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159

THE BUTTE LABOR STRIKES AND  
COMPANY RETALIATION DURING WORLD WAR I

By

Arnon Gutfeld

B.A University of Montana


Presented in partial fulfillment of the requirements for the degree of

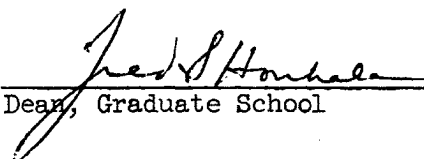
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TABLE OF CONTENTS

<u>CHAPTER</u>	<u>PAGE</u>
INTRODUCTION . . . . .	1
I. PRELUDE TO A STRIKE . . . . .	4
II. THE METAL MINE WORKER'S UNION JUNE-JULY 1917 . . . . .	14
III. PRELUDE TO VIOLENCE . . . . .	25
IV. THE MURDER OF LITTLE . . . . .	32
V. THE REIGN OF HYSTERIA . . . . .	46
CONCLUSION . . . . .	73
BIBLIOGRAPHY . . . . .	76

## INTRODUCTION

Violence, strikes, and hysteria dominated the Montana scene during World War I. The mine owners clashed with the divided labor force. A prolonged miners' strike took place at Butte. One part of this study consists of the reasons for the strike, and includes the unions and ideologies that attempted to lead it and the manner in which the strike was conducted. The conduct of the mining companies in attempting to break the strike brought into focus their tactics and strategy. Events which seemed to be unconnected were in reality interrelated. They had a marked effect on later events in the state and in the nation. This study will attempt to correlate these events.

On June 8, 1917, a disastrous fire occurred at a Butte mine. A spontaneous strike ensued. The mining companies attempted to break this strike. One result of these attempts was wide-spread hysteria in Montana.

On August 1, 1917, a violent Industrial Workers of the World leader was lynched at Butte. This intensified the hysteria. Many Montana citizens feared retaliation by the I.W.W. By mid-August, 1917, federal troops patrolled the streets of Butte. A press campaign, a part of the Companies' attempt to break the strike, took place. Some Montana citizens were tried and accused of sedition. When the federal court failed to convict the accused, the Governor of Montana called a Special Session of the Legislature. This Legislature passed sweeping anti-sedition laws, which attempted to curb the free expression of ideas. The Special Session demonstrated the "patriotic" fervor which swept

Montana by impeaching Judge Charles L. Crum, judge of the Fifteenth Judicial District of Montana. He was convicted for statements he had made prior to the passage of the anti-sedition Acts. One of the acts became the basis for the Federal Sedition Act of 1918. The attempts to guarantee the loyalty of Montanans did not stop there. They culminated in the inquisition of U.S. District Attorney Burton K. Wheeler before the Montana Council of Defense in June, 1918. Wheeler refused to be stampeded into wholesale prosecution of those who were considered traitors by the "patriots" of Montana. During this period he gained a wide base of political support, especially among labor and agricultural organizations. He posed a threat to the political dominance of Montana by the Anaconda Copper Mining Company. The Company wished to destroy his political career before he could become too strong a political force in Montana. The events of 1917-1918 had an immediate effect on the Senatorial elections in Montana in 1918. They also influenced the careers of many of the participants in the political affairs in Montana during this period.

The World War I era in Montana has already received some attention. A study had been made of the legislation passed by the Special Session in Montana and the influence it had on the passage of Federal legislation. The careers of the major political personalities of the period in Montana, such as Wheeler, Jeannette Rankin, and Thomas J. Walsh had been written.

This study concentrates on the miners' strike in Butte during 1917 and 1918 and the Mining Companies' reaction to it. Butte, the most productive mining district in the country, was dominated by the Anaconda Company, the largest copper mining company in the world. This Company

was the dominant force in Montana's economics and politics. The events at Butte had larger ramifications. These events had a great effect on Montana and the nation. The lumber, cattle, and wheat industries were important to Montana, but the economic and political power concentrated in the Butte district overshadowed in importance all other Montana industries. Montana's legislature and press were largely controlled by the mining interests of Butte. The Butte vote determined the outcome of many of Montana's elections.

This study attempts to connect various events of the period and link them to subsequent occurrences and point to their influences on events and personalities. An emphasis has been put on the use of primary materials such as the Montana newspapers and hitherto unused U.S. Department of Justice and Department of Labor documents.

Though the period has been studied before the historical knowledge remains confused and apparently chaotic because of the isolation of the studies. This study attempts to show the connection among a series of complex but intimately related events. In order to gain understanding of the period, the related events could not be studied out of context.

Other studies have represented the attitudes of the political personalities and organizations involved. The period as seen by Wheeler, Rankin, Walsh, or the I.W.W. has been done. This study views the situation, in most parts, from the standpoint of the divided labor force.

## CHAPTER I

### PRELUDE TO A STRIKE

The first attempt to establish a miners' union occurred at Butte as early as 1866. On June 13, 1878, a threat by mine owners to reduce wages from \$3.50 to \$3.00 per day resulted in the organization of the Butte Workingmen's Union. This body changed its name to the Miners Union of Butte City in 1881, and in March, 1885, it became the Butte Miners' Union. This organization soon became the largest and most famous miners' union in the West. The union succeeded in securing for its members a minimum wage of \$3.50 per day.<sup>1</sup> The Butte Miners' Union was able to capitalize on the bitter feud between Marcus Daly and William A. Clark, two of the Copper Kings. As the battle between these two tycoons happened in the political arena, the miners' vote and support became objects to be sought out and bought.<sup>2</sup>

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<sup>1</sup>Vernon Jensen Heritage of Conflict, Labor Relations in the Non-Ferrous Metal Industry Up to 1930, (Ithaca, 1950) is the finest, and most comprehensive study on labor in the Northwest until 1930. It is indispensable as a reference work on all sections of the thesis dealing with the War of the Copper Kings (See footnote on Number 2) discuss the period in describing the background for the War of the Copper Kings.

