

STACK
ANNEX

5

094

392

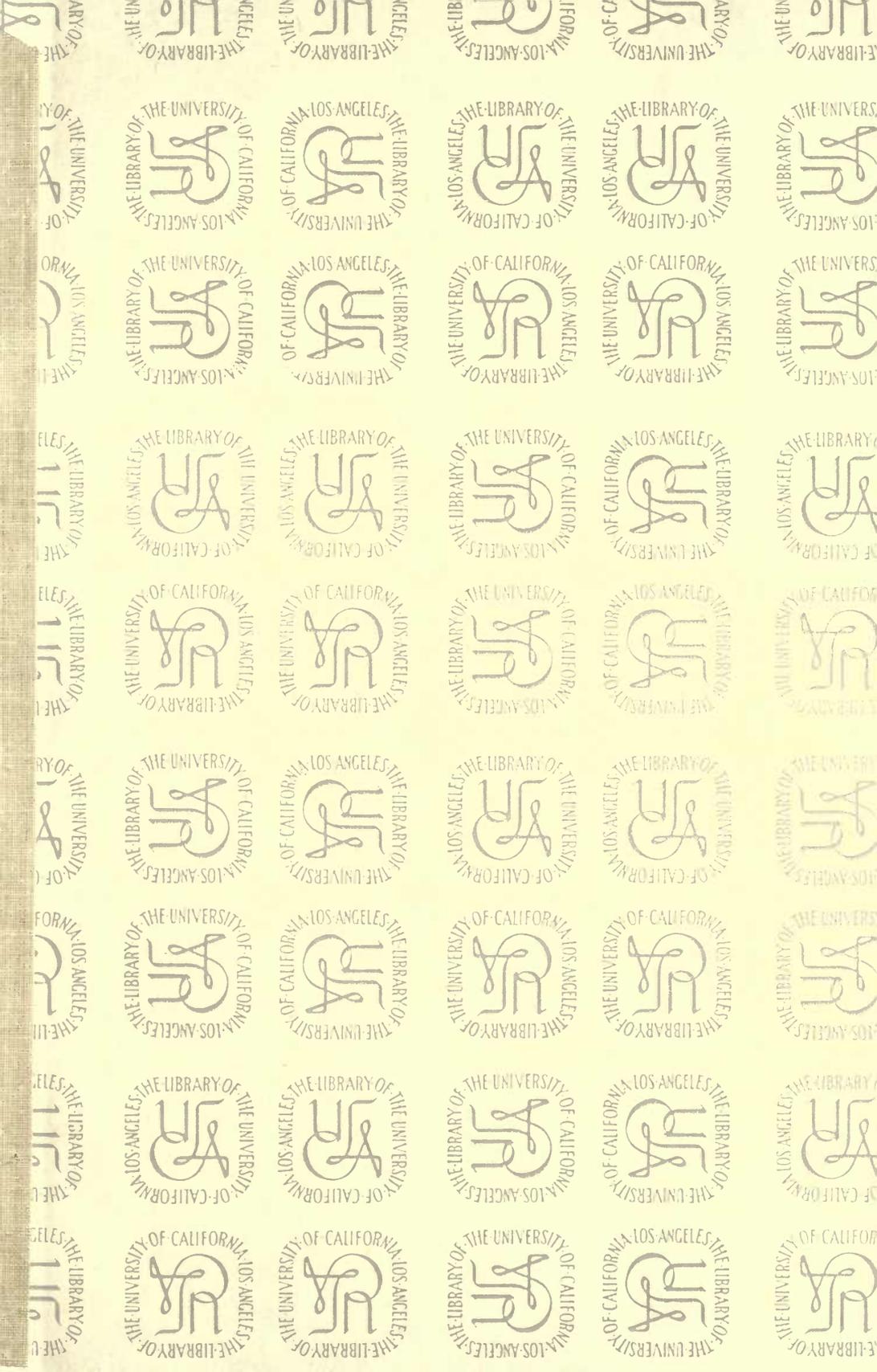
A

0
0
0
0
5
7
6
0
9
0



UC SOUTHERN REGIONAL LIBRARY FACILITY





CRIMINAL RECORD

OF THE

WESTERN FEDERATION OF MINERS

CŒUR D'ALENE TO CRIPPLE CREEK

1894-1904

“Every union should have a rifle club. I strongly advise you to provide every member with the latest improved rifle, which can be obtained from the factory at a nominal price. I entreat you to take action on this important question, so that in two years we can hear the inspiring music of the martial tread of 25,000 armed men in the ranks of labor.”

—From a speech by the President of the Western Federation of Miners, at Salt Lake City.

“I find that the disturbances at Cripple Creek and Telluride amounted to insurrection against the State of Colorado, in that mining, milling, and other business was suspended there by reason of intimidation, threats of violence, and that the civil officers were not able to or did not maintain order.”

—From report of Major-General J. C. Bates, U. S. A., to the Chief of Staff.

UNIVERSITY OF CALIFORNIA
LOS ANGELES
COMPILED BY
THE COLORADO MINE OPERATORS' ASSOCIATION
COLORADO SPRINGS, COLORADO

GOV. PEABODY TO THE VOTERS



The Colorado Situation Discussed and Misstatements Refuted



SUPREME COURT DECISION



TO THE PEOPLE OF COLORADO:

There is a prevalent idea in this country that the proprieties which pertain to the higher executive offices should deter their incumbents from engaging in any controversial discussion of their policy or action, limiting the executive functions in that regard to the messages that from time to time are made to the legislature.

I would not at this time depart from the observance of the rule of silence I have hitherto followed did I not believe that recent events render such departure a duty to my state. The unhappy conditions which have existed, and to a degree still exist, in three out of fifty-nine counties of the state have been made the pretext for the most wanton and false representations of the conditions in the state at large.

Certain newspapers of the state of wide circulation and influence, which have never been distinguished either for support of conservative policies, or for condemning the excesses of the one organization which has caused our trouble, have given these misrepresentations the widest publicity.

Many of the people of our sister states, with faint notions of the truth, have been led to believe that Colorado is in a state of anarchy, ruled by abandoned public officials, who have rendered life and liberty unsafe.

This picture has been drawn by certain citizens of our own state, who, for selfish purposes, which are apparent, seek to tarnish the fair name of a great and prosperous commonwealth.

If the public press is to be credited, the delegation from this state to the recent St. Louis convention pictured before the representatives of every state in the Union the woe and desolation and degradation, the lawlessness and hopelessness of their own state.

Colorado deserves a better fate at the hands of her sons.

And again it has become the settled policy of those who hope to gain political advantage through the misfortunes of the people of a few localities to inaugurate, by daily pronouncements, a campaign of hatred, and to lead that large law-abiding and liberty-loving body of our citizens who belong to labor unions to believe that I have been, and still am, engaged in waging a war against all union labor. Nothing could be farther from my policy or my desire.

The considerations above stated, and many others, lead me to believe that it is fitting and proper for me to present to the people of this state, and to the public generally, a review, as brief as is consistent with a proper understanding, of the causes that led up to the labor troubles with which I have had to deal, and of the reasons for the policy which has been pursued.

EFFORTS TO SETTLE THE STRIKE.

Very soon after I assumed office, and on the 14th of February, a strike was declared at the ore reduction mills at Colorado City, in El Paso county, by the Colorado City Mill and Smelters Union—a branch of the Western Federation of Miners. On the night of February 14 a large number of strikers proceeded to one of the mills, and, by show of force and threats, drove the workmen who had refused to strike from their labor. The strikers established pickets. Employes of the mills were assaulted and conditions gradually grew worse, until, on March 3 following, the sheriff of the county petitioned me to send the militia, stating that he was unable to preserve the peace and protect life and property. A petition to the same effect was also presented at or about the same time, signed by a very large number of the most conservative, well known and highly respected residents of El Paso county, urging that I send the militia without delay. This representation of conditions and knowledge gained from other sources impelled me to order out a detachment of the National Guard for service at and about the mills. The strike continued, but the militia preserved order. The mills continued to operate. The statements made by the opposing sides were greatly at variance, and, in order to ascertain the truth and allay public excitement, on the 19th day of March, 1903, I requested five gentlemen of acknowledged standing in the state—Professor W. F. Slocum, Judge Charles D. Hayt, Rev. Thomas Uzzell, Father J. P. Corrigan and Hon. Frank W. Frewen, a member of the legislature of the state, and also at that time a member of the Western Federation of Miners—to act as a commission to investigate and report to me the causes of the trouble and to seek, if possible, a friendly settlement. This body was known as The Governor's Commission. Dr. Slocum was unable to serve, but the remaining members acted, and both sides voluntarily appeared before them and produced a mass of evidence.

As a result of this commission's labors—on March 31, 1903—the officials of the mill appeared before the commission and made certain promises as to what their course would be if the strike were declared off. The president of the Western Federation of Miners, who was present, expressed doubt as to the good faith of the promises made, but stated that he would call off the strike, and would ask the commission to reassemble on May 18 following, for the purpose of determining whether or not the representatives of the milling company had kept the promises made.

The strike was declared off. On May 18 the Federation insisted that the promises made, as I have stated, had not been kept.

The commission reassembled. The statements of the Federation and of the mill management were presented. The commission unanimously reported to me that the promises had all been fulfilled, closing as follows:

"Your advisory board is of the opinion that Manager MacNeill has used all possible efforts to re-employ the striking mill men in accordance with his assurances made before said board."

Notwithstanding this report, a strike was again declared against the mills. It was ineffectual, and thereupon a sympathetic strike was declared by the Federation in Cripple Creek to cut off the ore supply of the mills. The president of the Federation stated before said commission that no grievance existed against the mine owners.

It has been contended, and apparently generally believed, that this strike was called because of the failure of the legislature to enact an eight-hour law.

As a matter of fact, the strike at Colorado City was called on the 14th of February, some five or six weeks before the adjournment of the legis-

lature, which then had under consideration an eight-hour law, and at a time when every indication pointed to the enactment thereof.

The Standard mill, at which the strike occurred, had been an eight-hour plant for five years, working the eight-hour day in every department save one, and that one employing but a small proportion of its men. In his testimony before the governor's commission above referred to, Mr. Moyer, president of the Federation, in response to the direct question as to whether or not he had any complaint to make as to the hours of labor, replied, "None whatever."

So far as the Cripple Creek district is concerned, the mine workers have worked a maximum of eight hours per day for over ten years, and out of this time one-half hour is allowed for luncheon, receiving the union scale of wages, which is a minimum of \$3.00 and an average of nearly \$4.00 per day.

