

# WALTER WELLMAN'S

## INDICTMENT OF

# MOYER, HAYWOOD

AND

# The Western Federation of Miners

Hence I arraign Charles H. Moyer and William Haywood as the men who are to be held morally responsible for this crime against organized labor, this offense against our civilization. And I offer to convict them before a jury composed of the leaders of the decent, honorable labor organizations of the country.

The Western Federation of Miners is composed for the most part of honest and industrious men. It is their duty to repudiate these evil geniuses, reckless, unfit, dangerous, if not worse. Before the Western Federation can hold up its head among the useful and respected labor organizations of the United States it must purge itself of leadership that leads to political ambition, lust for power, anarchy, and crime against its own followers and against society.

Moyer and Haywood have forty men in the East soliciting subscriptions from sympathetic union labor. They are receiving \$10,000 a week. I challenge them to make public a statement of their disbursements.

Why should union men support this organization under its present leadership? In his annual address a year ago President Moyer declared: "Trades unionism has been proven ineffectual to better the condition of the laboring man." Ever since he has advocated socialism and political action—"to get control of the government," as Haywood says.

I advise self-respecting union men everywhere not to give a penny to this cause.

It is unclean.

WALTER WELLMAN.

## MR. WELLMAN PLACES THE BLAME WHERE IT BELONGS

Walter Wellman is known throughout the country as a warm friend of organized labor. He has investigated several great strikes and has never hesitated to place the blame where he believed it should justly lie. As an independent investigator he twice supported the contentions of John Mitchell and his followers in the anthracite coal fields of Pennsylvania, and had the satisfaction of seeing public opinion and the judgment of the eminent tribunal appointed by President Roosevelt ranged on the same side.

The following is the last of a series of remarkable letters by Mr. Wellman recently published in the New York Herald and other Eastern papers on the Colorado labor war:

Cripple Creek, Colo., Aug. 13.—It is now my duty to pass judgment on the question of responsibility for the recent war between labor and capital in Colorado.

**THE PUBLIC WANT TO KNOW THE RIGHT AND WRONG OF THIS CRUEL STRUGGLE.**

They want to know who is at fault, or chiefly and primarily at fault, for the bloodshed, anarchy, exile, loss and suffering which have marked the last year and a half in this state. In this, the final letter of the series, I shall render such judgment. To do so, frankly and fearlessly, is a public duty.

**MY CONCLUSION HAS BEEN REACHED AFTER TWO WEEKS OF PAINSTAKING INVESTIGATION; AFTER HEARING BOTH SIDES; AFTER SIFTING A MASS OF DATA FURNISHED BY THE LEADING MEN OF THE RIVAL FORCES AND BY THE STATE AUTHORITIES; AFTER SCORES OF EXTENDED TALKS WITH NEUTRAL CITIZENS WHO WERE IN POSITION TO KNOW MUCH OF THE TRUTH; AFTER MINUTE INQUIRY INTO THE DETAILS OF VARIOUS EPISODES WHICH THROW LIGHT UPON THE QUESTION OF MORAL RESPONSIBILITY, AND AFTER A CONSCIENTIOUS EFFORT TO MAKE IMPARTIAL, JUDICIAL ANALYSIS OF ALL CONFLICTING STATEMENTS.**

This investigation was approached with a perfectly open mind; without any bias as between the factions; without the slightest concern for the interests of any political party or candidate. If there was any bent of mind or instinctive trend of sympathy on the part of the investigator it could be found only in a general inclination to take the side of the under dog against oppression and wrong, to champion the cause of organized labor wherever organized labor is wholesome and conservative and has right behind it.

The judgment reached is emphatic and decisive. It is no halting, doubtful, divided opinion. It is no lame and impotent conclusion—no timid Scotch verdict—no adroit balancing of the excesses of one party against those of the other. In truth, any such judgment would be sheer cowardice; for I HAVE NEVER KNOWN A LABOR WAR IN WHICH THE GUILT AND RESPONSIBILITY OF ONE SIDE STOOD OUT SO CLEARLY AND UNMISTAKABLY.

### CRIME AGAINST UNIONISM.

This war in Colorado was precipitated by a series of blunders on the part of the Western Federation of Miners—blunders so wicked and atrocious that they may fairly be called crimes. It was bad enough that these were crimes against society, against

the prosperity of the state, against capital and industry. But they were more than that. For **THEY WERE CRIMES AGAINST ORGANIZED LABOR, AGAINST THE CAUSE OF UNIONISM EVERYWHERE**, and more particularly here in this gold camp—against the very men and women in whose name the struggle was nominally begun and whose fate, whose homes and happiness, were in the hands of the blundering leaders of that organization. The union men and women of this district, and of Telluride, were the chief victims, the greatest sufferers. They had to pay a fearful price for the reckless, the vicious, the well-nigh insane conduct of their leaders.

Capitalists, rich men, mine owners, the smelter trusts, the railroads, can take care of themselves. If they suffer loss, they can afford it. We need waste no sympathy on them. We need shed no tears over their passed dividends or deferred profits. **BUT NO MAN OF MIND AND HEART CAN SURVEY THE MISFORTUNES, THE WOES AND THE SUFFERINGS CAUSED UNION MEN, THEIR WIVES AND CHILDREN, WITHOUT GRIEF, WITHOUT ANGER, WITHOUT A WISH THAT THE LABOR LEADERS WHO WORKED THIS WRONG MIGHT BE BROUGHT TO JUSTICE AND BE MADE TO SUFFER FOR THEIR SINS.**

In the nature of things, this is too much to hope for. As usual, the men responsible for this blunder worse than a crime—this crime against their own people—are paying no penalty. They draw their salaries in security. They live in comparative luxury. Theirs is the pleasant task of disbursing the relief funds—\$10,000 a week—which pour in to ameliorate the misery they have wrought. It was not their lot to live through the reign of terror. Their wives have not died in the crises of nature made more terrible and more often fatal by an agony of fear lest husband or son should be engulfed in the wave of crime, anarchy, repression, which swept over the community.

