fields, grew to a membership of 20,000 but as often the membership fell back to 8,000 or in some cases, practically a few hundred.

After the Miners' National Progressive Union and District Assembly No. 135, Knights of Labor, amalgamated, forming the United Mine Workers of America, the union gradually extended its influence and organized the Anthracite and bituminous men to a great extent. In 1894, a general strike was inaugurated in the bituminous fields and the membership was reduced to 9,000, this left nothing but history of the organization in the anthracite region.

Several small strikes took place. Early in 1900, under the leadership of President John Mitchell, an increased force of organizers were stationed in the Anthracite coal fields.

In July, 1900, mutterings were heard on every hand and it seemed the time had come for the inevitable struggle. Every means was resorted to by the unions to meet the operators but to no avail and the strike of 1900 was ordered to take effect September 17. Although the membership was only 8,000 the organization so clearly represented the attitude of the majority of the mine workers, that from 80,000 to 100,000 men and boys quit work the first day and their number increased until it reached 144,000 employees. Fully ninety per cent of the total men employed. October 20, work was resumed, a raise of wages of ten per cent having been granted. No one considered the struggle in 1900 as conclusive.

Immediately after the men returned to work in 1900, stockades were built about many of the mines, depots were established for the storage of coal. In 1901, the union again maintained peace by a continuation of the agreement of 1900 which had been flung at them rather than granted.

In 1902, every effort consistent with the preservation of dignity was made by the representatives of the union to secure a joint conference with the operators in the hope that a strike might be averted. February 14, 1902, the officials of the United Mine Workers, addressed a letter to the various railroad presidents asking for a joint conference to be held at Scranton, Pa.,
March 12. The request was refused by the operators unanimously. The Mine Workers, in convention assembled at Shamokin, Pa., formulated a series of demands to be presented to the operators. March 22, a telegram was sent to the railroad presidents asking them to meet representatives of the mine workers. The first conference was held March 26. The operators remained obstinate. The second conference was held but the operators still refused the demand. The union offered to compromise their original demands by accepting a ten per cent increase in wages instead of twenty as at first demanded, a nine-hour day instead of eight. The peaceful attitude was mistaken for cowardice and the railway presidents grew more obdurate.

May 8, there still lingered a hope that the trouble could be averted and as a last resort the officials of the United Mine Workers sent a telegram to the operators offering to submit their demands to an arbitration committee of five persons selected by the Industrial Branch of the Civic Federation, or, if that was not satisfactory, to a committee composed of Bishop Ireland, Bishop Potter and one other person whom these two might select. This proposition was also refused. President Baer of the Reading Coal and Iron Company declared "Anthracite mining is a business and not a religious, sentimental or academic proposition," etc. May 9, the District Executive Committee assembled at Scranton and after all other efforts had failed, ordered a temporary suspension of mining to take place May 12, and issued a call for a convention to meet at Hazelton, May 14, to determine if the suspension should be made permanent. The convention by a vote of four hundred and sixty-one and one fourth to three hundred and forty-nine and three-fourths decided in favor of the strike and the strike which has been conceded to be the greatest in American history was declared May 15, 1902. At this time the miners of West Virginia were also on strike, so with the calling out of the Anthracite miners half the membership of the United Mine Workers were on strike. The Anthracite miners hoped for the calling out of the bituminous miners which would have meant a general suspension of mining throughout the country. It seems the existence of a contract between the operators and the miners
which was binding until April, 1903, was the sole reason the bituminous mines continued work. This contract was sacredly observed. A special convention was held in Indianapolis, Ind., beginning July 17, to consider the advisability of a general strike and many other important matters. The delegates voted against a sympathetic strike. The members of the organization in the bituminous fields pledged themselves to subscribe weekly one dollar or ten per cent of their earnings to a fund to be used for the relief of the Anthracite strikers; and the officers of the organization agreed to pay thirty-five per cent of their salaries for the same purpose. In this manner, during a period of sixteen weeks the enormous sum of $2,645,324.42 was collected. The bituminous miners alone paid into the relief fund an average of $7 to $16 per man. Toward the close of the strike many local unions increased their donations, in some instances members offered to pay twenty-five per cent of their earnings. As time passed the suffering of the miners and their families became acute and the publics’ need of coal more pressing—the price of coal soared as high as $30 per ton, especially was this so if purchased in small quantities.

At this time the President of the United States intervened. The operators had stubbornly refused to yield to advice of friend or threat of foe; they appeared absolutely indifferent to the suffering public. The President sent an invitation to the various railroad presidents, to Mr. Mitchell, president of the United Mine Workers of America, and the presidents of the local unions of the Anthracite district to meet him in the temporary White House October 3. This meeting became historic. The President appealed to their patriotism. Mr. Mitchell proposed that all matters of dispute be submitted to the arbitration of a tribunal selected by the President. At this juncture a recess was taken until 3 o’clock and Roosevelt suggested discussion be suspended until that time. The afternoon session was one not to be forgotten. The operators disregarded the President’s admonition and launched forth upon a series of tirades against unions and their officers. Instead of accepting the proposed plan of peace and arbitration, the operators urged the President of the Nation
The attitude of the operators caused a wave of indignation to sweep over the country. The President continued his efforts and October 6, requested President Mitchell, through the Hon. Carroll D. Wright, commissioner of Labor, to secure the return of the men to work. On account of the complications this would have brought President Mitchell refused. A few days after the conference with Roosevelt, the governor of Pennsylvania, ordered out the National Guard, which proceeded to the coal fields. The operators had repeatedly stated that with the troops in the field they would resume and supply the public need. On the day 10,000 militiamen reached the strike center the union men assembled in mass meeting and 150,000 men without one dissenting vote, voted to continue the strike until victory was won.