In response to the call for a strike in the Cripple Creek district some four thousand men discontinued work and every mine except one was effectually closed. The sheriff and nearly every peace officer of the county were members of the Western Federation of Miners and owed their positions to the votes and influence of that organization. Almost immediately after the calling of the strike the mine owners decided to open their mines as rapidly as possible. One property was opened under heavy private guard. Early in September, however, an effort was made to bring about the general opening of the mines of the district. As soon as this was done picketing and intimidation and murderous assaults were resorted to.

CHARACTER OF THE ORGANIZATION.

I well knew the history and character of this organization. It is, in fact, a matter of common knowledge in Colorado that for ten years this Federation has stopped at nothing to accomplish its purpose—threats, intimidation, assaults, dynamite outrages, murders, have everywhere characterized its policy. It has been the occasion of more trouble and expense to the state than all other causes combined, including Indian raids. It has never had a strike that has not been bloody. The catalogue of its crimes affrights humanity. In times of strike its action has amounted to open insurrection against the state. The leaders of this organization have instilled into the minds of its membership the necessity of arming themselves for the purpose of resisting constituted authorities. In his speech delivered in Salt Lake City in 1897, Mr. Boyce, then president of the Western Federation of Miners, and the man who organized the Colorado branch of this organization, said:

"I deem it important to direct your attention to article 2 of the constitutional amendments of the United States—"the right of the people to keep and bear arms shall not be infringed." This you should comply with immediately. Every union should have a rifle club. I strongly advise you to provide every member with the latest improved rifle, which can be obtained from the factory at a nominal price. I entreat you to take action on this important question, so that in two years we can hear the inspiring music of the martial tread of 25,000 armed men in the ranks of labor."

The utterance is in line with advice repeated and reiterated by other leaders of the organization.

Nor have these words been sterile of fruit. In every strike inaugurated by this union in the state of Colorado has been followed the precedent set in Idaho in 1899, when a thousand men armed themselves with rifles, pillaged boldly from the state armory, and openly proceeded to take life and destroy property by dynamiting the Bunker Hill and Sullivan mill.

In 1894, Federation members, armed to the teeth, entrenched and picketed, and with precise military organization, defiantly held prisoners for exchange on Bull Hill, in Cripple Creek.

In 1896, Federation members killed in open conflict, on the streets of Leadville, citizens of Lake county, and did these murders with rifles bought and paid for by the local executive committee of the Federation.

In San Miguel county, Vincent St. John, president of the local union of the Western Federation, bought and paid for 250 rifles, with which he armed his Federation followers, and these guns were used in broad daylight on non-union miners at the Smugler-Union mine in one of the most inhuman and barbarous crimes ever committed in the name of any cause.

In Lake City, in 1898, again these lawless men stole rifles from the state armory, and were prepared to use them to uphold their demands; and, finally, OUT OF THE UNION HALL AT VICTOR THERE SUR-RENDERED ON JUNE 6 OF THIS YEAR, SIXTY-TWO MEMBERS OF THE WESTERN FEDERATION OF MINERS, BEARING AMONG THEM 35 RIFLES, 32 REVOLVERS AND 9 SHOTGUNS, WHICH WERE STILL HOT WITH SHOTS FIRED AT CITIZENS AND AT THE UNIFORMED MILITIA OF THE STATE.

This record convinced me that the overt acts which had been committed in Cripple Creek were but forerunners of others, and that with the executive officers of Teller county in direct collusion with this organization it would be but a few days until a reign of terror, involving loss of life and property, would be established in that district. The Federation is led and absolutely controlled by unscrupulous men. *Only two of the executive committee are residents of the state, and none of the committee has anything in common with the state's interests.*

The character and history of this Federation must be held constantly in view in determining whether or not the policy I have pursued is wise and proper. There is no other organization with such a character and such a history in the United States. I knew and realized this when the strike was inaugurated in Cripple Creek. I was requested by representatives of the mine operators, representative citizens of the district and the mayor of Victor to send the troops to the Cripple Creek district.

Before responding to this demand, however, I sent a commission composed of Hon. N. C. Miller, attorney-general of the state, General John Chase, who at that time commanded the military of the state, and Hon. T. E. McClellan, ex-United States prosecuting attorney, that they might investigate the conditions in person and report to me. In response to the recommendation of this commission troops were ordered to the Cripple Creek district on September 4, the commission having convinced me that only in this manner could the peace and quiet of Teller county be maintained and men protected in their right to follow their usual vocation.

DUTY OF THE EXECUTIVE.

There is no higher duty devolving upon the executive of any state than affording protection to men who desire to labor. In affording that protection it later became necessary, in my judgment, to confine certain men in military guard houses as one of the safest and most expeditious methods of restoring order. It was loudly proclaimed that this was without authority of law. The question was submitted to the supreme court and the action of the military in that respect fully sustained. The law-abiding citizens of the state need not be alarmed by the frenzied cry that they are all in danger of incarceration if the governor has such power. It is a useful and a necessary power and the class that should dread its exercise is not numerous. *In this regard I pursued the course which seemed wisest and best, and I can not seek higher authority for its legality than the supreme court.*

There may have been occasional indiscretions of officers or men, as is inevitable with a large body not accustomed to such service—but whenever such instances have been brought to my attention they have been promptly and properly dealt with, and the national guard of the state has been maintained on a high standard.

The troops were in the Cripple Creek district from September 4, 1903, to the 11th day of April, 1904, in diminishing numbers, as conditions permitted. The general policy pursued in Cripple Creek was followed in other parts of the state, and particularly in Telluride, where the excesses and crimes of the Federation had been still more inhuman than in any other district and the reign of terror still more complete. Order now prevails there, and it is believed that the people of that district may at last enjoy peace and quiet.

The trouble in the Cripple Creek district had apparently subsided. The last of the troops were withdrawn, as I have stated, on the 11th day of April, 1904. The mines were all being operated with a full quota of men who were not affiliated with the Western Federation of Miners, save only the Portland mine, where many Federation members were employed. The lawlessness which has everywhere characterized the methods of that Federation seemed for a time to have been abandoned by it. The district apparently was destined to enjoy a period of peace. But it proved to be only the calm before the storm.

THE CRIME OF JUNE 6.

At about 3 o'clock on the morning of June 6, a mine of dynamite was exploded by means of an infernal machine, placed underneath the station platform at Independence, and thirteen men were instantly blown to fragments and many others mutilated and maimed for life. All these men were non-union miners, about to board a train for their homes in the district.

The infamous outrage, following, as it did, years of intimidation, threats, countless assaults and murders, was the last of the series which had caused a veritable reign of terror in that mining district. The citizens of the county, inexpressibly shocked at this wholesale murder of innocent men, determined that the community must be rid of the authors and instigators of such crimes.

A public meeting was held in Victor the afternoon following the Independence outrage, and while the meeting was being addressed, the crowd was fired upon from the Federation store and union hall. Two non-union miners were shot and killed, and six others wounded. The local troops were called out the same evening, at the request of the mayor of Victor, to prevent the excesses that seemed inevitable.

When the excitement had subsided somewhat and the county was still under quasi military rule, it was found that there were several hundred members of the Western Federation in the district who would not work, and had resolved that others should not if, by such methods as those employed at the Independence station, they could be driven or frightened away.

It became apparent that even with every member of the national guard in that county it would be impossible to prevent the use of dynamite in the stealthy manner always employed by the Federation. The mountains and gulches of that rugged country afford a multitude of safe places for reconnoitre and hiding. The troops, which had already been there a greater part of the year, could not be maintained indefinitely without incurring immense additional expense. The only safe and available remedy seemed to be to disperse the radical members. If all of them had not personally participated in the outrages, they had at least stood approvingly by and given their support, encouragement and protection.

If these men were scattered, the avenues which ten years of organization and association had opened for crime in that district would be closed. It would require much time in any other community before they could gather about them a new band of conspirators with the inclination and daring to inaugurate in a new field another condition of terrorism. These men, as I have said, had determined never to yield the strike. The mine owners had resolved not to employ again the members of that organization. Therefore, the only employment which remained for them was

that of stirring up strife—committing depredations and intimidating by inhuman crimes the working miners.

I resolved that they should be dispersed and I dispersed them.* This was done, however, only after careful investigation of each individual case.

I hope and believe that these men so sent from the district will, when released from the evil influences of a criminal leadership, return to lawful living and resolve that a recognition of the rights which the laws confer is the proper guide for conduct.

NO WAR ON UNIONS.

From what I have said and from what is within the knowledge of every citizen of the state it will be seen that disturbances have been limited to the mining and allied industries. It has been charged repeatedly that the militia has been placed at the disposal of the mine owners to oppress labor. The injustice of the charge is apparent, but it will doubtless continue to be made.

The militia was employed to restore order and to protect labor and property in the rights to which each is entitled under the law.

The militia opposed the wishes and purposes of the Federation because that organization was attempting to prevent, by violence, the operation of the mines and mills. It is again charged that I have been engaged in a war upon unions generally, and strenuous and repeated efforts are being made to play upon the passions of union men. *I do not believe the efforts will be successful. I do not believe the conservative union men of the state will feel called upon to adopt the policy of the leaders of the Federation, nor can I believe they will sanction it. I believe they will be able to discriminate between their own unions and principles, and the socialistic, anarchistic objects and methods of the Federation.* IN THE TEN YEARS OF ITS EXISTENCE THE WESTERN FEDERATION OF MINERS HAS INVOLVED THE STATE IN A CASH OUTLAY FOR THE MILITIA OF MORE THAN \$2,000,000.

I propose in the future, as in the past, to "see to it that the laws are faithfully executed," and in the accomplishment of that purpose I shall not inquire whether the individual entitled to protection is, or is not, a member of any labor organization. No one can appreciate more than I, not only the right and wisdom of laboring men to join together for the purpose of bettering their wages and working conditions, and no one can believe more heartily than I in a fair wage and reasonable hours. It will be a matter of great regret to me if the laboring men of this state fail to see that I am fighting their battle, for I sincerely believe that organized labor has no more dangerous enemy than the Western Federation of Miners, which is seeking, under the cloak of organized labor, to protect itself alike in the promulgation of its dishonest socialistic theories, which recognize no right to private property, and from the result of its anarchistic tenets and tendencies. Legitimate labor organizations of necessity suffer from the criminal aggressions of the Federation. ITS CLAIM TO THE CHARACTER OF A LABOR ORGANIZATION IS ITS ONLY TITLE TO RESPECTABILITY. I BELIEVE THAT NO GREATER GOOD CAN BE CONFERRED UPON THE CAUSE OF UNION LABOR, STRIVING TO BETTER THE CONDITION OF ITS MEMBERS, THAN THAT THE MEMBERS OF SUCH LEGITIMATE LABOR UNIONS CONDEMN THE METHODS OF THE FEDERATION.