### NO CHANCE TO WIN.

If the leaders who precipitated this conflict had had actual wrongs to right; if they had had a just cause behind them; if they had had a fair chance to gain some real advantage for the men and women they represented—if on this basis they had made a brave and honest fight, and lost it—no friend of labor, certainly not the writer, would or could condemn them.

But these men had no right or justice behind them. They never had a chance to win tangible advantage for their followers. There was not a possibility that they could achieve any practical good for the cause of organized labor. Leave out of consideration for the moment all the rights of the employers, of the communities involved, of society at large, and reducing everything to the narrower standpoint of what was good or not good for union labor, and still it was a criminal blunder.

In some fit of mad ambition or fanatical zeal or lust of power or wanton love for war, these desperate leaders made pawns and victims of the men and women whose interest it was their duty to guard. They wickedly entered a conflict which they must

have known could end in nothing but defeat and misery. Their motives may or may not have been honorable.

**BUT IT IS AS CERTAIN AS FATE THAT THEIR ACTION WAS WITHOUT JUSTIFICATION FROM ANY POINT OF VIEW, AND LEAST OF ALL FROM THAT OF ORGANIZED LABOR ITSELF.**

There may be differences of opinion as to whether or not a man has the right to drown himself. But there are no differences of opinion as to the right of a suicide to drag down his children who cling to him because they believe he is wise and strong.

### SALIENT FACTS.

Every one agrees that the beginning of this Colorado cataclysm was in the trouble at the Standard Mill at Colorado City, of which Mr. MacNeill is the manager. As the war had its origin in this controversy, and it is here we strike the trail of moral responsibility, I have painstakingly investigated all the facts concerning it. I went over the ground in detail with Mr. Haywood, of the Miners' Federation, with Mr. Sullivan, president of the Colorado Federation of Labor, with Governor Peabody, with Mr. Hamlin, secretary of the Mine Owners' Association, with Judge Babbitt, the legal representative of Mr. MacNeill, and with many other persons. I also examined the report of the governor's arbitration or conciliatory commission. There were negotiations running through many months, a preliminary strike, an agreement, another rupture, and finally a second strike, which led immediately to the far greater convulsion at Cripple Creek.

The story of this trouble at Colorado City is a long one, and I should only confuse the reader by telling all of it, though I am prepared, were it worth while, to write a book about it. The salient facts will serve our purpose far better.

Having organized most of the mining camps in Colorado, the Western Federation determined to organize the smelter and reduction mills, which treat the ore from the mines. Mr. Haywood himself organized a local union at Colorado City in October, 1902. The following February demands were made for increased wages for some men, shorter hours for others, and recognition of the union. Mr. Haywood claims the policy of the Standard Mill was hostile to the union, and that previous attempts to form unions there had been rendered futile by the employment of detectives. For Mr. MacNeill it is claimed it was an open mill, without discrimination.

At length the governor's commission secured an agreement. It is important to note that in this agreement the mill was not unionized; it was only stipulated the union men who had gone on strike should be re-employed, or "reinstated," as the federation says the word was. Some weeks later the federation claimed MacNeill had not kept his agreement in good faith. The governor's commission reassembled, painstakingly investigated, and reported he had kept faith. Then the second strike—and the deluge.

### THE REAL PURPOSE.

When we carefully analyze the facts we find:

The federation cared little about the wages and hours; these were mere pretexts, with right and wrong on each side.

The real purpose in view was unionization of the plant. When this failed the federation resorted to the desperate recourse of a strike. An effort to unionize a plant is praiseworthy and legitimate if it be done in the right way.

**THE RIGHT WAY TO DO IT IS TO GET ALL OR NEARLY ALL OF THE MEN IN THE UNION, AND THEN GO TO THE OWNER AND SAY: "YOUR MEN HAVE ORGANIZED, AND THEY CLAIM THE RIGHT TO SPEAK THROUGH THEIR ORGANIZATION. YOU ARE ASKED TO DEAL WITH THE ORGANIZATION, NOT WITH THE INDIVIDUALS OF WHICH IT IS COMPOSED.**

**THE WRONG WAY TO UNIONIZE A PLANT IS TO GET ONLY A MINORITY OF THE WORKMEN IN THE UNION AND THEN TO TRY TO BULLDOZE THE OWNER AND THE NONUNION MAJORITY BY MAKING DEMANDS AND SUPPORTING THEM WITH TROUBLE MADE OR TROUBLE THREATENED.**

That was the serious blunder the federation made in this case. Mr. Haywood claims seventy-five workmen joined the union; the other people say only thirty-five or forty. Granting for the sake of argument that Haywood's figures are more nearly correct, still only one-third of the force was in the union, for the mill had 220 workmen. If the other claim is correct, less than one-fifth were in the union.

When the agreement was signed, after the first strike, in March, 1903, seventy-five men were out. Mr. Haywood says all were union men. Mr. MacNeill says thirty-four were union men and the remainder men who were coaxed or driven out. Under the nondiscrimination re-employment terms of the agreement the manager offered to take these men back as follows: One-third of them at higher wages than they had been drawing, one-third at the same wages, one-third at a slightly lower wage, the minimum being \$1.80 for an eight-hour day. It is not denied that a few men were refused re-employment at any wages, these being men who were known to have been guilty of attacks upon non-unionists.