<sup>2</sup>The material available on the War of the Copper Kings and the leading figures in it is abundant, though in many cases it is trite, poor, and repetitious. Forrest L. Foor, The Senatorial Aspirations of William A. Clark, (Unpublished Ph.D. dissertation, University of California, 1941) presents an objective view of William A. Clark and his times. K. Ross Toole, Marcus Daly: A study of Business in Politics, (Unpublished Master's thesis, University of Montana, 1948) though biased in favor of Daly is the most comprehensive work on Daly. Toole, Montana: An Uncommon Land, (Norman, Oklahoma, 1959) deals adequately with the whole period and relates the growth of Butte's copper industry to national and international events thus pointing to the achievements of the copper kings of Butte, a thesis which was not stressed elsewhere. For pro-Daly works see Christopher P. Connolly, The Devil Learns to Vote (New



Unlike labor unions nationally in the 1880's, the Union at Butte was blessed with a situation which permitted it to gain in wealth and prestige. Later, when the Union was challenged by a united force of employers, it had little experience in defending itself. In the early days were the reasons of its subsequent failure and destruction.

In the 1890's, as mining became an enterprise requiring large investments, miners felt the pressure from the new, rising corporate powers. The miners attempted to counter this problem with the establishment of a regional union. They realized that a local union would be helpless against a large corporation. The miners strove to unite and to face the challenges together. The local unions turned to the most famous and richest mining union for leadership. Miners from Colorado, South Dakota, Idaho, Utah and Montana met at Butte. On June 16, 1893, the Western Federation of Miners was founded, and Butte received Charter Number One. The Federation's goals were fair compensation and safer

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<sup>2</sup>(continued) York, 1938) and Connolly, "The Story of Montana" McClure Magazine Volumes 27-28 (1906-1907). C.B. Glasscock, The War of the Copper Kings (New York, 1935) is a fine account of the period between 1872 and 1910 at Butte. A bitter attack on Daly, Clark and the Amalgamated is the essence of Jerre C. Murphy A Comical History of Montana (San Diego, 1912). Murphy hated what corporate power did to Butte and Montana and perceptively and emotionally described the subjugation of Montana to the company. K. Ross Toole "The Genesis of the Clark-Daly Fued" Montana Magazine of History (April, 1951) is essential for the understanding of the political reasons for the war, and the elimination of much of the myth surrounding the origin of the feud. K. Ross Toole "When Big Money Came to Butte," Pacific Northwest Quarterly (January, 1953) tells of the movement of eastern money which resulted in the transfer of political power Eastward. Joseph Kinsey Howard, Montana High Wide and Handsome (New Haven, 1943) is anti-company, highly emotional, and has many errors. The study was written by a man who knew and understood Montana.

working conditions for its members. These aims were to be secured through education, cooperation, and lobbies.<sup>3</sup> Because of internal strife and poor leadership the W.F.M. proved to be an ineffective organization. Butte money financed the organization, but also supplied most of the dissension which made the Federation ineffective.

In 1899 the Standard Oil Company entered Butte. It organized a holding company, The Amalgamated Copper Company. Amalgamated battled a shrewd mining engineer and speculator, Frederick A. "Fritz" Heinze who, by controlling a judge and effectively using the federal "Apex law," was able to rob the Amalgamated of thousands of dollars per day.<sup>4</sup> The copper "trust" retaliated by closing all Montana operations. This resulted in unemployment for four-fifths of all Montana wage-earners. The corporation demanded and obtained a special session of the Montana Legislature. This Legislature passed a bill which terminated Heinze's influence and power at Butte. In 1906, Heinze sold his properties to Amalgamated and the long War of the Copper Kings was over.<sup>5</sup>

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<sup>3</sup>Vernon H. Jensen, Heritage of Conflict; Labor Relations in the Non-ferrous Metal Industry Up to 1930 (Ithaca, 1950), 55. Hereafter cited as Jensen, Heritage of Conflict.

<sup>4</sup>An 1892 federal mining law provided that a claim constituted surface area 1500 feet long and 600 feet wide in which a vein came to its apex; an area of the prescribed size which contained the surface outcropping of a presumably continuous ore body. The locator could follow this vein any distance underground as long as he remained within the 1500 foot length of his claim; there was no restriction on the lateral variations of the veins underground.

<sup>5</sup>Most works dealing with the War of the Copper Kings discuss this period too. For the struggle of labor against management Jensen's Heritage of Conflict is essential. The best work on Heinze is Sarah McNellis' "The Life of F. Augustus Heinze," unpublished Master's thesis (University of Montana, 1947).