Those who are charged with the duty of seeing that the lives and property of citizens are respected have difficult and perplexing problems to solve in times of insurrection and great public stress.

I have had to deal with an organization which has no counterpart in this country. Its official proclamations, full of defiance and challenge,

*About 200 were sent away from Teller county, and 100 from San Miguel county, Colorado.

issued from time to time, have amounted, as has been said, to "a declaration of war against the state."

I HAVE MET THE CHALLENGE WITH A POLICY NONE TOO VIGOROUS FOR THE OUTLAWRY I WAS CALLED TO OPPOSE. BUT THROUGH IT ALL I HAVE HAD BUT ONE OBJECT, AND THAT TO SHOW THE PEOPLE OF COLORADO THAT THE LAWS WILL BE UPHELD—THAT A CRIMINAL ORGANIZATION CAN NOT DICTATE THE POLICY OF THIS ADMINISTRATION, AND THAT EVERYWHERE WITHIN THE BORDERS OF COLORADO, PROPERTY SHALL BE SECURE AND LABOR FREE.

JAMES H. PEABODY,
Governor.



THE MOYER CASE



Excerpts from the Colorado Supreme Court Decision in the Moyer Habeas Corpus Case, 1904



.....
"Laws must be given a reasonable construction, which, so far as possible, will enable the end thereby sought to be attained. So with the Constitution. It must be given that construction of which it is susceptible, which will tend to maintain and preserve the government of which it is the foundation, and protect the citizens of the state in the enjoyment of their inalienable rights. *In suppressing an insurrection it has been many times determined that the military may resort to extreme force as against armed and riotous resistance, even to the extent of taking the life of the rioters.*

"Without such authority the presence of the military in a district under the control of the insurrectionists would be a mere idle parade, unable to accomplish anything in the way of restoring order or suppressing riotous conduct.

"If, then, the military may resort to the extreme of taking human life in order to suppress insurrection, it is impossible to imagine upon what hypothesis it can be successfully claimed that the milder means of seizing the persons of those *participating in the insurrection or aiding and abetting it* may not be resorted to. This is but a lawful means to the end to be accomplished. The power and authority of the militia in such circumstances are not unlike that of the police of a city, or the sheriff of a county, aided by his deputies of *posse comitatus* in suppressing a riot. *Certainly such officials would be justified in arresting the rioters and placing them in jail without warrant, and detaining them there until the riot was suppressed—* Hallett, J., In re Application of Sherman Parker. If, as contended by counsel for petitioner, the military, as soon as a rioter or insurrectionist is arrested, must turn him over to the civil authorities of the county, *the arrest might, and in many instances would, amount to a mere farce.* He could be released on bail, and left free to again join the rioters or engage in aiding and abetting their action, and if again arrested, the same process would have to be repeated, and thus the action of the military would be rendered a nullity. Again, if it be conceded that on the arrest of a rioter by the military he must at once be turned over to the custody of the civil officers of the county, then the military, in seizing armed insurrectionists and depriving them of their arms, *would be required to forthwith return them to the hands of those who were employing them in acts of violence,* or be subject to an action of replevin for their recovery, whereby immediate possession of such arms would be obtained by the rioters, who would thus again be equipped to continue their lawless conduct.

"To deny the right of the militia to detain those whom they arrest while engaged in suppressing acts of violence and until order is restored, would lead to the most absurd results.

"The arrest and detention of an insurrectionist, either actually engaged in acts of violence or in aiding and abetting others to commit such acts, violates none of his constitutional rights. *He is not tried by any military court, or denied the right of trial by jury; neither is he punished for violation of the law, nor held without due process of law.* His arrest and detention in such circumstances are merely to prevent him from taking part or aiding in a continuation of the conditions which the governor, in the discharge of his official duties and in the exercise of the authority conferred by law, is endeavoring to suppress. When this end is reached, he could no longer be restrained of his liberty by the military, but must be, just as respondents have indicated in their return to the writ, turned over to the usual civil authorities of the county, to be dealt with in the ordinary course of justice, and tried for such offense against the law as he may have committed. It is true that the petitioner is not held by virtue of any warrant, but if his arrest and detention are authorized by law, he can not complain because those steps have not been taken which are ordinarily required before a citizen can be arrested and detained.

"Nor do those views conflict with section 22 of the Bill of Rights, which provides that the military shall always be in strict subordination to the civil power.

"The governor, in employing the militia to suppress an insurrection, is merely acting in his capacity as the chief civil magistrate of the state, and although exercising his authority conferred by the law through the aid of the military under his command, *he is but acting in a civil capacity.* In other words, he is exercising the civil power vested in him by law through a particular means which the state has provided for the protection of its citizens. No case has been cited where the precise question under consideration was directly involved and determined, but in cases where the courts have had occasion to speak of the authority of the military to suppress insurrection and the means which may be employed to that end, it has been stated that parties engaged in riotous conduct render themselves liable to arrest by those engaged in quelling it.

In re Kemp, 16 Wis., 382 (413).

Luther vs. Borden, *supra*.

Johnson vs. Jones, 44 Ill., 142.

"The same rule necessarily applies to those found in the zone of the disaffected district who are aiding and abetting the insurrectionists; for such conduct, unless repressed, would result in the continuation of the insurrection, or, at least, render it more difficult to suppress.

"We therefore reach the conclusion that, independent of the questions of the authority of the governor to declare martial law, or suspend the privilege of the writ of habeas corpus, that the petitioner, on the showing made by the return, is not illegally restrained of his liberty. In reaching this conclusion we are not unmindful of the argument that a great power is recognized as being lodged with the chief executive, which might be unlawfully exercised. That such power may be abused is no good reason why it should be denied. The question simply is, does it exist? If so, then the governor can not be deprived of its exercise. *The prime idea of government is that power must be lodged somewhere for the protection of the commonwealth. For this purpose, laws are enacted and the authority to execute them must exist, for they are of no effect unless they are enforced. Neither is power of any avail unless it is exercised. Appeals of a possible abuse of power are often made in public debate. They are addressed to popular fears and prejudices, and often given weight in the public mind to which they are not entitled. Every government necessarily includes a grant of power lodged somewhere. It would be imbecile without it.*

* * * * *
"The petitioner was lawfully arrested by the military authorities while the work of suppressing the insurrection in San Miguel county was in progress. Such arrest being lawful, his restraint by respondents until it is suppressed is not illegal."

CRIMINAL RECORD
OF THE
WESTERN FEDERATION
OF MINERS

COEUR D'ALENE TO CRIPPLE CREEK

1894-1904

copy

COMPILED BY
THE COLORADO MINE OPERATORS' ASSOCIATION
COLORADO SPRINGS, COLORADO

CLIMAX OF CRIME AGAINST NON-UNION MEN WHICH
RECENTLY CLOSED THE BLOODY CAREER OF
THE WESTERN FEDERATION OF MINERS
IN THE CRIPPLE CREEK DIS-
TRICT, COLORADO

KILLED AND INJURED BY INFERNAL MACHINE JUNE 6th, 1904

ALEX M'LAIN, leaves wife and three children.

J. A. HARTSOCK, leaves three children—7, 9 and 12 years old.

ED ROSS, leaves wife.

GUS AUGUSTINE, single.

GEORGE F. S. HENDERSON, single.

HERBERT M'COY, leaves wife and two children.

GEORGE KELSO, leaves wife.

ARTHUR MEILHEISEN, single.

W. W. DELANO, leaves wife.

J. H. JOHNSON, single.

JOHN ST. CLAIR, leaves wife and one child.

W. S. SHANKLIN, leaves child 4 years old, wife dead.

J. H. HAAG, leaves one child, wife dead.

INJURED

PHIL CHANDLER, single, ankle broken.

C. C. ALLEN, single, leg broken.

JOHN POLICE, both legs cut off, wife and three children.

DAN GAINEY, single, one leg off, the other broken.

JAMES BROOKER, arm broken, has family.

ED HOLLAND, both legs off, wife and three children.

KILLED BY RIFLE SHOTS FROM FEDERATION HEADQUARTERS
SAME DAY

JOHN M. DAVIS, single.

ROXIE M'GEE, single.

KILLED BY INFERNAL MACHINE, VINDICATOR MINE

MEL. BECK, left a daughter 14 years old.

CHARLES M'CORMICK, left wife.

POSITION OF THE PEOPLE OF COLORADO

Neither the people of Colorado nor their Governor, James H. Peabody, hold organized labor responsible for the terrible crimes of the Western Federation of Miners. Neither do they contend that *all* members of this organization belong to the vicious or lawless class.

It would be just as unreasonable to condemn the institution known as "organized labor" for these crimes as it would be to condemn the republican form of government because of the crimes of the barbarous little republics of Central and South America.

It was not a question of whether corporations, mine owners, alliances or unions should prevail, it was a question of whether or not law and security for life and property should prevail.

The people of Colorado believe that the long record of outrage and crime given in this pamphlet justifies the following conclusions:

INDICTMENT

1. That a large number of criminals and lawless men have been welcomed, supported and sheltered by the Western Federation of Miners.

2. That the officers of that organization and a large number of the members, while perhaps not committing crimes themselves for which they can be prosecuted, do directly and indirectly advise or encourage the lawless among them to commit crimes.

3. That these officers and this element preach disrespect for the law and contempt for the lawful authorities and openly and publicly, as individuals, approve of and gloat over the slugging, dynamiting and murdering of non-union men by their criminal associates.

4. That where this organization has had its members in local public offices, or where it has had the power to influence peace officers and courts in this state, it has paralyzed the hand of justice and made it next to impossible to convict members of the Federation caught in the act of committing crimes.

5. That this organization, having formally and officially espoused the cause of the so-called Socialist party, is opposed to our present form of government and is aiming at its overthrow, together with the abrogation of the present Constitution.

6. That this organization teaches its members to regard the wealth they produce from the property of others as their own, thus encouraging theft (of ore, for instance) and also inflaming the minds of its members against their employers, against the law, against organized society and against the peace and safety of the public.

CRIMINAL RECORD OF THE WESTERN FEDERATION OF MINERS

FROM COEUR D'ALENE TO CRIPPLE CREEK—1893-1904

The Western Federation of Miners was organized in Butte, Montana, on May 15th, 1893, at a time when the miners' unions were in full control of the Coeur d'Alene mining district, politically and industrially.