Only four or five of the seventy-five accepted work, the remainder acting under advice from the federation. And finally, after the commission had reported in favor of the manager, another strike was ordered.

In my opinion, there was no justification for this second strike. The difference of a few cents a day in the wages of twenty-five men was too trifling to be made a cause of war. Nor was there any principle involved worth fighting for.

It is clear that the federation was trying to force unionization by improper means. With only a small minority of the workmen in their ranks, they attempted to "hold up" the plant and the majority of the workmen, and force all to bow to their will.

**IN THIS EFFORT THEY EMPLOYED VIOLENCE AND INTIMIDATION—FAVORITE WEAPONS WITH THIS ORGANIZATION THROUGHOUT ITS CAREER.**

This mill strike was not called to help the men. It was not an honest, sincere attempt to better the conditions of labor.

**BUT IT WAS PART OF A PLOT OF DESPERATE, POWER-HUNGRY MEN TO EXTEND THEIR AUTHORITY OVER ANOTHER INDUSTRY BY FAIR MEANS OR FOUL.**

### **ATTACKED RAILWAY UNIONS.**

Strong light upon the character of these men is shown by an incident which occurred at this juncture. The federation president, Mr. Moyer, telegraphed the heads of a number of railway brotherhoods asking them to order their men to refuse to handle cars for the "unfair" mill. Grand Master Morrissey, of the Trainmen's Brotherhood, replied that it was impossible, as his organization did not believe in doing injury to an employer with whom they were at peace "in order to injure a customer of our employer because such customer happens to have an issue with his employes." For a similar stand in another case a former president of the Western Federation denounced the Trainmen's Brotherhood as a "scab" organization.

Grand Master Arthur, of the Locomotive Brotherhood, replied that engineers had "no right to refuse to haul cars from whatever source they came." Moyer then wrote Arthur an insulting letter, saying, among other things: "I have heard that your position has enabled you to shine in the real estate world of Cleveland, Ohio, and that your rent roll is worth \$60,000 a year."

It is easy to understand why the better class of labor leaders, the men who are working conscientiously and conservatively for their followers—men like John Mitchell, Morrissey, Clark, Keefe, and honorable, respected organizations like the mine workers, the typographers, the stereotypers, the garment cutters, the railway brotherhoods, the longshoremen, and many more who are a credit to labor and to the country—are loath to receive this Western Federation on terms of full fellowship.

Indefensible as was the strike at the Colorado City mill, senseless and useless as it was, the leaders of the federation called more than 3,000 union men out of the Cripple Creek mines simply to prevent that mill getting ore!

**THERE WERE NO GRIEVANCES AT THE MINES. EVERY MAN THERE WAS CONTENT WITH HIS WORK. NO DEMANDS WERE MADE ON THE MINE OWNERS. THERE WERE NONE TO BE MADE. THEY WERE NOT ASKED TO RAISE WAGES, SHORTEN HOURS, RECOGNIZE THE UNION, OR DO ANYTHING ELSE.**

At the word of command from Denver more than 3,000 men quit work literally without cause, other than to shut down a mill forty miles away employing 200 men. And at that mill the only issue—apart from the unavowed desire to force unionization and recognition—was whether forty or fifty union men should be re-employed at an average of say \$2 a day, or of \$2.25 a

day. Incredible as it may seem, beyond human belief as it appears, yet this was the origin of the great war between labor and capital in the Cripple Creek gold camp.

**I DO NOT BELIEVE ANY SANE UNION MAN IN THE UNITED STATES, OUTSIDE THE EXECUTIVE COMMITTEE AND "INNER CIRCLE" OF THE WESTERN FEDERATION, WILL INDORSE THAT ACT WHEN THE TRUTH ABOUT IT IS PLACED BEFORE HIM.**

If the federation could justly shut down all the mines because a small part of their ore was refined in an "unfair" mill; they could go further and shut down both mines and mills if any of the gold should be minted into money that was afterwards to be used to pay the wages of "scab" workers. This impracticable, absurd notion that a product can be followed from raw material to consumer, be given a sacred character, and that it must never be touched by the profane hands of a non-unionist under penalty of having the whole chain of industrialism stopped through sympathetic strikes from source to destination, has been rejected or abandoned by every rational, conservative and successful labor organization in the world.

Possibly the federation leaders were foolish enough to hope they could force the mine owners to go down to Colorado City and coerce the United States Refining Company into compliance with the union demands. But the management of the mill at Colorado City was wholly beyond the control of the mine owners. They had nothing to do with it. The federation might just as well have tried to force the mine owners to increase wages in the machine shops of New England, or to coerce the Russians into surrendering Port Arthur without a battle. To go to an employer and tell him his men shall not work any more because he does not regulate something that is wholly out of his reach and beyond his control is about as ridiculous an application of the theory of the sympathetic strike as could well be imagined. And it becomes even more absurd when you remember that between these employers and their men there was not a shade of disagreement or discontent, and that the outside condition for which the strike was called was of itself so trivial that the men directly involved had no justification for striking on their own account, let alone ordering between 3,000 and 4,000 men in another industry, many miles away, to sacrifice themselves.

Moreover, as the record stands, when the walk-out was ordered, the mill at Colorado City was operated by nonunion men, the union men having refused the re-employment that was offered them.