The Amalgamated, used its vast economic powers, to create a precedent for coercing the government of the State of Montana into action beneficial to the mining interests. The departure of Heinze brought to an end the "golden era" of labor at Butte. The "Gibraltar of Unionism," which claimed to be the "strongest union town on earth," and possessed the most effective "closed shop" in the nation was soon an "open shop" town. Before 1903 the story of labor relations at Butte could be summarized: mine owners clashed, which resulted in gains for labor. Afterwards the positions changed. Labor fought against itself and was faced with the powerful, united mine owners. New terms appeared in the vocabulary of the Butte miner which indicated the shift in power. His union was led by men who wore the "copper collar," which signified that they were company-controlled. In 1912 the Company (as Amalgamated and Anaconda are known to Montanans) initiated the "rustling card" system, a method by which it effectively controlled employment at Butte. The "rustling card" in effect was a permit to work, without which one could not be employed in the Butte Mines. The lack of effective opposition to this system symbolized the impotence of the "strongest union on earth." The Company and the Industrial Workers of the World combined to destroy the Butte Miner's Union in 1914.<sup>6</sup>

The miners' frustration and anger were manifested by a riot on June 13, 1914, a day on which the founding of the Butte Miners' Union was celebrated. The traditional parade was dispersed, and the Union Hall was gutted. The violence continued, and on June 23, a meeting of the Butte Miners' Union was broken up. In the exchange of gunfire that

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<sup>6</sup>

Jensen, Heritage of Conflict, 335.

occurred, an innocent passerby was killed, several people were wounded, and the Union Hall was dynamited and completely demolished. Butte was put under martial law, and the State Militia patrolled the streets. An I.W.W.-inspired strike failed. Unionism in Butte was dead. Anaconda gained great power and control in the state of Montana through a company controlled press, bribing of legislators, ultimatums which used all the economic and political powers of the Company, ruthless destruction of opposition, effective control of the labor force and its leaders and control of political organizations. All these combined to destroy the "closed shop" at Butte.

There seemed to be a direct correlation between the growth of corporate power and the decline of labor influence between 1903 and 1917. The ineffective unions, which after 1914 were mostly Company controlled, were stilled, while the miners did not forget their days of strength and hoped for the return of their "golden era."<sup>7</sup> From 1912 to 1917, the changes were complete. Butte went from "closed shop" to "open shop;" the "rustling card" replaced the union card; collective bargaining changed to individual bargaining; trade agreements were not replaced; mutual need and good will turned to rioting and militia which guarded the streets; hate and mistrust replaced cooperation and affection; 17,500 union miners became 16,000 unorganized miners.<sup>8</sup>

On June 8, 1917, a fire broke out in the Speculator mine, owned

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<sup>7</sup>See Norma Smith, The Rise and Fall of the Butte Miners' Union 1878-1914. Unpublished Master's thesis (Montana State College, 1961), also see Montana, First Biennial Report of the Department of Labor and Industry 1914-1915 (Helena, 1915). Jensen, Heritage of Conflict. For an Anaconda Company view of the events see L. O. Evans speech to the Missoula Chamber of Commerce Aug. 29, 1917 (n.p., n.d.)

by the North Butte Company. The fire started when a cable was ignited by a carbide lamp carried by Mine Foreman, Ernest H. Sallau. Within moments the mine was an inferno, and one of the greatest holocausts in mining history took place. The flames spread through the ventilation shafts, and killed numerous miners within minutes. Rescue works continued for days, as bodies, charred beyond recognition, repeatedly were brought to the surface. The rescue crews found some of the dead piled against the solid cement bulkheads, their fingers worn to the knuckles in an attempt to reach safety. State law specified that all bulkheads in the mines had to have iron doors which could be opened. This law was not observed at Butte, as the knuckles of the trapped miners testified.

The Butte labor force exhibited solidarity in the frantic rescue efforts. Many legends emerged from the disaster. Manus Duggan, a twenty-year-old miner, added his name to the list of the copper camp immortals by saving twenty-six men, although he was killed. The final count of the dead was 164.<sup>9</sup>

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<sup>8</sup>U.S. Department of Justice, Record Group 60, Records of the Department of Justice, Glasser File. Washington, D.C., National Archives, 1964. Hywel Davis "Survey of Copper Conditions in Montana," March 1918, Commissioner of Conciliation, Labor Department File No. 33/1703, Hereafter cited as D.J. Glasser File.

<sup>9</sup>U.S. Bureau of Mines Bulletins 188 and 204 by Daniel Harrington deal with the fire and safety conditions at the Butte mines. They contain eye witness reports of the fire. Montana, Third Biennial Report of the Department of Labor and Industry 1917-1918 (Helena, 1919) describes the fire and has many penetrating comments on the Butte labor problems during World War I. Jensen, Heritage of Conflict and Perlman and Taft Labor Movements, volume IV of History of Labor in the United States, discuss the fire and its implications extensively. Some reports state that the number of dead was 162.

A spontaneous strike erupted. The tragedy resulted in a campaign for safer working conditions, better wages, and an independent union. For eleven years the Butte labor force had been losing power in an apathetic manner. The disaster at the Speculator caused the bitterness of the miners to emerge. The State Commissioner of Labor and Industry stated:

There were a number of contributory causes to the strike such as the rustling card system, the mounting cost of living, and activities of the Industrial Workers of the World, supposedly due to German propaganda. The real cause of the strike was the Speculator mine disaster on June 8. Butte, for some time had been a volcano on the point of eruption and the heavy toll of life in Speculator catastrophe proved to be the flaming torch.<sup>10</sup>

One organization which hoped to lead the Butte miners was the Industrial Workers of the World. On June 27, 1905, William D. Haywood then Secretary of the Western Federation of Miners took the podium at Brand's Hall in Chicago and declared:

This is the Continental Congress of the working class. We are here to confederate the workers of this country into a working class movement that shall have for its purpose the emancipation of the working-class from the slave bondage of capitalism.... The aims and objects of this organization shall be to put the working-class in possession of the economic power, the means of life, in control of the machinery of production and distribution, without regard to capitalist masters. ...this organization will be formed, based and founded on the class struggle, having in view...but one object, and one purpose, and that is to bring the workers of this country into the possession of the full value of the product of their toil. <sup>11</sup>

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<sup>10</sup> Montana, Third Biennial Report of the Department of Labor and Industry, 1917-1918. (Helena, 1919), 17-18. Hereafter cited as Labor and Industry Report.