They ruled their little kingdom in the most arbitrary and tyrannous manner, committing outrages and murder without the slightest fear of punishment.

On July 11th, 1892, armed union men dynamited the Frisco mill near Wardner, destroying it. In the fight which followed a number of non-union men were killed. Seventeen were marched off a dock into the lake. No one was punished for these crimes. Federal troops were finally brought in. Martial law was in force until November, 1892.

As soon as the troops departed the former condition of terrorism was resumed. A large number of men who had opposed the strike violence were, by threats and abuse, driven from the district by the union men. One non-union man was tied to a hand car and turned loose down a heavy railroad grade. Outrages against non-union men continued, and the local authorities made practically no effort to suppress them.

THE WESTERN FEDERATION APPEARS.

These were the conditions prevailing in the Coeur d'Alenes when the Western Federation of Miners was organized to bring all the various miners' unions of the West under one strong

organization, to be directed by one head. That no hope for better things was to be expected from this organization was indicated by the bold and warlike utterances of the leaders of the movement.

Peter Breen, a prominent leader, in a speech at Butte on July 11th, 1893, two months after the organization was started, said, in substance:

“We have given the mine owners a fight to the finish, and if they are not satisfied we can give them some more. This,” he said, “was the happiest moment of his life, and that he was at all times willing to be classed as one of the dynamiters of the Coeur d’Alene.”—(Congressional Report.)

DYNAMITE RULE IN THE COEUR D'ALENE.

Here are a few of the more serious crimes of the Western Federation of Miners in this long terrorized section of Idaho:

JULY 3, 1894, JOHN KNEEBONE MURDERED. HAD BEEN DRIVEN FROM THE COUNTRY AND RETURNED; WAS SHOT TO DEATH IN BROAD DAYLIGHT BY FORTY FEDERATION MINERS ARMED WITH RIFLES AND SHOTGUNS.

July 3rd, 1894. Driven out. Superintendent Neil, Foreman Crumer, Frank Higgins and Charles West, non-union men, were captured by armed Federation men and forced to leave the country under threats of death. No arrests.

Silver Star, organ of W. F. of M., said the unions could not be held responsible for the Kneebone murder because the Gem mine owners had not discharged scabs as requested by the unions.

July 16th, 1894. Grand jury was summoned and reported that witnesses were afraid to testify in Kneebone case. To oppose the Federation in this manner meant death, or at least a beating and deportation from the district. Officials were in sympathy with the criminals and conviction would be impossible.

July 14th, 1894. Dynamiting. An attempt was made to blow up the Bunker Hill power house. The bomb struck an obstruction before reaching the building and did but little damage.

December 22nd, 1894. Exiled. A number of non-union men were collected and driven out of the country. No arrests.

April 15th, 1895. J. J. Mills driven out. An armed band of Federation men drove J. J. Mills, a non-union man, from the Gem mine, and forced him to leave the country. No arrests.

June 1st, 1895. Exiled. Another batch of non-union men were driven from the district by armed and masked Federation men, who beat them with guns and clubs. No arrests.

October 27th, 1895. John Eckland driven out. Non-union man, badly beaten. No one punished.

March 10th, 1896. Dynamiting. Another effort made to blow up the Bunker Hill mill. Plan miscarried. Damage slight. No arrests.

February 7th, 1897. John Kopp exiled. Taken from his bed and ordered to leave the country. Filed complaint against assailants, but was forcibly driven away before he had a chance to testify against them.

That these murders and outrages upon the persons of law-abiding citizens were in accord with the policy of the Western Federation of Miners, and met with the approval of the President of that body, is shown by the following from a speech of President Boyce, delivered at Salt Lake on May 8th, 1897:

"EVERY UNION SHOULD HAVE A RIFLE CLUB. I STRONGLY ADVISE YOU TO PROVIDE EVERY MEMBER WITH THE LATEST IMPROVED RIFLE, WHICH CAN BE OBTAINED FROM THE FACTORY AT A NOMINAL PRICE. I ENTREAT YOU TO TAKE ACTION ON THIS IMPORTANT QUESTION, SO THAT IN TWO YEARS WE CAN HEAR THE INSPIRING MUSIC OF THE MARTIAL TREAD OF 25,000 ARMED MEN IN THE RANKS OF LABOR."

This is from the official who organized the Western Federation of Miners in Colorado and sowed the seeds of insurrection which have cost Colorado so much during the past year.

May 13, 1897. Armory raided. Five days after this speech of Mr. Boyce, Federation men entered the building where the arms and ammunition of the state militia company at Mullan, Idaho, were stored, and forty-six rifles and ten thousand cartridges were taken. No arrests. Some of these guns were afterward used in the Federation riot at Wardner.

April 17, 1897. Demand disbanding of militia. County Commissioners of Shoshone County (Federation sympathizers) petitioned the Governor to disband the two militia companies (mostly non-union men) organized in Wardner, because they were a "continual menace to the peace and good order of the county."

During this year (1897) non-union men were frequently attacked, particularly at night, and many were driven from the country.

DECEMBER 23, 1897, F. D. WHITNEY MURDERED. A NON-UNION FOREMAN OF HELENA-FRISCO MILL, WHO HAD OFFENDED THE WESTERN FEDERATION OF MINERS; WAS TAKEN FROM HIS BED BY MASKED UNION MEN AND BRUTALLY MURDERED. NO ARRESTS.

January, 1898. Another lot of non-union men were run out of the district and others followed from time to time, during the year.

October 21, 1898. Dan Connor exiled. Non-union shift boss at the Standard mine, forced to leave the country for discharging some union men.

The town and county officials continue to connive at the crimes of the Western Federation of Miners, and to ignore the appeals of the harrassed citizens until after the riot of April 29, 1899, when they were removed and impartial officials put in their place.

REGIMENT OF ARMED FEDERATION MEN.

APRIL 29, 1899. DYNAMITING, RIOTING, MURDER. ONE THOUSAND FEDERATION MEN, MANY OF THEM MASKED, ARMED WITH RIFLES, SHOTGUNS AND REVOLVERS, FORCIBLY TOOK POSSESSION OF A TRAIN AND WENT TO WARDNER. THEY CAME FROM THE TOWNS OF WALLACE, BURKE, GEM AND MULLAN. THEY BLEW UP THE \$250,000 MILL OF THE BUNKER HILL-SULLIVAN MINING COMPANY, COMPLETELY WRECKING IT. THEY CAPTURED SOME NON-UNION MEN, BEAT THEM OVER THE HEAD WITH GUNS, AND WHEN THEY RAN, FIRED INTO THEM. TWO WERE KILLED—CHEYNE AND SMITH—AND OTHERS WERE WOUNDED. THE FEDERATION SHERIFF OF THE COUNTY WAS WITH THE MOB AND DID ABSOLUTELY NOTHING TO PREVENT THE DESTRUCTION OF LIFE AND PROPERTY. THE EXCUSE FOR THIS INSURRECTION WAS THE REFUSAL OF THE OWNERS OF THE DESTROYED PROPERTY TO DISCHARGE NON-UNION MEN.

The following quotations are from the *Idaho Tribune*, the organ of the Western Federation of Miners, edited by J. R. Sovereign, a prominent leader, formerly at the head of the Knights of Labor:

“The train reached Wardner at 1 o'clock, and the work of clearing the country of all opposition was begun. A detachment of union miners armed with Winchester rifles was dispatched to the mountain side beyond the mill, and the work of placing under the mill 3,000 pounds of dynamite taken from the magazine of the Frisco mine was commenced. All the details were managed with the discipline and precision of a perfectly trained military organization. * * * Sixty armed scabs in the employ of the Bunker Hill Company offered the only resistance, and they gave expression to the most pitiable and lamentable cowardice. Only a few desultory shots from the miners were necessary to send them fleeing over the mountains. * * * All miners and friends of the miners were warned to take a safe distance from the work of destruction.”

President Boyce's advice had been taken. And the organ of the Federation approved of the act, for it said:

“For its foolhardy policy the Bunker Hill has suffered an immense loss, and no one who understands the real situation has any sympathy for them. * * * The company will need military protection for forty years after their new mill is completed.”

From this it is plain that the organization not only approved of the destruction of the old mill, but threatened the new one.

The militia of Idaho having been sent to the Philippines, the Governor called for Federal troops. All dangerous characters and men who were inciting riot were thrown in the guard house for safe keeping (in much the same manner as they were recently in Teller county, Colorado). Those against whom evidence was found indicating participation in crime were turned over to the civil authorities, others were held until the reorganized civil government was in full operation, and released. Martial law continued for six months, and a small squad of soldiers was stationed near Wardner for about a year.

Mine and mill owners refused to again employ any member of this murderous organization, and they were obliged to follow the same trails out of the country over which they had deported and beaten non-union men.

Since that time peace, happiness and prosperity have reigned in the Cocur d'Alenes.

A strong protest against the action of the President and the Governor went up from the yellow press and from labor and political agitators, because of the alleged "violation of the Constitution and the Bill of Rights," but Congress sustained the President, and the Supreme Court of Idaho sustained the Governor in his acts, as the Supreme Court of Colorado has supported Governor Peabody in the Colorado case.

The military forced respect for the civil authorities and brought security to life and property, which the civil authorities failed to do while under the sway of the Western Federation of Miners.

ARMED REBELLION IN CRIPPLE CREEK, 1894.

About the time the Cripple Creek war of 1894 started, the miners' union of that camp joined the Western Federation of Miners and violence broke out in earnest. The strikers committed several murders, stole arms and ammunition, built a fort on the top of Bull Hill, picketed the district with armed men, took citizens to their fort, where they maltreated them in the most inhumane, indecent and brutal manner, and established a genuine reign of terror.

They stole horses and formed a cavalry division which patrolled the district. Citizens were "held up," searched and deprived of their liberty. No one was permitted to pass the lines without a permit from the President of the union. Every town in the district was in their control. They broke into houses and stores for arms and supplies, planted dynamite mines on certain trails, assaulted several citizens and forced a large number to leave the camp. Some deputy sheriffs and employers were captured and held for exchange as in war. The lawful authorities were entirely displaced and mob law reigned unchecked.

They chased Superintendent Sam McDonald, of the Strong mine, and two companions underground and dropped dynamite down the shaft to kill them. The shaft and shaft house were ruined, but the men below escaped injury.

The large body of armed strikers which swarmed around the mine kept their victims underground for thirty-six hours, when they permitted them to come to the surface, promising not to molest them.