**SO HERE WE HAVE THE ASTOUNDING FACT THAT THE GREAT STRIKE IN THIS DISTRICT WAS CALLED TO RAISE THE WAGES OF 200 NONUNION MEN! IF WE GO OUTSIDE THE RECORD, MORE THAN 3,000 MEN WERE COMPELLED TO QUIT WORK FOR THE POSSIBLE BENEFIT OF FORTY OR FIFTY FELLOW UNIONISTS TO THE EXTENT OF A FEW CENTS A DAY.**

It was had enough of the federation leaders to plunge their followers into a useless war. It was unfair to rob them of

the right to vote on their own strike. Notwithstanding all of Mr. Haywood's clever quibbling—he is a smart man—the fact remains that the national convention took the referendum away from the local unions. And for what purposes? First, because the leaders were eager to concentrate this great power in their own hands. Second, because they knew if the question was left to the miners themselves they would vote three to one against a strike.

At the Findley mine I saw the original draft and signatures of a document voluntarily prepared by the miners there, at the time the sympathetic strike was first talked of, expressing sympathy for the men at Colorado City, but declaring they saw no good reason why they should quit work on that account. It was signed by every man in the mine. Yet when the order came from Denver every man quit work, simply through loyalty to the organization. The same sentiment prevailed throughout the district. Only the hot-heads and the professional agitators wanted the walk-out. The great majority did not want it.

### EXCELLENT WORKING CONDITIONS.

THERE WAS NO REASON UNDER HEAVEN WHY THEY SHOULD WANT IT. HERE WERE SOMETHING LIKE 4,000 MEN WORKING IN AND ABOUT THE MINES, ALL BUT ABOUT 700 MEMBERS OF THE UNION. ALL WERE CONTENT. ALL WERE WORKING UNDER THE SO-CALLED WAITE AGREEMENT, THEN IN FORCE ABOUT NINE YEARS. THE MINIMUM WAGE WAS \$3 A DAY FOR EIGHT HOURS' WORK, AND RAN UP TO \$4.50 A DAY FOR ENGINEERS. MR. ARKINS, A LOCAL NEWSPAPER MAN, TOLD ME HE HAD MADE A CAREFUL CENSUS OF THE ENTIRE DISTRICT SHORTLY BEFORE THE TROUBLE, AND HE FOUND THE AVERAGE PAY FOR ALL THE MEN IN AND ABOUT THE MINES WAS \$3.46 A DAY, AND ALL HAD THE EIGHT-HOUR DAY.

PROBABLY THERE IS NOT ANOTHER MINING CAMP IN THE WORLD WHERE LABOR CONDITIONS ARE BETTER THAN THEY ARE HERE. THE WAGES ARE HIGH, THE WORK STEADY, AND ABOUT \$100 A MONTH IS THE SMALLEST INCOME, EVEN FOR MERE LABORERS; EIGHT HOURS IS THE LONGEST DAY; THE WORK IS CLEAN AND NICE, NOTHING LIKE COAL MINING; THERE IS NO FIRE-DAMP IN THE MINES, AND THE ONLY DANGERS ARE OF MECHANICAL ACCIDENTS; THE AIR IN THE MINES, AS I KNOW FROM A VISIT TO THE LEVEL 1,200 FEET BELOW THE MAIN DRIFT, IS ALMOST AS PURE AND SWEET AS OUTDOORS; THE MEN DO NOT HAVE TO LIVE IN BUNKHOUSES, AS AT MANY MINES, BUT OCCUPY THEIR NEAT LITTLE COTTAGES SCATTERED ABOUT ON THE HILLSIDES, AND RIDE TO AND FROM THEIR WORK IN STEAM OR ELECTRIC CARS WITH LOW FARES; LIVING IS BUT LITTLE DEARER THAN IN CHICAGO, SINGLE MEN GETTING GOOD ROOM AND BOARD FOR \$5 OR \$6 A WEEK; THERE ARE PLENTY OF AMUSEMENTS AND RECREATIONS; GOOD SCHOOLS ARE NEAR AT HAND FOR THE CHILDREN; THE CLIMATE IS HEALTHFUL AND DELIGHTFUL.

Before I came to Cripple Creek I learned much of the conditions under which the strike was called, and I went to Mr. Haywood and said to him:

"Frankly, as a friend of organized labor, I cannot see that you people were justified in calling the sympathetic strike at Cripple Creek to support your demands at Colorado City. By your own statement, the miners were perfectly contented. And

the dispute at the mill involved neither anything of intrinsic importance nor principle which warranted such drastic action in the mining district."

To support his plea that the walk-out was justifiable Mr. Haywood then told me there was something else; that the mine owners had been plotting to reduce the wages of their men; that they had called a meeting and tried to secure concerted action. He added that some of the mines, notably the Strong, discriminated against union men, and that they wished to put a stop to this. The affair at Colorado City, he said, was only a part of their case.

Apparently that strengthened the argument in favor of the strike. But since coming here I have received evidence that the story of a plot to reduce wages was almost entirely a figment of the imagination. No such thing ever took form. One mine owner, and one only, once talked of reducing wages. None of the other owners, perhaps fifty or sixty in number, would listen to him. I do not accuse Mr. Haywood of falsehood. But he was either trying to deceive me or was deceiving himself. I prefer the latter theory.