<sup>11</sup> William D. Haywood, Bill Haywood's Book: The Autobiography of William D. Haywood (New York, 1929), 181-182.

This convention, attended by over 200 delegates, established the organization known as the Industrial Workers of the World. The delegates desired to overthrow the capitalistic system. Their ultimate goal was to replace capitalism with a working-class organization. They agreed on the goal, but were deeply divided in regard to the means to achieve this end.

Between 1905 and 1908 internal arguments split the I.W.W., but in 1908, after a series of expulsions, the Wobblies' plan was determined. The I.W.W. proposed Industrial Socialism, militant, uncompromising and opposed to parliamentary social reform. The Wobblies actually modified their policy into immediate and ultimate goals. Immediate goals included better wages, safer working conditions, and secure employment. But it was the pronouncement of their ultimate goals which frightened the American business community. These included abolition of the wage system and seizure of the means of production by the labor force. The Wobblies had their greatest appeal among the unskilled, migratory laborers in the West. The I.W.W. was the only organization which cared to organize and to fight the battle of the outcasts of society. The I.W.W. gave them hope for a better tomorrow, and personal respect, something society never afforded them. In return, it used them, sometimes cruelly and cynically in its pursuit of the Industrial-Socialistic utopia. The ultimate aim of the Wobblies was to create the "One Big Union" which in turn would result in the "general strike" that would destroy the wage system. The leaders of the I.W.W. realized that this was beyond their immediate capacity. Thus they attempted to organize the laborers, primarily in the mining, lumber and textiles industries.

Strikes, sabotage and boycotts were the methods which they employed. Employers repeatedly attempted to fight the I.W.W. through the courts with some success. The Wobbly tactic of free-speech demonstration gained them some local victories. While "fanning the flames of discontent," the Wobblies, at times did not hesitate to use force against their opponents. Efforts of the business community to curtail and to end what they regarded as the I.W.W. threat seemed stalemated, as the organization was not crushed.<sup>12</sup>

On April 6, 1917, the United States entered World War I. The opponents of war were not numerous but exceedingly loud. Immigrants from nations which fought the United States despised the idea of fighting against their native lands. The Irish segment of the population hated the idea of assisting England. Others were convinced that America should continue its traditional policy of non-intervention in European affairs. Others opposed the war for various moralistic, religious, or humanitarian reasons. The I.W.W. was the most vociferous of all the organizations

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<sup>12</sup>No good comprehensive work on the I.W.W. is available. The best works are the early studies by John Brooks, American Syndicalism, the I.W.W. (New York, 1913) and Paul Brissenden, The I.W.W.: A Study of Syndicalism (New York, 1919), Lillian Symes and Clement Travers, Rebel America: The Story of Social Revolt in the United States (New York, 1934), and Fred Thomson, The I.W.W., Its First Fifty Years (1905-1955): The History of an Effort to Organize the Working Class (Chicago, 1955) are later incomplete works. Joyce Kornbluth, Rebel Voices, an I.W.W. Anthology (Ann Arbor, 1964) captures the mood and culture created by a militant dissenting organization which created many legends and myths. Robert Tyler, "I.W.W. in the Pacific Northwest: Rebels of the Woods" Oregon Historical Quarterly (March 1954) and "The I.W.W. and the West" American Quarterly (Summer, 1960) discusses the I.W.W. activities in the West but is prone to rely on the myths rather than reality when he probes the I.W.W. philosophy. For personal narratives of leaders of the I.W.W. see William D. Haywood, Bill Haywood's Book: The Autobiography of William D. Haywood. (New York, 1929) and the uneven, often inaccurate, Ralph Chaplin, Wobbly: The Rough-and-Tumble Story of an American Radical. (Chicago, 1948). For the I.W.W. view on World War I see footnote 13.



that opposed the war. The Wobblies opposed national wars; the only war they believed in was class war. They reasoned that most of the casualties were members of the working class who believed that they fought for God, Nation and Civilization, while, in reality, they died to enrich capitalistic manufacturers who benefitted from the war.<sup>13</sup>

The I.W.W. ideology in regard to the war became a successful instrument for the opponents of the organization to discredit and destroy it. The nation fought a "holy war" against the "Huns" to "make the world safe for democracy." Tolerance and patience with dissent were not part of the American scene during World War I.

In Montana patriotic support of the war effort reached proportions of hysteria.<sup>14</sup> Labor faced a powerful corporation; labor also quarreled within itself. Political careers originated and terminated. All this and more: murder, tragic disasters, crippling strikes and riots. All combined during 1917 and 1918 to eradicate apathy and created a turbulent period in Montana.

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<sup>13</sup>H.C. Peterson and Gilbert C. Fite, Opponents of War 1917-1918 (Madison, 1957) is the most comprehensive study of dissent during World War I. It contains an outstanding bibliography. William Preston Aliens and Dissenters: Federal Suppression of the Radicals 1903-1933 (Cambridge, 1963) is a poorly written exhaustively researched work which relies heavily on unpublished government documents. Works dealing with the I.W.W. philosophy are important sources (See footnote 12).