When October came coal had reached famine prices, the press and people in general were clamoring for a settlement of the strike. The operators finally realized the necessity of surrendering. October 13, J. Pierpont Morgan called upon President Roosevelt, and, in the name of the operators, offered to submit matters in dispute to a commission of five men to be appointed by the President and selected in the manner prescribed in the letter of submission. At the time the offer was made the miners had practically won the strike. They had more money on hand than ever before in the history of the organization and the men had demonstrated that the troops had no effect upon them and they were in a position to continue the conflict indefinitely. After it was learned the President was to have full power a convention was called to meet in Wilkesbarre, October 20. This convention after one days' discussion, voted unanimously that work should be resumed October 23, and all questions in dispute were submitted to the arbitration commission appointed by the President of the United States. So the strike that had endured for five months as a result of the operators refusal to arbitrate was brought to a close.

The sessions of the commission were destined to become historic. Preliminary meetings were held October 24 and 27, 1902, and with few intermissions sat in Scranton and Phila-
Philadelphia from November 14, 1902, until February 5, 1903. This period was devoted to the taking of testimony and was succeeded by five days of argument February 9, to 13th, inclusive. Attorneys represented both sides. The sessions were marked by dramatic incidents, chief among which was the testimony of little children who worked in the silk mills and coal breakers. 558 witnesses were examined, of whom 240 were called by the union, 153 by the attorneys for the non-union men who were specially represented, 154 by the operators and 11 by the commission. The testimony covered over 10,000 pages of legal cap paper besides exhibits, etc., etc. The award given March 18, 1903, was lengthy and with the exhibits appended to it made a document of 120,000 words.

The award did not give the men nearly all they were entitled to, yet it secured substantial advantages to the mine workers. It recognized the United Mine Workers as one of the contracting parties, granted an increase of ten per cent in wages, reduced the hours of engineers and firemen from twelve to eight hours without reduction in pay, reduced the hours of mine laborers from ten to nine and provided that their wages should be paid by the company instead of the miner. It further provided that cars should be equitably distributed, granted to the men the right to have check weighmen and check docking bosses and recommended a permanent board of conciliation.

The strike of 1902, probably increased the total wages of the mine workers between seven and eight million dollars annually.

**EMPLOYEES VS. EMPLOYERS.**

In the twenty years from 1881 to 1900, there were 22,793 strikes, involving 6,105,694 workers. The loss in time was equivalent to 194,000,000 days, or practically one month for each worker who had been involved in a strike. The loss in wages was $258,000,000; the total estimated loss to the community was $469,000,000. Contributions from labor organizations to maintain strikes amounted to $16,000,000.

Fifty-one per cent of the strikes in this period were successful, thirteen per cent partially successful, and thirty-six per
cent failed. Strikes are characteristic of periods of prosperity, lockouts of periods of depression. In the boom period from 1881 to 1883, fifty-seven per cent of the strikes were successful, while sixty per cent were won in the prosperous years from 1896 to 1900.

Data is somewhat meager regarding strikes prior to 1860, 1,500 are recorded, the results known for 1,053. Of these thirty per cent were successful, fifteen per cent compromised, fifty-five per cent lost.

It should be remarked that the loss from strikes is more apparent than real. Periods of prosperity result in overproduction, followed by a period of depression. The markets are practically always supplied with all that can be consumed. The strike tends to put off the day when the employer must enforce a lockout.

Every attempt of the employee to better his condition has met the prompt opposition of the employer. In this matter the state has always given its assistance to the class that paid wages and in the early history of industry fixed the wage in their interest. The first strike, that of the New York seamen, though unorganized, met the immediate opposition of the merchants and ship owners. The first labor union formed in Boston brought about a union of Boston merchants who pledged themselves to “drive the shipwrights, caulkers and gravers to submission or starvation,” and pledged $20,000 as a fighting fund. Seven years later one hundred and six merchants and ship owners agreed to “discountenance and check the unlawful combination formed to control the freedom of individuals as to the hours of labor.”

Four hundred employers organized in New York in 1872, to combat the ten-hour movement, agreeing to contribute $1,000 each to the defense fund.

The close of the Nineteenth Century found national associations of the employers in nearly all the trades. The Citizens’ Industrial Association of America, comprising sixty national and three hundred and thirty-five local associations, was organized in 1903. At the national meeting of the Manufacturers Associa-
tion, held in 1907, the delegates pledged themselves to raise a fund of $1,500,000 to combat organized labor. No one can remain neutral in this conflict. A man's place is determined by his interest. When each recognizes this fact the end of a struggle that begun Centuries before a page of history was written is at hand.

"So all in vain will timorous ones essay
To set the metes and bounds of Liberty,
For Freedom is its own eternal law;
It makes its own conditions, and in storm
Or calm alike fulfills the unerring Will.
Let us not then despise it when it lies
Still as a sleeping lion, while a swarm
Of gnat-like evils hover round its head;
Nor doubt it when in mad, disjointed times
It shakes the torch of terror and its cry
Shrills o'er the quaking earth, and in the flame
Of riot and war we see its awful form
Rise by the scaffold, where the crimson axe
Rings down its grooves the knell of shuddering kings.
Forever in thine eyes, O Liberty,
Shines that high light whereby the world is saved,
And though thou slay us, we will trust in thee!"

—John Hay.

THE END.
MOYER, HAYWOOD AND PETTIBONE ON THE LAWN OF THE STATE PENITENTIARY, BOI
SE, IDAHO. Left to Right William D. Haywood, Charles H. Moyer and George A. Petithone