### "HIGH GRADERS."

There is a peculiar reason why the mine owners of this district are willing to pay the high wages which they do pay. It is a "high grade" camp. The ores are rich. They assay from \$50 up to many thousands of dollars a ton. It is no unusual thing to strike pockets in which the deposits run to the value of \$8 a pound. Ore stealing by mine workers is a common crime. It has been estimated that the gross amount of such pilfering—of ore carried out in pockets and in blouses—runs to an average of \$10,000 a month in this district. There are, or were, nine known "fences" in this neighborhood. The manager of a smelter told me in Denver that for years his company received ore from a mysterious source, ore of the highest grade. Becoming suspicious, they hired detectives and set them to work. The detectives were soon warned that if they valued their lives they would get out of the country. There are plenty of miners, union men, old stagers, who will not work in any but high grade mines. Throughout this camp were men known to rumor as "high graders," in other words ore stealers. And among the men deported during the recent trouble many bore an ill reputation so far as pilfering was concerned. There was no proof against them, and experience had shown that it was next to impossible to convict an ore stealer before a jury, for the simple reason that it was impossible to get a jury without from one to half a dozen ore stealers on it. As soon as the mine owners got the upper hand in the recent troubles they improved their chance to run a lot of these high graders out of the country. Many miners, with their high wages and penchant for rich pockets of ore, make snug little fortunes, and then, as a rule, they "blow them in" and continue to work and to "high grade."

A former high official of the federation is known to have retired rich.

"We can not afford to pay low wages in this camp," a leading mine owner told me, "for every dollar we might save in wages we should lose two dollars in ore. Another reason why we do not like this federation is because it teaches its followers that 'wealth belongs to the producers thereof'—A DANGEROUS DOCTRINE IN A HIGH GRADE CAMP."

### THE "EIGHT-HOUR" EXCUSE.

It has been widely published that this trouble was due to the anger of the labor people over the defeat of the eight-hour law in the legislature. By a large majority the people had adopted a constitutional amendment to the effect that "the legislature shall" enact an eight-hour law. The legislature failed to do so. It is charged that the corporations used money corruptly to defeat such legislation. I do not doubt this is true, and there is no language strong enough adequately to condemn such crimes by the rich. The legislature had one Republican branch and one Democratic. It was engaged in a long and bitter struggle over a senatorial election. Under such circumstances it was easy for the corporations to manipulate things to defeat the eight-hour law.

BUT THE MINE OWNERS WERE NOT INTERESTED IN THAT PROPOSITION. THEY HAVE HAD THE EIGHT-HOUR DAY FOR MANY YEARS. THE EIGHT-HOUR DEFEAT HAD NOTHING TO DO WITH BRINGING ON THE RECENT TROUBLES. TO SAY THAT IT HAD IS A PRETEXT, AN AFTERTHOUGHT. EVEN THE STRIKE AT COLORADO CITY WAS ORDERED WEEKS BEFORE THE LEGISLATURE ADJOURNED AND WHILE THE PROPOSED LAW WAS STILL UNDER CONSIDERATION.

### A REIGN OF TERROR.

When the federation threw down the gauntlet to the mine owners it was at once taken up. There was nothing else for the owners to do. There was no ground on which they could meet the other side for discussion or adjustment, because there was nothing to discuss or adjust. The owners would have been cravens had they sought peace or failed to make an effort to open their mines.

Nor is there the slightest room for doubt that when the mine owners did attempt to start up their mines the federationists had recourse to force, violence and intimidation. As to all this, I have made careful inquiries, though it is not necessary to go again over the details of the long and frightful story. FIRST, THE OFFENSES WERE MINOR ATTACKS, ASSAULTS, BEATINGS, THREATS. ASSASSINATION CAME NEXT, AND SO MANY THREATS TO ASSASSINATE, SO MANY DIRE WARNINGS WERE UTTERED THAT FOR MONTHS MINE OWNERS, SUPERINTENDENTS, FOREMEN, LIVED IN CONSTANT FEAR OF SHADOWS, WERE AFRAID TO SIT BY OPEN WINDOWS, AND WALKED IN THE MIDDLE OF THE ROAD AT NIGHT. IN OTHER WORDS, THERE WAS A REIGN OF TERROR, and, when the federation found the mine owners would not abjectly surrender, its followers attempted to win their battle by an appeal to brute force, and the fear and timidity which the

stealthy use of force and explosives and the gentle art of midnight assassination always induce.

The sort of labor organization that enlists my sympathy and the support of my pen is one that arms itself with a just cause, and with that alone, and appeals to public opinion for a verdict. That is what John Mitchell did in Pennsylvania, and he won his fight. That is what many other labor organizations have done.

But the Western Federation of Miners is of another sort. Judged by its record, it is a criminal organization. We have the right to judge an organization as we judge an individual. Eleven years old, this federation has had a constant succession of strikes, in which crime played the leading part. I could fill two columns with a mere summary of the crimes this organization or its followers have perpetrated throughout the West.

THE RECORD WOULD APPALL YOU HAD I SPACE TO PRINT IT.

Dynamiting, retail or wholesale murder of nonunion men, mine managers and bosses in strike after strike, first in one state and then in another, can not be ascribed to chance nor to misguided followers nor to sporadic criminal tendency.

NO OTHER LABOR ORGANIZATION IN THE UNITED STATES FIGHTS WITH SUCH WEAPONS. THE WESTERN FEDERATION NEVER FAILS TO USE THEM.

Its record makes it a pariah among labor organizations, a desperado, an outlaw. No one can say that its officers plot crime or hire criminals. Probably they do not. But in some way the horrible work is carried on. It is generally believed there is an "inner circle" which attends to this part of the business outside of the knowledge of the general officers. No case is of record of a man being expelled from the federation for crime. A former president of the federation urged every member of it to buy a rifle. Large orders for rifles and cartridges have been given by the central organization, and the bills paid with checks on organization funds.