<sup>14</sup>Burton, K. Wheeler, with Paul F. Healy, Yankee From the West. (Garden City, N.Y., 1962), 19. Hereafter cited as Wheeler, Yankee.

## CHAPTER II

### THE METAL MINE WORKERS' UNION JUNE-JULY 1917

The situation at Butte in early June 1917, was tense. A company of the Montana National Guard came to Butte at the request of United States District Attorney Burton K. Wheeler. Its function was to meet any emergency which resulted from opposition to draft registration.<sup>1</sup> Anti-war propaganda, which described war as "hell" and "a capitalistic plot" was circulated at Butte. Posters implored the local citizens not to support England, the nation which "...riveted the chains of slavery around Ireland."<sup>2</sup>

On June 5, an anti-war demonstration primarily in support of Irish independence, was dispersed by the National Guard; no damage or injuries occurred.<sup>3</sup> Wheeler indicated that many of Butte's Finnish population joined the Irish in the parade against war because they were led to believe that registration meant an immediate draft.<sup>4</sup> Butte Daily Post, a company paper, editorial intimated that the situation at Butte was more serious. It described the demonstrators as numerous, disloyal, reckless with vicious purposes.<sup>5</sup> Butte,--had a truly cosmopolitan population comprised of numerous natives of Finland, Ireland, Austria, and Germany.

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<sup>1</sup> Butte Daily Post, June 4, 1917.

<sup>2</sup> Butte Bulletin, June 4, 5, 1917.

<sup>3</sup> Butte Miner, June 6, 1917.

<sup>4</sup> Butte Daily Post, June 6, 1917.

<sup>5</sup> Ibid.

The Butte police arrested seventeen persons accused of being "slackers" after the demonstration. The Press at Butte regarded the demonstration as determined, organized opposition to the draft.<sup>6</sup>

On June 8, the Speculator disaster occurred, and the period of inaction by labor at Butte ended. Circulars appeared which demanded the establishment of a new union and listed the miners' demands.<sup>7</sup> On June 12, the mining companies, led by Anaconda, answered the miners' claims on the front page of the Butte Daily Post.

The attack upon Butte's industries is engineered in the main by the same element which was responsible for Butte's serious trouble in 1914. It is well known that recently there has been a large influx into Butte of I.W.W.'s and other patriotic and seditious persons, whose one aim is to paralyze our industries, and particularly those upon which the government is depending for its arms and ammunition...

Neither this element nor any organization made or controlled by it will receive any consideration or recognition by the mine operators of Butte. No grievance of the workers in the Butte mines has been brought to the attention of the operators, and we believe that none exists. The wages paid in Butte are on the average the highest paid anywhere in the world. The working conditions in Butte are better than the average, and compare favorably with those of any other camp. The same may be said of living conditions, which are very much superior to those of many camps for which the extravagant wage claims are made.<sup>8</sup>

On the same page a story appeared entitled "Ghastly Sight at Morgue," which described the sordid sight of a day long procession of grieving relatives who attempted to find their loved ones among the dead.<sup>9</sup> Before organization of a union occurred, on June 11, the miners at the Elm Orlu

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<sup>6</sup> Ibid, June 7, 1917. For a Butte national origin chart see D.J. Glasser File.

<sup>7</sup> Butte and Anaconda Strike Bulletin, June 11, 1917.

<sup>8</sup> Butte Daily Post, June 13, 1917.

<sup>9</sup> Ibid.

mine, a property of ex-Senator William A. Clark, went on strike. Two days later, the Metal Mine Workers Union was established, organizing approximately 1,000 miners.<sup>10</sup> Among its leaders were Tom Campbell and Joe Shannon. Campbell was a former official of the W.F.M., while Shannon was identified with the I.W.W. The Union presented a list of demands to the mining companies and threatened to strike if the demands were not met. The Union demands included: recognition of the M.M.W.U. as the bargaining agent for the miners, abolition of the "rustling card" system, cessation of blacklisting by the companies, strict observance of the State mining laws, discharge of the state mine inspector, increase in wages, and the right for free speech and assemblage.<sup>11</sup> Further demands of safety instruction for new miners, and construction of manholes through the bulkheads were presented later.<sup>12</sup> The Companies' statement was in essence a rejection of the miners' demands. "The men came off the hill, they were absolutely unorganized. The strike...was as near spontaneous a strike as any strike I ever saw" stated William F. Dunne, editor of the Butte Bulletin.<sup>13</sup>

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<sup>10</sup>Labor and Industry Report, 18.

<sup>11</sup>Butte Strike Bulletin, June 11, 1917.

<sup>12</sup>Metal Mine Workers Union to Secretary of Labor Wilson in D.J. Glasser File, June 23, 1917, Department of Labor File 33/493.

<sup>13</sup>Testimony at Hearings Held at the State Capital, Helena, Montana, May 13, June 1-2, 4-5, 1918, by the Montana Council of Defense in Connection with the Arrest of Von Waldru, Alias Charles Stone, by Federal Authorities, and also in connection with an Investigation of charges Against Oscar Rohn. Typed Manuscript, two volumes, in State Historical Society of Montana, Library. Helena, Montana, 1473 pages. 1350. Hereafter cited as Testimony.