McDONALD AND HIS PARTY WERE SEIZED, HOWEVER, WHEN THEY REACHED THE SURFACE AND MARCHED TO THE FORT ON BULL HILL, WHERE THEY WERE SUBJECTED TO TORTURES AND INDIGNITIES OF THE MOST FOUL AND REVOLTING NATURE. ONE OF THEM, NAMED ROBINSON, BECAME INSANE AS A RESULT OF THE INCONCEIVABLY SHOCKING ABUSE WHICH HIS FIENDISH CAPTORS HEAPED UPON HIM.

Governor Waite placed his soldiers between the large posse of deputy sheriffs from Colorado Springs, and the fortified strikers, permitting the latter to evacuate the fort and escape arrest.

A body of armed strikers took possession of a train and went out several miles to meet an incoming posse of deputy sheriffs, whom they engaged in battle.

DEPUTY SHERIFF FRANK RABIDEAUX WAS KILLED, AND OTHERS WERE WOUNDED.

Four of the insurrectionists were captured and later exchanged for the McDonald party who were prisoners in the Federation fort. The fiendishness of the torture inflicted upon non-union captives by the strikers is indicated by the case of Charles Ferguson, who was beaten with clubs until his legs were broken.

The mine owners were practically forced to accept the agreement with the miners as suggested by the Governor, who, in the settlement, acted as the agent of the strikers, backed by his militia, and who demanded that none but union men be employed. This agreement for eight hours' work and \$3.00 per day pay was strictly kept by the mine owners, but was broken by President Moyer, who ordered the sympathetic strike on August 10th last. The mine owners are still working their men eight hours at the minimum \$3.00 wage, although it is now a non-union camp.

Only two of the many criminals reached the penitentiary, and they were soon released as a result of the influence of the Federation at the State Capitol.

ARMED REBELLION IN LEADVILLE.

On September 15th, 1896, war broke out between the Western Federation of Miners and the civil authorities in Leadville.

A large number of Federation miners, fully armed, attacked the officials and non-union men at the shaft house at the Coronado mine. During the fight they set fire to the buildings. The fire department came to the rescue, as it was well within the city limits.

WHILE TRYING TO EXTINGUISH THE FIRE, FIREMAN JERRY O'KEEFE WAS SHOT DEAD BY THE STRIKERS, WHO WERE TRYING TO BURN THE BUILDINGS.

Firing was kept up and one striker was killed and many wounded on both sides. At the same time other mine houses were attacked and unsuccessful attempts were made to set them on fire. Governors McIntyre and Alva Adams regarded the situation as so dangerous that they kept the militia in the field for six months at enormous expense to the state. For a while shooting at the soldiers was kept up from the hillsides at night as they patrolled their lonely beats, protecting the various properties from destruction. The county officials sympathized with the rioters and placed many obstacles in the way of the enforcement of the law. It is believed that twenty to thirty people lost their lives during this six months as a result of this rebellion.

At the Legislative investigation into the strike, certain officials of the Western Federation of Miners testified that arms and ammunition had been bought with Federation money to arm the strikers who attacked the Coronado and other mines.

Since the troops left Leadville the Western Federation of Miners has not been permitted to get control of the mines or the political offices, *and, as a result, peace, prosperity and happiness followed, as in the Coeur d'Alenes.*

ANARCHY IN THE TELLURIDE DISTRICT.

In February, 1901, Vincent St. John (now a fugitive from justice, charged with rioting and murder) was elected President of the Telluride Miners' Union of the Western Federation of Miners.

St. John was a dangerous agitator, with strong anarchistic tendencies. He believed in force and murder, if necessary, to carry on the campaign of the Western Federation of Miners. He soon stirred up trouble between the Smuggler-Union Company and such of its miners as belonged to the union. St. John, for the Federation, demanded that the "fathom" system of work be abolished. Manager Collins replied that it was optional with his men whether they worked by the "fathom" or by the day, and he declined to change the system.

A strike was declared on May 1st, 1901.

On June 1st a number of the former employes returned to work. The force was gradually increased until, on July 1st, 200 non-union men were at work in the mine.

JULY 3, AT DAYBREAK, 250 FEDERATION MINERS, ARMED WITH RIFLES, SHOTGUNS AND REVOLVERS, TOOK POSITION BEHIND ROCKS, TREES AND OTHER OBSTRUCTIONS NEAR THE MINE BUILDINGS OF THE SMUGGLER-UNION. WHEN THE NIGHT SHIFT CAME OFF AND THE MORNING SHIFT WAS ABOUT TO GO ON, A FUSILADE OF SHOTS WAS FIRED INTO THE BUILDINGS. TWO MEN WERE KILLED—ONE, A MEXICAN, MET ON THE TRAIL; ANOTHER, A UNION MINER, KILLED BY MISTAKE BY ONE OF THE STRIKERS.

Charles Becker, mine superintendent, received three wounds. A Krag-Jorgensen bullet shattered his right arm. Crippled for life.

William Jordan, shift boss, shot through the hip. Crippled for life.

George Nicholson was seriously wounded, and after suffering for weeks was taken East to die among his friends.

The buildings were riddled with bullets, and a large number of killed and wounded was only avoided by the action of the intended victims in promptly seeking shelter.

After about three hours, a parley was held, *President St. John representing the rioters*. The non-union men agreed to surrender with the understanding that they would be permitted to go to Telluride unmolested. This St. John promised, but when the armed union men came from behind the rocks and trees

they took possession of the mine and lined the non-union men up. The captured men each had a small bundle of clothes, which they intended to take away with them. These were at once opened by the Federation men, and everything of value was stolen.

THESE HELPLESS AND UNARMED MEN, TO THE NUMBER OF EIGHTY-THREE, WERE SURROUNDED AND SUBJECTED TO THE MOST INFAMOUS ABUSE. WHILE COVERED WITH RIFLES THEY WERE KICKED AND CUFFED AND BEATEN, AND IN SOME CASES THEIR CLOTHING WAS TORN FROM THEIR BACKS. MANY OF THEM WERE FORCED TO TAKE OFF THEIR SHOES AND STOCKINGS AND THROW THEM AWAY. THEY WERE THEN LINED UP AND FORCED TO MARCH UP OVER THE RUGGED MOUNTAIN AND AWAY FROM THE DISTRICT.

This band of howling, cursing, bloodthirsty fiends followed closely behind their captives, occasionally shooting into the crowd or kicking and beating footsore stragglers. *The trail to the summit was red with the blood of American workmen, who were being bruised, beaten and tortured by the Western Federation of Miners, for the crime of earning their daily bread by honest toil, without the consent of that organization.*

Thomas Ballard shot. While toiling up the steep mountain trail under the direction of his inhuman captors, an old and respected citizen of the San Juan, Thomas Ballard, was wantonly shot through both arms and crippled for life. Footsore, half naked and bleeding, this victim of the Western Federation of Miners reached Silverton (fifteen miles away) and was cared for by friends.

Torture of Edwin Thomas. At the mountain top, Edwin Thomas, a small man, was set upon and beaten into insensibility and left for dead by the Federation riflemen. Reviving, he dragged himself over the sharp and precipitous rocks to an abandoned cabin, some distance away. During the night two Federation miners came in and, denouncing him as a "scab," gave him another terrible beating and drove him out into the dark. He worked his way to Ironton, two miles distant, where he received succor.

This body of human wolves then returned to the mine, and took and held possession of it.

Governor Orman refused to send troops, as his representative had wired him that the strikers were in "peaceable possession" of the mine. Instead, he sent a radical socialistic labor agitator, named Coates, then Lieutenant Governor, and Murphy, a strike lawyer, together with District Judge Theron Stevens, to investigate and patch up a peace.

A settlement was reached without the aid of the Governor's commission, and the contract method of work was abandoned.

When the agreement was signed, Mr. St. John, having won his strike, relinquished his "peaceable possession" of the mine and permitted the owners to take charge of their property.

A great demonstration was made at the funeral of the union miner who was killed. Six hundred dollars was appropriated for his tombstone by the Western Federation of Miners, who, while pretending to be opposed to violence, *honored in every way this man who, when killed, was engaged with arms in an effort to commit murder.* The orator at the unveiling ceremony a year later, pointed to the railway, the buildings of the town and other property, and told the miners these things belonged to them and to go and take them.

Having won the strike with the aid of murder and a supine Governor, the Western Federation men were emboldened to continue their terrorism.

Non-union men were waylaid, assaulted and driven out of camp. A boycott was placed on the *Telluride Journal* for declining to support the anarchist St. John for Sheriff on the Democratic ticket. It was extended to the merchants who advertised in the *Journal*. The editor held out and won, despite continued and repeated threats of violence.

The climax came to this reign of brutality and blood when, on November 19, 1902, Manager Arthur L. Collins, of the Smuggler-Union mine, was killed by a shot fired through a window while he was sitting at his fireside with his friends. When the grand jury indicted St. John and others for this murder, Judge Theron Stevens quashed the indictments. A new warrant was sworn out and St. John has been a fugitive from justice ever since.

The Western Federation of Miners pretended to be horror-stricken at these crimes, and, as usual, high-sounding denunciation of crime came from headquarters, *and yet it was discovered that two hundred and fifty rifles and fifty thousand cartridges were ordered by the union on union letterhead, and paid for by a draft signed by the President, St. John, who was conducting the strike under the direction of the Western Federation officers.*

MOLLY MAGUIREISM.

JUNE 23, 1901, MURDER. J. W. BARNEY, A NON-UNION SHIFT BOSS OF THE SMUGGLER MINE, WAS ATTACKED IN A LIVERY STABLE IN TELLURIDE. HE WAS HEARD TO CRY OUT, "DON'T MURDER ME," AND WAS TAKEN OUT INTO THE DARK BY FEDERATION MEN AND HAS NEVER BEEN SEEN SINCE. REWARDS BROUGHT NO CLUE. THE YOUTH WHO HEARD HIM CALL OUT ALSO MYSTERIOUSLY DISAPPEARED WHEN THE TIME CAME FOR HIM TO TESTIFY AND HIS REMAINS HAVE NEVER BEEN FOUND.

July 2nd, 1901, F. H. Wogan, a young student from the East, went to work at the Smuggler-Union. Worked one day

and was driven out by the rioters. Secured a position as teacher in a public school ten miles distant; a crowd of Western Federation men forced him to give up the school and leave the country.

OCTOBER 10, 1901, MURDER. JOHN MAHONEY, NON-UNION EMPLOYEE OF THE SMUGGLER, WHO HAD OFFENDED THE FEDERATION, STARTED FOR THE MINE AT NIGHT FROM TELLURIDE, AND HAS NEVER BEEN SEEN SINCE. REWARDS BROUGHT NO RESULTS.