### RESPONSIBILITY CLEAR.

That the federation is responsible for the appalling crime at Independence station there seems no doubt. The mine owners declare some of the men engaged in that plot are known, and all are prominent unionists who have fled the country. I was given the names of these suspects in confidence, and there is still hope of bringing them to justice. Judges, lawyers and others with whom I talked agreed that the union had deliberately created a reign of terror, trying to win through intimidation a fight which could not be won on the justice of the cause. This was the opinion of Democratic leaders in this community, men who are trying to use the war to their political advantage, and who therefore favor the federation to as great an extent as their consciences will permit them to do.

A JUDGE ON THE BENCH, THOUGH IN POLITICS OPPOSED TO GOVERNOR PEABODY, TOLD ME IT WAS TRUE THE UNIONS BOSSSED THE LOCAL OFFICIALS AND THAT IT WAS WELL-NIGH IMPOSSIBLE TO CONVICT A UNIONIST OF ANY CRIME OR MINOR OFFENSE.

Lawyer Engley, counsel for the federation, whose sensitive soul could not endure the presence of troops in Judge Seeds' court, had a habit in defending unionists of offering no other evidence than the fact that his client was a member of the union. The union jury did the rest. Judges and lawyers who are neutral on account of their political activities, and wholly fair and even generous to the federation, told me there was no doubt an inner circle of the organization had plotted the infernal machine and other crimes.

The only man I found in Colorado who did not believe the federation responsible for the Independence crime was Mr. Haywood, and, curiously enough, he thought it possible the job had been done by an "inner circle" of the mine owners. "If any unionist did it," said Mr. Haywood, "he must have been insane. It was the only thing needed to defeat our cause, the one thing needed to give victory to the other side. Strange if any of our people should make such a blunder."

### SEVERE MEASURES NECESSARY.

Up to the killing of thirteen men at Independence station, military rule in this district had not been harsh. A few men had been "thrown in" the bull pen. There had been some conflict with the courts over habeas corpus. General Bell had used his terrible tongue with telling effect, but not a man had been deported. Nothing had occurred which could justly cause the military to be condemned as tyrannical. Military law is never soft or pleasant. But in this case it was not unnecessarily drastic. Guns and gatlings were in evidence, and it was bad judgment to surround the court house with bayonets. But the men who behaved themselves were unmolested. Business went on as usual.

Over at Telluride things were a little different. There the federation broke a signed contract before its specified period of operation had expired, to force their sympathetic strike. There the union had long maintained a reign of terror comparable only to the days of Molly Maguireism in Pennsylvania. Murders and assassinations were common. On one occasion eighty-three unarmed nonunion men were frightfully beaten by an armed mob of unionists, and forced to flee over the mountains. The federation thus set the example of deportation in this region. This was in the strike of 1901, and during that strike 250 rifles and 50,000 cartridges were ordered by President St. John, of the Telluride Federation, and paid for with a draft bearing his signature. St. John was an anarchist, a dangerous man, and is now a fugitive from justice. There were no troops there—Governor Orman had refused to call them out—and the federation ran things with a high hand.

When the sympathetic strike of 1903 came on these crimes were repeated. Manager Collins was assassinated. Then the citizens rose and swore they would put an end to the whole

business. They arrested and deported men, charging them with "vagrancy." They cleaned out the camp. The military came and helped them. I do not doubt they went too far in some cases. It was harsh to take men from their homes—homes which they owned—and banish them. It was a mistake to exile Lawyer Engley, who was too zealous in his defense of the unionists. But the provocation was great.

THE FEDERATION HAD APPEALED TO FORCE AND TERRORISM, AND WERE MET WITH LIKE WEAPONS. BEFORE PEACE COULD BE RESTORED ONE SIDE OR THE OTHER HAD TO BE VANQUISHED, DESTROYED, SCATTERED. THE AGGRESSOR LOST THE BATTLE. THE RIGHT SIDE WON. IT WAS SURVIVAL OF THE FITTEST.

### THE ALTERNATIVE.

Exactly like that was it here in this district. Up to June 6 comparative quiet reigned. The mines were working. The troops had been withdrawn. Then came the frightful crime at Independence, the riot at Victor, a new reign of terror. The battle was on anew, and fiercer than ever. Instead of lynching by wholesale, as they were tempted to do, the military and the citizens deported the trouble-makers. It was harsh, in some instances cruel, no doubt, but war is not a parlor game. It takes a knife to cut out a cancer; you can not do it with a soothing lotion.

I have inquired carefully into this whole question, and my conclusion is that the deportations were justifiable, that they were humane. There is a world of significance in what Secretary Hamlin, of the Mine Owners, said to me: "I was not willing to take the responsibility of hanging a lot of men; I was willing to take the responsibility of deporting them."

Most of the 238 men deported were dangerous and guilty men. Some were innocent of any wrongdoing. It is not denied that mistakes are made, and they are regretted.

BUT AN INNOCENT MAN DEPORTED MAY RETURN AND RE-ESTABLISH HIMSELF. AN INNOCENT MAN HANGED HAS NO RETURN TICKET.

There is no doubt that the mine owners used deportation to break up the union and destroy the federation's power in this district. It is true men were deported for no other reason than that they refused, when examined by the commission, to renounce their allegiance to the organization. Drastic as this method was, I am convinced it was justified on the ground of necessity. And the necessity was that the federation had to be destroyed, root and branch, before peace and security could return to the community. As long as the federation had power, there would be war. As long as there were left men to agitate there would be men to use dynamite. It was a public necessity that the work be thoroughly done, that the criminal organization be wiped out of existence. It was. Innocent men and women suffered. But the innocent must always suffer in mobs, in war, in great emergencies. Besides, the rule of Dog Tray is almost as old as government itself.