The Union demanded an increase in wages to \$6.00 per day for all men employed underground, and a proportional increase for those miners employed on the surface. The wage was to be an absolute wage, independent of the market price of copper. The previous scale \$4.75 per day was dependent on a twenty-seven cent market price per pound of copper. If the copper price fell below twenty-seven cents, wages decreased at a rate of twenty-five cents per day for each two-cent drop.<sup>14</sup>

The basic wage of \$4.75 per day was to be raised if copper sold above thirty-one cents per pound. During June, 1917, the price of copper rose to 32.5 cents. Since February, 1917, it had been above thirty-one cents per pound, and reached a peak of 36.3 cents in March--yet there was no increase in wages at Butte.<sup>15</sup>

Between 1914 and 1917 wages at Butte rose by thirty-six per cent; from an average wage of \$894 and a maximum of \$1050 in 1914, to an average of \$1215 and a maximum of \$1400 annual wage in 1917. The minimum subsistence level in 1914 necessitated an annual income of \$878, while the minimum comfort level required \$1108 per year. Thus, in 1914, the average miner at Butte was earning barely enough to remain above subsistence level, and over \$200 below minimum comfort level. In June, 1917 subsistence level required an annual income of \$1106 and the basic comfort level was \$1413. The Butte miner, after a two-year period of nationwide war prosperity, was still well below a basic comfort level of income.

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<sup>14</sup> See table of wage rates in Butte Mines in D.J. Glasser File, Department of Labor File 33/493.

<sup>15</sup> U.S. Bureau of Labor Statistics, Wholesale Price 1890-1919, Bulletin number 269, 104. As quoted in D.J. Glasser File report on "Butte Miners' Strike 1917-1920," 9.

Conditions of wage earners were much worse, and those of Butte wage earners were still worse. The average yearly expenses per family in ninety-two industrial centers, including Butte, for the period 1917-1919, were \$1,437.37. The mean for an average Butte family was \$1,843.90. Eighty per cent of wage earners' family at Butte showed deficits. The cost of living in Butte was much higher than that of the rest of the nation.<sup>16</sup> Thus, in contrast to the mine owners' claims, Butte's were not "the highest paid anywhere in the world,". Butte's living conditions were not "very much superior to those of any other camps..." The demand for higher wages was not "extravagant."<sup>17</sup> Safety conditions in the mines were not good as demonstrated by the Speculator disaster. A tactless editorial in the Butte Daily Post a day after the fire claimed that the Anaconda mines record concerning safety was gratifying since fatalities were "praiseworthy" small.<sup>18</sup>

On June 14, the mine managers refused to meet with a committee of Union representatives, and the Union called the strike.<sup>19</sup> The essence of the miners' demands was a reinstitution of the "closed shop" at Butte. The companies were intent on keeping the "open shop," and replied that they would not deal with seditious, treacherous, I.W.W.'s. Lewis O. Evans

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<sup>16</sup> The above is based on a study done for the Department of Labor, based on figures compiled by the U.S. Bureau of Labor Statistics. In D.J. Glasser File, "The Butte Miners Strikes, 1917-1920," 8-13.

<sup>17</sup> As claimed in owners' statement Butte Daily Post, June 13, 1917.

<sup>18</sup> Butte Daily Post, June 9, 1917.

<sup>19</sup> Helena Independent, June 15, 1917.

Chief Counsel of the Anaconda Company at Butte charged that the same men who caused the 1914 labor riots were the leaders of the Metal Mine Workers Union.<sup>20</sup> The Anaconda Company represented conservative thought at Montana and genuinely regarded a change in the status quo as a plot against the public welfare. The Union pledged that it would initiate no violence and repeatedly announced that it was not I.W.W.-affiliated.<sup>21</sup> Ex-Senator Clark stated: "As far as I am concerned, and the Clark Mines, I will close them down, flood them, and not raise a pound of copper, before I will recognize the anarchist leaders of the Union."<sup>22</sup>

The Electrician local declared a strike, on June 18, against the Montana Power Company, demanding an increase in wages and that the companies grant the demands of the miners.<sup>23</sup> The Butte Labor Council endorsed the new miner's union and pledged support of it.<sup>24</sup> By June 29, about 15,000 men were idle, as the Metal Trades Machinists, Boiler-makers, and Blacksmiths joined the strike. The mining activities on Butte Hill came to a virtual paralysis.

W.H. Rodgers, a federal labor mediator arrived in Butte on June 22, 1917. He was followed by several representatives of national labor unions who attempted to end the strike.<sup>25</sup> U.S. Representative Jeanette

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<sup>20</sup> Lewis O. Evans, Address of L.O. Evans, Chief counsel of the Anaconda Copper Mining Company, before the Chamber of Commerce at Missoula, Montana, August 29th, 1917 (N.P.N.D.), 7. Hereafter cited as Address of L. O. Evans.

<sup>21</sup> Helena Independent, June 18, 27, 1917.

<sup>22</sup> Ibid., June 27, 1917.

<sup>23</sup> Labor and Industry Report, 18.

<sup>24</sup> Helena Independent, June 27, 1917.

<sup>25</sup> Labor and Industry Report, 19-20.

Rankin wired her support of the miners' demands.<sup>26</sup> The Montana Republican, who was the first female Congressional representative, voted in April, 1917, against the United States' entrance into World War I. Her vote created much sentiment against her in Montana. She also endangered her political career by her support of labor interests against the economic powers of Montana.

On July 11, the striking miners rejected affiliation with the American Federation of Labor. The A.F.L. wanted the miners to return to work prior to the settlement of the strike. The strikers intended to secure victory before returning to work.<sup>27</sup> Distrust of the A.F.L. probably played an important part in the miners' overwhelming rejection of it. A.F.L. unions in Butte wore the "copper collar" during the 1914 disturbances. A rise in I.W.W. membership<sup>28</sup> during this period also could have resulted in the rejection of the A.F.L.