MARCH 2, 1902, MURDER. WESLEY J. SMITH, A NON-UNION SHIFT BOSS OF THE LIBERTY BELL MINE, CAME TO TELLURIDE. DURING THE EVENING HE WAS SEEN WITH SOME FEDERATION MEN, SINCE WHICH TIME NO TRACE OF HIM HAS BEEN FOUND. LARGE REWARDS OFFERED WITHOUT RESULTS.

Regarding the failure of the civil authorities to enforce the law in this section (San Miguel) Attorney General Miller, in an oral argument before the Supreme Court, made this significant statement:

"I know, as a matter of fact, that the law in San Miguel county, in some respects, has not been enforced for the last five or six years. It is in my neighborhood of the state. And one of the papers filed in the governor's office by persons who are opposed to sending the military into that county, contains some thirty pages of typewriting, reciting the crimes in that county, which have gone unpunished, and most of them undetected, so far as the perpetrators are concerned. And I want to say that in many of the mining counties of the state of Colorado you can, in certain cases, file information, if you choose, but unless the jury wants to convict, you can not. You can often find out on the streets, before you begin a trial, what is going to be the verdict. This has been the case, more or less, in San Miguel county, and in Teller county, and it has been so for years."

The St. John agreement with the Western Federation of Miners continued in effect until September 1st, 1903, when it was broken by that organization ordering a strike, ostensibly in support of the mill men in that section. Armed Federation pickets were stationed at some of the mines, which remained idle for several weeks, until Governor Peabody sent in militia to protect the new men whom the companies employed to open their properties.

These mines were soon in operation, but it was necessary to keep soldiers there all winter and spring, owing to the presence and attitude of some of the old murderous element of the Federation, who remained in the district, and who were finally escorted out of the county. *Prior to the coming of the troops, it had been impossible to apprehend those guilty of the long list of outrages and murders committed by the Federation in this district.*

ARMORY RAIDED, LAKE CITY, COLO.

March 13th, 1899. Striking Federation miners at Lake City, Colo., broke into the State armory of the local militia company and robbed it of all arms and ammunition. No arrests.

VIOLENCE AT COLORADO CITY.

The men at the Standard Reduction Works at Colorado City, who struck on February 14th, 1903, did so under the direction of the Western Federation of Miners. They demanded more pay and more complete recognition of the union. *The eight-hour day was not demanded, for it had been in effect at this mill for five years.* President Moyer, when asked by the Governor's Commission if the working hours had anything to do with the strike, replied, "Nothing whatever."

The strikers and their friends marched through the mill and drove the men out. Out of about 240 employes thirty-five were known to be members of the Federation, and these, with about forty others who were intimidated, constituted, according to the company, all those leaving their employ. Union pickets were placed on all roads leading to the mill and threats, intimidation and fist fights were soon reported. The men at the mill were obliged to go to and from their work in squads for self-protection. Non-union men and members of their families were followed, threatened and insulted on the streets.

March 2nd, 1903. John Deming and Ross Walter, non-union employes of the Standard Mill, were attacked by strikers and badly beaten.

Same day. L. S. Harner, A. B. Coplen and Ray Coplen, non-union men, were brutally assaulted. Several strikers were arrested, but none punished. The Sheriff, knowing the history of the Federation, seeing that it had adopted the usual policy of slugging and murder, called for the militia, which was sent.

July 5th. Attempted wholesale murder. An attempt was made at 2 a. m. to blow up the power house of the Colorado Springs Electric Company, which furnished power to the Standard mill, endangering the lives of seventeen men. Owing to the bungling work of the perpetrators no lives were lost. Only a portion of the dynamite exploded, the rest being scattered and broken.

Failing in their efforts to close the mill, the Executive Committee of the Federation sought to cut off the ore supply by ordering a strike in Teller County. This strike was ordered on

August 10th, 1903, which took from employment 4,000 miners, who expressed no dissatisfaction with their pay, hours or conditions of employment. *The eight-hour day had been in effect since 1894.*

DYNAMITE ARGUMENT AT IDAHO SPRINGS, COLO.

July 28th, 1903. A strike had been on for several weeks and the mines were beginning to start up with non-union men, which promised a defeat for the Western Federation of Miners. The last mine to start was the Sun and Moon mine, and former President Bates of the Federation testified that it was the decision to dynamite this property which caused him to resign his office.

On this date late at night the watchman at the mine saw two men roll two kegs down the hill against the transformer house and blow it up. The building and contents were ruined, and a missile from the explosion killed one of the perpetrators of the deed—Philip Fire, a Federation man.

The law-abiding citizens of Idaho Springs immediately concluded that they would permit no reign of terror to be inaugurated in their town, as the Western Federation had set in to do, and promptly escorted out of their city all men whom they believed to be dangerous to the public peace. *No trouble has occurred since this action was taken.*

APPALLING RECORD IN TELLER COUNTY.

The Western Federation of Miners is openly and formally committed to a so-called Socialist political party which does not recognize the right to private property. On the union cards of the Western Federation of Miners, issued in Cripple Creek District (Teller county) is the following:

"Labor produces all wealth. Wealth belongs to the producer thereof."

And the same appears on the cover of their official magazine.

Many of the radical Socialist members and others who were naturally inclined to be dishonest, took the Federation at its word, and the stealing of rich ore became a settled practice with many of them. Large quantities of ore were stolen in small lots from the mines and many tons from ore bins and cars, in the aggregate amounting to hundreds of thousands of dollars, upon the theory that it was not theft, because the ore did not belong to the mine owner. The ore stealing cases mentioned below show that they were practically all committed by Federation men, and in all but one or two instances, the thieves escaped, because of the difficulty of convicting a union man, or because those who were to testify were afraid to do so owing to the murderous policy of the Western Federation.

The county and town offices of the entire district were held or controlled by Federation men.

County:

Sheriff, H. M. Robertson, Miners' Union No. 32.

Under Sheriff, Jim Gaughn, Miners' Union No. 19.

Coroner, M. J. Doran, Miners' Union No. 32.

The County Clerk and Assessor were union men, and other officials were controlled by the Federation.

Altman:

Justice of the Peace, J. W. Cooper, Miners' Union No. 19.

Independence:

Marshal, Harvey Starbuck, Miners' Union No. 19.

Goldfield:

Police Magistrate, H. P. Kean, Miners' Union No. 19.

Day Marshal, J. J. Brothers, Miners' Union No. 19.

Night Marshal, R. C. McCarthy, Miners' Union No. 19.

Aldermen, all Federation men.

Victor:

Day Marshal, Mike J. O'Connell, Miners' Union No. 32.

Night Marshal, Mike Lamb, Miners' Union No. 32.

Four Policemen, Miners' Union No. 32.

Street Commissioner, Simon O'Rourke, Miners' Union No. 32.

Fire Chief, J. Murphy, Jr., Miners' Union No. 32.

Jailer, Jas. Printy, Miners' Union No. 32.

Alderman, J. Murphy, Sr., Miners' Union No. 32.

Alderman, Jas. J. Tobin, Miners' Union No. 32.

Alderman, Hugh Healy, Miners' Union No. 32.

Anaconda:

Alderman, A. Petersen, Miners' Union No. 21.

Alderman, Burt Hutchinson, Miners' Union No. 21.

Alderman, Paul Hensen, Miners' Union No. 21.

Marshal and all officials, partisans of the Western Federation of Miners.

Cripple Creek:

There were but one or two offices held by Western Federation of Miners men, but many of them were held by union men and others who were controlled by the Western Federation of Miners.

It is impossible to list here all the cases of ore stealing, of assaults and even murders of non-union men. A number of these crimes were kept from the public and the only source of information regarding such crimes is the memory of those who knew the details which were suppressed at the time. A few of the cases recorded in the press and courts will, however, suffice

to show that the same spirit of lawlessness and murder animated the men controlling the Federation in Teller county that inspired them to commit the long list of crimes in the Coeur d'Alenes, Leadville, Telluride and elsewhere, where they have left a trail of blood.

A RECORD OF OUTRAGES AND MURDER.

JANUARY 10, 1899, MURDER. GEORGE HONSER, KILLED NEAR THE LINCOLN MINE BY ORE THIEVES, WHO MISTOOK HIM FOR A SPY. BODY PLACED ON RAILROAD TRACK. NO ONE PUNISHED.

MARCH 22, 1899, KILLING. ROBERT SHAW, FEDERATION MINER, FIRED TWO SHOTS AT JOHN BUZANES, NON-UNION MINER; BUZANES RETURNED THE FIRE AND KILLED SHAW.

May 1st, 1899. Shooting and dynamiting: Phillip Shuck, assayer, shot. His assay office was dynamited later. No one punished.

May 31st, 1899. Ore theft: J. J. Topman, engineer Mary McKinney mine, held up and high grade ore stolen by Federation men. Two convicted.

JUNE 7, 1899, KILLING. CHARLES BURNS KILLED MEL. FOLEY IN A SALOON. BOTH FEDERATION MEN. NO CONVICTION.

June 9th, 1899. Stabbing affray: W. McCormack stabbed by a Federation man named McCrosky in Victor. No conviction.

June 28th, 1899. Shooting: Jack Haley shot and seriously injured Frank Murry, in a dispute, it was claimed, over some ore stealing transaction. Both Federation men. Not prosecuted.

November 23d, 1899. Attack shaft house: Attempt made to rob Alliance shaft house. Watchman claimed to recognize them as Federation men from Altman. No prosecution.

November 23d, 1899. Slugging: Railway agent at Independence held up and badly beaten by masked men. Same gang afterward tried similar hold up; were recognized as Federation men from Altman, and one was finally convicted.

November 23d, 1899. Attempted murder: Sam Duree, a non-union man, set upon and nearly beaten to death and left to die on a trail. Witnesses were afraid to testify, and no one was prosecuted.

December 20th, 1899. Ore stealing: Fred Swanbeck and Clyde Metten, Federation men, were caught stealing ore from the Little Puck mine. Released. Later caught again stealing from Climax mine, and this time were given jail sentence.

December 28th, 1899. Assault and robbery: J. S. Armor, assayer, beaten into insensibility by men recognized as union

miners who had sold the assayer "high grade" ore and not received what they expected. Escaped from officer. No prosecution.

January 6th, 1900. Assault and robbery: B. G. Shell dragged from his home and badly beaten and robbed. No arrests.

January 7th, 1900. Attempted murder: J. W. Tarpy assaulted and nearly killed.