Whether or not deportation can be justified in law, I do not

know. Courts have held that military rule gives power to kill, to imprison, to hold. To scatter or disperse a mob or men whose presence is a menace to the peace of the community must be an incidental power. If our government may deport anarchists, men who have committed no other offense than the holding of certain opinions, if innocent citizens may be held for weeks away from their homes for the protection of society through the quarantine law, possibly military deportation of citizens for the protection of a community may also be held legal. On this I pass no opinion. But of the deportations from this district in general—the method, not any particular case—I BELIEVE THEY WERE JUSTIFIED BY THE PUBLIC EMERGENCY, BY THE HIGHER LAW OF SELF-PRESERVATION WHICH A COMMUNITY AS WELL AS AN INDIVIDUAL MUST HAVE THE RIGHT TO APPEAL TO.

### EMERGENCY HUMANELY AND BRAVELY MET.

When I came to Colorado it was with a feeling that these deportations were a foul blot upon our civilization. Now, I think the conditions made them necessary. Banishment of men has raised a great outcry in the East, but the truth is not known. I SEE LITTLE TO CONDEMN IN THE METHOD EMPLOYED BY GOVERNOR PEABODY, THE MILITARY AND THE CITIZENS, AND MUCH TO PRAISE. THEY WERE CONFRONTED WITH A GREAT EMERGENCY AND THEY MET IT BRAVELY AND AS HUMANELY AS THEY COULD.

"What else could we have done?" ask the business men here. "You say we might have kept the men as prisoners. That would only have prolonged the trouble. It would have made them martyrs. Attempts might have been made to rescue them. That would have led to riots. It is a serious question how far a man may go in interfering with the rights of others while standing on his own alleged constitutional rights. We carefully considered all this. We believed deportation the most effective, the most humane. We stand by it as an act of good public policy."

It has been said they had no right to turn these criminals loose upon other communities. But the deported men were not criminals at heart, and many of them not at all. Their presence here was an encouragement to crime. In any other community they would be good citizens, as some of them had been here. Most of these men were simply unfortunate, the victims of a criminal system. The real culprits were the reckless leaders of their organization, and the "inner circle" of dynamitards who planted the infernal machine and pulled the wire which exploded it.

### CRIMINAL INTENT.

Graphic evidence of criminal intent on the part of the local federation leaders was found in Union Hall after the Victor riot. The miners here are fond of gathering in groups at the top of the shaft and having their photographs taken. In Union Hall were captured fifty or sixty of these pictures. And what use do you suppose had been made of them? To identify the non-union men who were "marked" for attention. I saw these pictures. A SINISTER CROSS WAS PLACED IN LEAD PENCIL ON THE BODY

OF FROM ONE TO TEN PORTRAITS IN EACH GROUP, AND ON THE BACKS THE NAMES OF THE INTENDED VICTIMS WERE WRITTEN. ON ONE PICTURE FIVE MEN WERE SO MARKED.

No. 1 was Charles McCormick, superintendent, killed by dynamite in the Vindicator mine. His name was scratched off from the back of the picture, evidently to show he had been disposed of.

No. 2 was Al Bain. They didn't get him.

No. 3 was William Ramsey. He left the district, probably aware they were after him. Pencil line drawn through his name.

No. 4 was Mel Beck. He was killed along with McCormick at the Vindicator. His name was scratched out—disposed of.

No. 5 was Joe Permort. They didn't get him, but union men tried to push him from a rapidly moving train.

Other pictures contained similar records of criminal intent, of crime organized, systematized, and in too many instances perpetrated.

If the walk-out in this district was called for any definite purpose, beyond the chimerical hope to win the unworthy fight for unionization at Colorado City, it was to force all the non-union miners out of the region. FOR YEARS THE FEDERATION HAD BEEN TRYING BY THREATS AND ASSAULTS TO DEPORT THE FEW HUNDRED NONUNION WORKERS.

Tacked upon a telephone pole within a stone's throw of the ruined station at Independence—I was about to say within reach of one of the flying legs or arms of the victims of that awful crime—I saw a rain-beaten but still decipherable poster, reading as follows:

"HENCE TAKE NOTICE THAT ON AND AFTER SEPT. 16, 1901, ANYONE WORKING IN AND AROUND THE MINES, MILLS OR POWER PLANTS OF THE CRIPPLE CREEK DISTRICT WHO CAN NOT 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.

"JOHN CURRY, President."

THE BLOOD-SPATTERED RAILWAY STATION NEAR BY STOOD AS GRIM EVIDENCE OF WHAT WAS MEANT BY "WILL BE TREATED AS SUCH."

There are hundreds of other things I would like to write, for the half is not told. Mr. Haywood complained to me that the Strong mine discriminates against union men. Here is the reason: In the strike of '94 Manager McDonald was attacked, driven into his mine and dynamite thrown after him. He was afterward captured, subjected to horrible and nameless outrages and warned to leave camp. Like a brave man, he stayed, and and is here yet. But he has ever since refused to employ a member of the federation.

### THREATENED WHOLESALE TIE-UP.

I appealed to the local newspaper men for their judgment—bright men who have lived here for years, who have been at the

front in war, who are trained observers, personally acquainted with the leaders on both sides, instinctively impartial and some of them representing papers which, for political reasons, pat the miners on the back. Unanimously they gave it:

"The federationists thought they were strong enough to make themselves absolute masters of every mine and man in this district. They depended on force and intimidation. But they went too far. They ran up against citizens who had as much nerve as they had. They were beaten at their own game. And then they squealed so loud they could be heard all over the country about their constitutional rights having been ruthlessly trampled upon."