From the beginning of the strike the Companies attacked the Union violently and constantly through the press. The papers predicted violence by the strikers, whom they claimed, were led by German sympathizers within the treacherous I.W.W. The Butte Daily Post declared that the Butte agitation was part of a general conspiracy to stop the mines from operation.<sup>29</sup> Headlines proclaimed that "I.W.W. agitators in West Are Working in Cause of Germany."<sup>30</sup> The cure which the Butte Miner proposed

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<sup>26</sup> Helena Independent, June 24, 1917.

<sup>27</sup> Labor and Industry Report, 20.

<sup>28</sup> Testimony, 1351.

<sup>29</sup> Butte Daily Post, June 27, 1917.

<sup>30</sup> Ibid., June 28, 1917.



for the tension in Montana was:

...to round up all the ringleaders, who preach treason and hatred of the flag, and incarcerate them in places where they can be provided with work, which they should be made to perform if they desire to eat.

The Miner called for direct action:

The time for half measures with these people has gone by, and the government must deal with them in the future with a firm instead of weak hand otherwise they may imperil the successful outcome of the present war.<sup>31</sup>

The reason for the strike was clear to the Miner: it was a "Plain Case of Conspiracy." The intention of the shutdown was to aid Germany, and this the Miner exclaimed was treason.<sup>32</sup> The Union paper in turn charged that the Companies imported gunmen into Butte to frighten the strikers.<sup>33</sup>

The Bulletin continually urged the Companies to abolish the "rustling card" system and termed the mine owners "unpatriotic and hostile to the best interest of the nation by their rotten administration of the mines and their refusal to come to terms with the miners."<sup>34</sup> The non-owners' press, such as the Butte Miner, followed a policy just as extreme as the Butte Daily Post and at times seemed indistinguishable. The same was true of most of the independent press throughout Montana. The Butte Bulletin represented the other extreme; its editor William F. Dunne constantly and mercilessly attacked the mining companies. An impartial press did not exist.

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<sup>31</sup>Butte Miner, July 1, 1917.

<sup>32</sup>Ibid., July 3, 1917.

<sup>33</sup>Miners and Electrical Workers Joint Strike Bulletin, June 20, 1917.

<sup>34</sup>Ibid., July 9, 1917.

One of the few people who kept their sense of proportion during this period was District Attorney Wheeler. His reports to the Department of Justice are valuable since he dealt with issues with a high degree of objectivity. He continually investigated reports of alleged I.W.W. violence in Montana, but uncovered none.<sup>35</sup> Wheeler's view of the origin of the strike was that it stemmed from the mine fire. If it had not been for the fire the 500 to 700 I.W.W.'s in Butte could not have convinced the miners to strike.<sup>36</sup> Wheeler commented that the Montana press published false reports in regard to the labor situation in Montana. These reports fabricated stories about the I.W.W. activity in the state, presenting the Wobblies as a danger to the welfare of the community.<sup>37</sup>

Wheeler did not believe that sabotage and treason were the purposes of the strikers but a wish to improve their working conditions. He believed that working conditions were poor; that the miners needed higher wages for the maintenance of a reasonable standard of living; and a desire for the abolition of the obnoxious "rustling card" led to the strike.<sup>38</sup> As to the press' claims of violence, Wheeler stated, "the strike is being conducted...in a manner <sup>to</sup> ~~here~~fore unheard of in mining regions. No violence or disorder is observed or been reported."<sup>39</sup>

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<sup>35</sup> Testimony, 354-357. Also U.S. Department of Justice Record Group 60, Records of the Department of Justice, Washington, D.C., National Archives, 1964; Department of Justice File 186701-27-14, and 186701-27-17. Hereafter cited as D.J. File.

<sup>36</sup> Testimony, 351-353.

<sup>37</sup> Wheeler to Attorney General Gregory, August 21, 1917. D.J. File 186701-27-25.

<sup>38</sup> Ibid.

<sup>39</sup> Ibid.

The federal mediator, W.H. Rodgers, was not trusted by the miners because of his pro-companies stand. He accomplished little, except for the praise of John D. Ryan, President of the Anaconda Company, who assured the Department of Labor that Rodgers was doing well.<sup>40</sup> The failure to achieve a settlement according to the mediator resulted from the fact that logic and reason were lost in Montana.<sup>41</sup>

A War Labor Policies Board representative at Butte saw the primary problem in the fact that labor at that city lacked unity, and this destroyed the effectiveness of unions and caused the growth of the I.W.W.<sup>42</sup> The lack of labor solidarity manifested itself in the mine owners successful drive to isolate the striking miners. On July 13, the Electrician's local decided to return to work after all their demands, save one, were granted by the companies. The exception was their demand for recognition of the miners' union.<sup>43</sup> In rapid succession the other trades returned to work.<sup>44</sup> On July 28, the Metal Trades Union accepted the Companies' offer which included a small wage raise, "closed shop" for trades, time-and-half for overtime, and a seniority rule in lay-offs and re-hirings.<sup>45</sup> The mine operators, after isolating the striking miners, attempted to weaken their Union further by offering the miners--not the

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<sup>40</sup> Bernard Baruch to Secretary of Labor Wilson, June 30, 1917, In D.J. Glasser File, Department of Labor file 33/493.