January 17th, 1900. Attempted murder: Attempt made to kill Tom Scott.

March 2nd, 1900. Assault: Walter Ross sandbagged. No arrests.

March 24th, 1900. Robbery, arson: William Buris, watchman El Paso mine, caught two Federation men stealing ore. Tried, released, and in short time later on a dark night Buris' house was blown to atoms by dynamite. No arrests.

July 6th, 1900. Assault: Joseph Brown, non-union miner, sandbagged on Carr avenue. No arrest.

July 30th, 1900. Arson: Bankers' mine shaft house burned to ground. Management had offended some Federation men. No arrests.

June 14th, 1900. Assault: Alex Lawson, non-union man, assaulted at Vindicator mine with an ax. Ed Laline arrested.

February 21st, 1901. Attempted murder: A. J. Herran held up and seriously shot by men who called him a "scab." No arrests.

March 2nd, 1901. Attempted murder: James Lecky, a prominent Federation man, who had been frequently arrested, was found guilty of assault to kill James Gaffney.

March 28th, 1901. Dynamite: Grand View shaft house on Gold Hill dynamited. Buildings partly burned. No arrests.

April 21st, 1901. Dynamite: Rittenhouse shaft, Gold Hill, dynamited. No arrests.

June 14th, 1901. Arson: U. S. Fish arrested for setting fire to a hotel. Released and prosecution dropped. Fish closely connected with unions.

June 15th, 1901. Assault: Agent Niles of the Short Line, waylaid and badly beaten by masked men, who mistook him for a mine owner whom they had had trouble with about hiring non-union men.

July 2nd, 1901. Assault: Mark Moran assaulted Thos. Maher, a non-union man, at Independence. Arrested but released.

July 23rd, 1901. Arson: El Paso Reduction Works at Florence set on fire and destroyed. Loss, approximately \$250,000. No arrests.

From Federation proclamation, posted generally all over the district August 6th, 1901:

"Hence take notice: That on and after September 15th, 1901, anyone working in or around the mines, mills or power plants of the Cripple Creek District, who cannot show a card of membership in good standing of some local union of the Western Federation of Miners, will be considered a scab and an enemy to us, himself and the community at large *and will be treated as such.*

"By order of the Cripple Creek Executive Board of the Western Federation of Miners.

"JNO. CURRY,
President."

The outrages on non-union men show a marked increase after this notice was issued.

August 14th, 1901. Street fight: Vicious fight near Ed. Doyle's saloon, at Midway, between union and non-union men. No arrests.

August 15th, 1901. Robbery: John Reardon sandbagged and robbed, across the street from Sheriff's office. No arrests.

August 17th, 1901. Assault: Charles Parker, non-union miner, beaten with clubs and rocks near Elkton. No one punished.

August 21st, 1901. Assault and ore stealing: Robert Dunlap, night watchman, and Engineer Lynch, of Vindicator mine, beaten badly, bound and gagged. Seven sacks of high grade ore stolen. No arrests.

August 22nd, 1901. Assault: Sam Jones, non-union man, sandbagged, robbed, left on street with underclothes only. No arrests.

August 30th, 1901. Dynamiting: Cabin of Sam Lecks, non-union man, blown up by dynamite and wrecked. No conviction.

August 31st, 1901. Assault and deportation: Steve Moore and Jack Robinson, non-union men, taken from Findley mine at night, marched at point of guns to point below Victor, ordered to leave country. Robinson badly beaten up. No arrests.

September 5th, 1901. Free fight: Free fight between union and non-union men at Independence. Twenty engaged. Matter dropped.

September 9th, 1901. The following notice was posted throughout the district:

"To All Non-Union Miners of the Cripple Creek District:

"You have no doubt read and thought about our circular which was posted pretty thoroughly throughout this district about five weeks ago. This notice is issued for the purpose of reminding you that the 15th of September is near at hand; that the time of grace has about expired. You have had two pay days in which to decide whether you are for us or against us—*there is no middle ground.* While a majority of the men working in and around the mines, mills and power plants have responded to the call, there are still some outside our ranks. To these this notice is addressed. If you are working in or around the mines, mills or power plants of this district, **THIS MEANS YOU.** Now, don't throw this to one side and say, 'Only another bluff.' If you are 'from Missouri,' come into some of the unions of the Western Federation of Miners and we'll 'show' you that we are trying to help you, as well as ourselves, and as the 15th is only about six days away, '*you'll have to hurry.*'

"The Cripple Creek District Executive Board of the Western Federation of Miners. September 9th, 1901.

"By JOHN CURRY, *President.*"

September 10th, 1901. Dynamiting: John Tyler's non-union barber shop, Cripple Creek, blown up with dynamite. No arrests.

September 10th, 1901. Assault: A. F. Hazeltine and J. F. Sweeney, non-union men, returning from work at midnight, were taken up Squaw Mountain and terribly beaten by masked men. Accused of being scabs. Captors threatened to throw them in shaft. One escaped; the other let go on promise that he would leave district. Big reward offered by employers. No arrests.

September 18th, 1901. Assault: D. J. Smith, non-union miner, Gold King mine, brutally beaten and seriously injured. No arrests.

September 24th, 1901. Attempted murder: Attempt made on life of Lawrence McNulty, a non-union man, at Goldfield.

September 27th, 1901. Attempted arson and murder: Fred Taggart struck down and beaten at Anaconda and house set on fire. No arrests.

October 10th, 1901. Mysterious disappearance: Non-union miners named Hamm and McLain mysteriously disappeared from Victor.

October 28th, 1901. Fred Barber and Ed Maynard, two Federation men, caught stealing ore; had \$1,000 worth in their possession. Acquitted by jury of Federation men and their sympathizers.

October 30th, 1901. Assault: J. J. Sullivan, non-union miner, badly beaten up by six men on his way to work in Modoc mine. No arrests.

November 10th, 1901. Dynamited: John Tyler (colored), non-union barber, died as a result of the dynamiting of his shop on September 10th. Perpetrators of the crime escaped.

DECEMBER 27, 1901, MURDER. MARTIN GLEASON, MANAGER OF THE WILD HORSE MINE, MURDERED AND THROWN DOWN A SHAFT. GLEASON HAD OFFENDED THE FEDERATION, PARTICULARLY A WALKING DELEGATE, A FEW DAYS BEFORE. SIX THOUSAND DOLLARS REWARD OFFERED. MURDERER STILL AT LARGE. LIVES OF MINE OWNERS OFFERING REWARDS WERE THREATENED BY LETTER.

February 4th, 1902. Assault: E. E. Bradway and T. S. Ferris, members of Law and Order League, assaulted and beaten in Cripple Creek. Matter dropped by authorities.

February 24th, 1902. Dynamiting: Eight assay offices were dynamited between the hours of 3 and 5 a. m. Done by ore thieves. No arrests.

March 7th, 1902. Dynamiting: Zoe shafthouse dynamited and destroyed. No arrests.

March 7th, 1902. Dynamiting: Cabin of "Scotty" McIntosh dynamited. No arrests.

March 14th, 1902. J. McIllicher, who had refused to join the Federation a short time before, was terribly beaten up near Independence.

April 11th, 1902. Assault: Masked men assaulted Watchman Parker at Damon shafthouse, locked him in a room. No arrests.

May 29th, 1902. Shooting: W. F. Davis, local Federation President, bound over in the District Court for shooting John J. Burke in the back, at Altman. Tried before Federation jury. Guilt appeared clear. He offered no defense whatever. Acquitted.

May 30th, 1902. Fights: Morning paper reports seven disgraceful and bloody fights during the preceding night. No arrests.

July 5th, 1902. Assault: Albert Miller, a Federation leader, and five other men cruelly assaulted Eugene Matthews, Goldfield. No one punished. This is the same Miller whom the Federation Sheriff placed as a guard over the "evidence" (wires, etc.) at scene of infernal machine explosion on the morning of

June 6th. He is also the Miller who started the rioting in Victor on the afternoon of the same day.

July 28th, 1902. Home of Mr. Wescot dynamited. Wescot opposed to Federation and prominent in prosecuting ore thieves.

August 28th, 1902. Assault: E. P. Stonehouse had refused to join the Federation. Was assaulted, beaten with brass knuckles and badly injured. No conviction.

October 28th, 1902. Federation publicly denounces Democratic nominee for State Auditor as unfair to organized labor because he acted as deputy sheriff in the Cripple Creek strike of 1894.

October 30th, 1902. Sam Brown, non-union railway agent, driven out of district by armed men. Had received many threatening letters and had been twice burned out of house and home. No arrests.

November 10th, 1902. Assault: Chas. H. Mishey taken from War Eagle mine, on account of trouble with miners' union, and terribly beaten. E. Minster and W. L. Davis, Federation officials, identified as assailants, but were released.

November 14th, 1902. T. Minguist dragged from his cabin in the night, brutally beaten. He had refused to obey the circular for all non-union miners to join the miners' union. Recognized assailants, but feared assassination if he testified against them.

December 1st, 1902. Assault: C. Dimmick, age 50, non-union man, taken from his cabin near Goldfield and terribly beaten by masked men. No arrests.

Ore stealing, assaults on non-union men and other lawlessness by Federation men continued with more or less frequency up to June, 1904, when the terrible tragedy at the Independence depot occurred.

July 27th, 1903. Driven from camp: Five Austrians arrived at Victor. Were called upon by officers of Union No. 32, and some 200 union men, who escorted them to a point south of Victor on the mountainside, told them to leave and never return on pain of death, and fired a volley over their heads. They would not permit the men to get their baggage, which was at the depot, and refused to allow a newspaper reporter to take notes of the occurrence. No arrests and no protests from any source.

STRIKE OF 1903-1904.

August 10th, 1903. Strike inaugurated in behalf of mill men at Colorado City. All mines were included whether they shipped ore to the "unfair" mill or not. Strike leaders publicly admitted that they had *no grievance against the mine owners who were paying them the wages and working them the hours agreed in 1894*. The object of the strike, they claimed, was to get the mine owners to bring pressure on the Standard Mill people at Colorado City to submit to the demands of the mill strikers, who asked recognition of the Federation and increased pay. The places of the eighty or eighty-five men who went out having been filled, the mill owners refused to surrender.

Although there were no grievances against their employers and not the slightest hope of forcing their point at Colorado City, the strike of the miners was continued against the advice of the conservative element. This strike was ordered by the Executive Committee of the Federation, without referring it to a vote of the unions directly affected.

Soon after the strike was inaugurated in Teller county rough tactics were employed by the bad element. Brawls and fights occurred in which Kennison, local President of the Federation, figured prominently with his revolver. Non-union men were insulted, assaulted and terrorized.