I am willing to let this judgment of my confreres stand as my own. When Moyer and Haywood were about to order the walk-out conservative union men begged them not to do it, saying it would mean ruin. I am credibly informed that Haywood replied:

"NOW IS YOUR CHANCE. WE CAN TIE UP NOT ONLY THE MINES, BUT THE RAILROADS AND EVERY TRADE IN COLORADO, INCLUDING THE NEWSPAPERS WHICH OPPOSE US."

Moyer and Haywood went ahead. They filled Colorado with woe. They ruined the federation. To-day there is not a miner's union left in Cripple Creek camp. Two thousand two hundred of their thirty-three hundred victimized followers have renounced the union and signed Mine Owners' Association cards, without which they can not get work in this camp. The other thousand are scattered over the West, seeking employment.

### INDICTS MOYER AND HAYWOOD.

HENCE I ARRAIGN CHARLES H. MOYER AND WILLIAM HAYWOOD AS THE MEN WHO ARE TO BE HELD MORALLY RESPONSIBLE FOR THIS CRIME AGAINST ORGANIZED LABOR, THIS OFFENSE AGAINST OUR CIVILIZATION. AND I OFFER TO CONVICT THEM BEFORE A JURY COMPOSED OF THE LEADERS OF THE DECENT, HONORABLE LABOR ORGANIZATIONS OF THE COUNTRY.

THE WESTERN FEDERATION OF MINERS IS COMPOSED FOR THE MOST PART OF HONEST AND INDUSTRIOUS MEN. IT IS THEIR DUTY TO REPUDIATE THESE EVIL GENIUSES, RECKLESS, UNFIT, DANGEROUS, IF NOT WORSE. BEFORE THE WESTERN FEDERATION CAN HOLD UP ITS HEAD AMONG THE USEFUL AND RESPECTED LABOR ORGANIZATIONS OF THE UNITED STATES IT MUST PURGE ITSELF OF LEADERSHIP THAT LEADS TO POLITICAL AMBITION, LUST FOR POWER, ANARCHY, AND CRIME AGAINST ITS OWN FOLLOWERS AND AGAINST SOCIETY.

MOYER AND HAYWOOD HAVE FORTY MEN IN THE EAST SOLICITING SUBSCRIPTIONS FROM SYMPATHETIC UNION LABOR. THEY ARE RECEIVING \$10,000 A WEEK. I CHALLENGE THEM TO MAKE PUBLIC A STATEMENT OF THEIR DISBURSEMENTS.

WHY SHOULD UNION MEN SUPPORT THIS ORGANIZATION UNDER ITS PRESENT LEADERSHIP? IN HIS ANNUAL ADDRESS A YEAR AGO PRESIDENT MOYER DECLARED: "TRADE UNIONISM HAS BEEN PROVEN INEFFECTUAL TO BETTER THE CONDITION OF THE LABORING MAN." EVER SINCE HE HAS ADVOCATED SOCIALISM AND POLITICAL ACTION—"TO GET CONTROL OF THE GOVERNMENT," AS HAYWOOD SAID.

I ADVISE SELF-RESPECTING UNION MEN EVERYWHERE NOT TO GIVE A PENNY TO THIS CAUSE.  
IT IS UNCLEAN.

WALTER WELLMAN.

## WHICH KIND OF LIBERTY?

Which kind of liberty do these Democratic-Socialist *liberty* leagues want?

Do they want to live under the American law and OBEY IT, or live under American law and DEFY IT?

What kind of *liberty* have they lost which they are making such a desperate effort to regain?

For several years the vicious among the members of the Socialist organization known as the Western Federation of Miners have enjoyed, UNDER DEMOCRATIC ADMINISTRATIONS, the *liberty* to destroy property, to drive men from mining camps, to beat and torture them, to dynamite them, and to murder those whom they chose to mark for death, and to COMMIT THESE CRIMES WITHOUT FEAR OF LAWFUL PUNISHMENT.

Hundreds of scarred and crippled workingmen in the Rocky Mountain region can testify to the kind of *liberty* this organization has enjoyed heretofore, and the kind it wants to enjoy in the future.

The silent testimony of the following Colorado citizens who have been sacrificed upon the bloody altar of this Socialist Western Federation of Miners is, however, more eloquent and convincing than that of the living:

- |                     |                 |                |
|---------------------|-----------------|----------------|
| CHARLES M-CORMACK,  | JOHN ST. CLAIR, | J. H. JOHNSON, |
| ARTHUR MEILNEISON,  | JERRY O'KEEFE,  | W. W. DELANO,  |
| ARTHUR L. COLLINS,  | JOHN MAHONEY,   | ROXIE MCGEE,   |
| G. F. S. HENDERSON, | GUS AUGUSTINE,  | J. W. BARNEY,  |
| MARTIN GLEASON,     | W. S. SHANKLIN, | MELVIN BECK,   |
| WESLEY J. SMITH,    | GEORGE KELSO,   | ALEX McLAIN,   |
| GEORGE HONSER,      | JOHN M. DAVIS,  | ED. ROSS,      |
| HERBERT MCGOY,      | J. A. HARTSOCK, | J. H. HAAG.    |

These martyrs to American freedom outnumber those who fell at the battle of New Orleans.

This is the *liberty*—to terrorize, to kill, and to destroy—which they have been deprived of by a Republican administration, and this is the *liberty* they hope to regain with the assistance of the Democratic State organization, in whose interests they are now organizing *liberty* leagues throughout Colorado.

Partisan politics does not enter into the question. We must vote either for or against those who defy the law and who attack the State authorities for attempting to enforce it.

**EITHER THE LAW OR THE DYNAMITER MUST PREVAIL IN COLORADO.**

August 18, 1904.