The Sheriff, Robertson, member of Miners' Union No. 32, and holding a Federation card, offered to swear in strikers as deputies, but gave no hope of real protection. He told the mine owners that he was a member of the Federation and that his sympathies were with the Federation. The El Paso mine started up with a strong private guard.

September 1st, 1903. Intimidation: An attempt to open the Golden Cycle mine resulted in the appearance of Federation pickets, who used fists and guns to persuade non-union men not to go to work.

September 1st, 1903. Assault: Justice of the Peace J. T. Hawkins was knocked down from behind in broad daylight and brutally beaten *because he had offended the Federation in a decision against a member for carrying concealed weapons*.

September 1st, 1903. Attempted murder: Late at night a crowd of Federation miners dragged from his bed an old man named Stewart, a non-union carpenter engaged in building a fence around the Golden Cycle mine; took him out into

the dark; beat him into insensibility, and then shot him through the back, leaving him for dead. Stewart had refused to join the union. He recovered after long suffering, but is crippled for life.

September 1st, 1903. Ed Minster, a union leader, was arrested for drawing a gun at the Golden Cycle mine to prevent a man from going to work; also for the assaults on Hawkins and Stewart. The Federation Sheriff let him go the next day because "*he didn't want to offend a whole raft of people.*" Minster is still a fugitive from justice.

Shots had been fired at the guards at the El Paso mine. The town was filling up with desperate characters, assaults continued. The Federation Sheriff refused either to do his duty or to ask for the militia. It was, however, sent on the Governor's own responsibility after sending aides to investigate and report.

The commander of the militia had been in the camp for years and knew the bad characters. He soon had several of the worst of them in the guard house, some of whom were released by habeas corpus proceedings.

"Slim" Campbell, one of these Federation desperadoes, brutally murdered a woman of the half world the night following his release. He was also allowed to make his escape by the Sheriff.

September 12th, 1903. Attempt to kill: Shots were fired through window of E. A. Ferris' house, non-union employe of El Paso mine. Had received threatening letters. No action by civil authorities.

September 13th, 1903. Assault: President Kennison of District Union No. 1, Western Federation of Miners, attacked a non-union man. Pulled gun but got the worst of the fight.

September 14th, 1903. Attempted train wrecking: Spikes pulled from rails in attempt to throw electric car down 400-foot embankment. No arrests.

September 18th, 1903. Intimidation: President Kennison arrested by soldiers for intimidating non-union men and impersonating deputy sheriff.

October 2d, 1903. Assault: George Hopman assaulted by union man named Cronin. Accused of being a spy and badly beaten.

October 19th, 1903. Assault: J. Slead accused of "scabbing" by Thomas Evans and was severely beaten at Anaconda.

October 20th, 1903. Assault: Thomas Gorman, Federation man, assaulted James West, shift boss Stratton Independence.

October 21st, 1903. Attempted murder: Attempt to kill the cager on the Vindicator was discovered. Would-be murderer caught in shaft.

October 25th, 1903. Assault: Ed Mason, non-union teamster, brutally assaulted by five men, Goldfield. No conviction.

November 11th, 1903. Attempted train-wrecking: Attempt was made to wreck F. & C. C. train carrying non-union workmen at 2 o'clock a. m. Wrench broke, so that sufficient damage was not committed to ditch train.

November 14th, 1903. Second attempt made to wreck F. & C. C. train. Information of purpose became known and Charles McKinney was apprehended while in the act. He turned state's evidence, stating that he was hired by Sherman Parker, of the Executive Committee of the local Federation, and implicating one Foster. Parker and Foster were brought to trial and a strong case made against them, but they produced the usual alibi with the usual result. The jury, selected by the Federation Sheriff, promptly brought a verdict of "not guilty."

ON NOVEMBER 21, 1903, SUPERINTENDENT M'CORMACK AND FOREMAN BECK, OF THE VINDICATOR MINE, WERE BLOWN TO ATOMS BY AN INFERNAL MACHINE PLACED IN THE SHAFT. PIECES OF THE MACHINE WERE FOUND. THESE MEN WERE OPPOSED TO THE WESTERN FEDERATION OF MINERS AND WERE WORKING NON-UNION MEN AT THE VINDICATOR.

Finally all mines were at work, peace reigned and the strike was over. The troops were withdrawn, and the protection of the non-union miners and the non-union business men of the district was left with the civil authorities. The campaign of crime of the Federation appeared for a time to have been abandoned, but the worst was yet to come.

JUNE 6, 1904, WHOLESALE MURDER. ATTEMPT MADE AT 2 A. M. WITH AN INFERNAL MACHINE TO KILL 50 OR 60 NON-UNION MEN AT INDEPENDENCE DEPOT. THIRTEEN WERE KILLED AND SEVERAL OTHERS HORRIBLY MUTILATED AND MAIMED. (SEE LIST ON PAGE 2.) WIRE USED TO CAUSE THE EXPLOSION WAS FOUND.

SAME DAY, RIOT AND MURDER. A LARGE FORCE OF ARMED FEDERATION MEN, STATIONED IN THEIR HEADQUARTERS BUILDING IN VICTOR, FIRED UPON A CROWD OF PEOPLE WHO WERE LISTENING TO A SPEECH ON THE OPPOSITE SIDE OF THE STREET, KILLING TWO NON-UNION MEN, DAVIS AND M'GEE, AND WOUNDING MANY MORE.

The rioters surrendered to the local militia company after some shooting on both sides, and the following arms were taken from the Federation headquarters:

THIRTY-FIVE RIFLES.
SEVEN SHOT GUNS.
THIRTY-NINE REVOLVERS.

Better evidence of the murderous intentions of the Federation could scarcely be desired.

The Federation Sheriff, who had remained indifferent, making no effort to discover the perpetrators of these outrages, was deposed from his office, and a non-Federation man put in his place.

DETERMINED TO END IT.

With these heartless crimes, the limit of the suffering and of the patience of the people of Teller County was reached. They determined to put an end to the reign of terror once for all. The first impulse was to gather the worst of the dangerous characters and hang all of them. They adopted, however, the more humane policy of dispersing the bad characters who had encouraged and committed lawless acts and gloried and gloated over the crimes committed against non-union men.

The Federation agents who were holding public office were deposed. The bad element was gathered in. Those against whom direct evidence of lawlessness was had, were held for the action of the civil authorities. Others to the number of about 180, known to be dangerous characters, who were keeping alive the outlawry, were taken beyond the borders of the county and scattered.

In following out this programme of cleaning the district of the criminal element, soldiers were sent to Dunnville to capture some *armed strikers who were entrenched in the hills*. On the approach of the soldiers the Federation men fired upon them. The militia returned the fire, and one of the Federation men was killed. This was the first and only Federation man killed or injured by the militia during the ten months of the labor troubles in this district.

FORBEARANCE OF THE PEOPLE.

The above brief recital of crimes, outrages and conspiracies shows clearly the conditions which moved the people of San Miguel and Teller Counties to rise and declare that there was no room in their communities for this organization, which was a menace to the life of every man who had the temerity to take his dinner bucket and go to work.

Do those who think the Federation was treated badly know what it is to live with "life, liberty and property" in constant peril? Do they know what it is to be marked for death, and to live in constant fear of assassination? Have any of them had to pass over a lonely trail night after night, going to and from their work, feeling that an assassin was lurking behind every tree or rock? If so, have they ever met an entertaining committee of the Western Federation of Miners while on such a

trip? And if so, after they had been "entertained," did they ever go to the Sheriff's office and complain of being assaulted and find that the Sheriff was in full sympathy with the thugs who did the entertaining? If they have done these things, they know something of the sentiment prevailing in Teller County and particularly among the 4,000 non-union workmen before and after their comrades were slaughtered at the Independence depot platform.

The right of self-defense is older than all written law, and it is this right on which the people of these counties stand. In exercising this right they have acted with commendable moderation, never departing from the necessities of their own defense to satisfy any spirit of revenge which may have been aroused by the enormity of the crimes which had been committed against their fellows.

THE FEDERATION'S RESPONSIBILITY.

How can any fair-minded union man contemplate this list of crimes and still endorse this lawless organization? What patriotic, law-abiding citizen can approve of the speech of President Boyce at Salt Lake, in which he appealed to his followers to arm themselves with rifles and be prepared to fight the battles of the Federation? *How can he approve of an organization that will follow this advice, purchase arms and send armed bodies out to kill and destroy and to attack the officers of the land?*

How can he view with indifference the paragraph in the Constitution of the Federation, which says:

"We declare more especially our object to be: . . .

"Ninth. To demand the repeal of conspiracy laws that in any way abridge the right of labor organizations to promote the general welfare of their membership."

What objection can a law-abiding organization have to conspiracy laws, unless it wishes to engage in conspiracy unhampered? What has a law-respecting, peaceable American citizen in common with an organization that will put out the following official invitation to commit crime:

"But the time for proclaiming peace when there can be no peace has passed away, and the hour for heroic action has come," etc., etc.

"We will now recommend to the Twelfth Annual Convention, which meets in the city of Denver on May 23rd, 1904, that such steps should be taken as will nerve the arm and fire the brain of the great labor army of

America to rise as a unit and demand that the monster of despotism shall not live upon the soil of a free republic."—From an Appeal of the Executive Committee, Western Federation of Miners.

The "*arm was nerved*" and the "*drain was fired*" and the time for "*heroic action*" came just seventeen days after this appeal to the violent was issued, when the misguided followers of this most dangerous organization wantonly murdered thirteen non-union men at Independence, and two at Victor, where nearly 100 firearms were taken from the Federation assassins who had been firing from the Federation headquarters.

Such is the partial criminal record of the Western Federation of Miners, the Socialist organization whose leaders are now trying to secure control of the government of Colorado, and in spite of whom order and security for life and property has been restored in the mining camps of the state.

July, 1904.

IN TIMES OF TURBULENCE

“In times of turbulence and violence, when there is a probability of mob rule in the country, there is a discretion on the part of the authorities to hold prisoners without bail, and there is a reasonable discretion which may be exercised in all cases in which criminal charges may be preferred to hold the prisoner in custody until reasonable investigation may be made to ascertain whether he has committed an offense against the law. Whether this shall be done by the regular authorized officers in the administration of criminal law, by the sheriff and by the district attorney, or by the militia, is a matter in the discretion of officers of the State.”

*—From decision of Judge Hallett, U. S. District Court,
in the Parker Habeas Corpus Case.*





A 000 057 609 0