<sup>41</sup> Rodgers to Wilson, July 22, 1917, in D.J. Glasser File, Department of Labor File 33/493.

<sup>42</sup> Lowenthal to Baruch, August 2, 1918, in D.J. Glasser File, Department of Labor File 20/423.

<sup>43</sup> Butte Daily Post, July 14, 1917.

<sup>44</sup> Ibid., July 15, 1917.

<sup>45</sup> Ibid., July 28, 1917.

miners' Union--an increase in wages, a weekly pay day, and a slight modification of the "rustling card" system.<sup>46</sup> Nothing was stated concerning union recognition, improved working conditions, or an absolute increase in wages. The Union directed its members to reject the offer.<sup>47</sup> Mediator Rodgers considered the offer fair and thought the I.W.W. influence to be the only handicap to its acceptance.<sup>48</sup> By the end of July some of the miners returned to work, but none of the basic problems which precipitated the strike were dealt with.

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<sup>46</sup>Ibid., July 25, 1917.

<sup>47</sup>Ibid., July 26, 1917.

<sup>48</sup>Rodgers to Wilson, July 25, 1917, in D.J. Glasser File, Department of Labor File 33/493.

## CHAPTER III

### PRELUDE TO VIOLENCE

The mining companies successfully isolated the striking miners after mid-July through a series of agreements with the trade unions. It seemed that the strike was to come to a halt, as conditions returned slowly to normal. From a near shut-down on July 12, the mines produced at one-third capacity a few days later.<sup>1</sup> Events caused the Butte Miner to comment that labor conditions were rapidly returning to pre-strike normalcy.<sup>2</sup> As a result of the abandonment of the Metal Mine Workers Union by the trade unions, the I.W.W. element within the organization gained influence. Wobblies also came to Butte in greater numbers and joined the Union. Just as the Companies seemed on the verge of victory, a new element of opposition entered the scene.

On July 18, 1917, Frank Little, Chairman of the General Executive Board of the I.W.W. and a famous strike leader at Fresno, Spokane and Bisbee came to Butte. Little was thirty-eight years old, small, frail and one-eyed. His right leg was in a cast as he had broken it in an accident in Arizona.<sup>3</sup> A day after his arrival at Butte, he spoke at the ball park to an open meeting of the Metal Mine Workers Union; the crowd

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<sup>1</sup>Labor and Industry Report, 20.

<sup>2</sup>Butte Miner, July 18, 1917.

<sup>3</sup>Testimony, 1351.

<sup>4</sup>Butte Daily Post, August 3, 1917.

<sup>5</sup>Butte Miner, July 20, 1917. Also Ralph Chaplin, Wobbly: The Rough-and-Tumble Story of an American Radical. (Chicago, 1948), 195-196.

was estimated at six thousand. The Butte Miner reported, under a headline which read "Soldiers Called Armed Thugs" that:

Frank Little, I.W.W. Arizona strike leader, practically threatened the United States Government with revolution... [in] seditious remarks which were but short of treason... Little displayed maniacal fury, talked of worker's solidarity, a world wide revolution... [and promised] we will make it so damned hot for the government that they won't be able to send any man to France.<sup>6</sup>

Tom Campbell of the M.M.W.U. spoke at the same meeting mostly in regard to the need to defeat the "rustling card" system.<sup>7</sup> Little lost no time in making powerful enemies; the militancy of his speech attracted much attention. "To Keep Army Away From France;" was the Anaconda Standard's headline: "This is part of I.W.W. plan in this country..."<sup>8</sup> The Daily Missoulian devoted an editorial to Little's speech, quoted it extensively, and speculated on Little's fate, were he a citizen of Germany or England. It concluded with a hope for swift action against Little by federal authorities.<sup>9</sup> On Saturday, July 21, the Butte Miner editorialized:

The federal authorities not only in Montana but throughout the West, seem to be very lax in their duty when they allow such treasonable and incendiary agitators to travel at will around the country spreading the doctrine of hatred of this nation and its institutions. The longer the government postpones handling disloyal movements without gloves, the more difficult it will become to suppress it when it makes up its mind that it must be stopped.<sup>10</sup>

Butte leaders indicated that Little's speeches at the ball park and at

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<sup>6</sup> Butte Miner, July 20, 1917.

<sup>7</sup> Ibid.

<sup>8</sup> Anaconda Standard, July 20, 1917.

<sup>9</sup> Daily Missoulian, July 22, 1917.

<sup>10</sup> Butte Miner, July 21, 1917.

several Union meetings interfered with the efforts to bring industrial  
<sup>11</sup>  
 peace to Butte.

Little's activities were well known to the mining companies, as they had numerous detectives who participated in M.M.W.U. and I.W.W. meetings. L. O. Evans, admitted that the Company had men planted in both organizations.<sup>12</sup> At a closed meeting of the Metal Mine Workers' Union on the afternoon of July 25, Little urged the Union not to send resolutions to Congress, but rather to start a revolution.<sup>13</sup> Carl Dilling, a spy for the North Butte Company, included in his report of the same meeting that Little wanted the Union to fight the companies, and to force those miners who had returned to work to quit.<sup>14</sup> Warren D. Bennett, an Anaconda detective, reported to his employers essentially in the same manner.<sup>15</sup>

On the evening of July 25, Little spoke at a closed meeting of the I.W.W. local at Finnlander Hall. He discussed, according to an anonymous detective, the merits of the I.W.W. as a Union:

We have no set rules to go by, but we organized [sic], call a strike, and use any means necessary to win that strike, and that is the reason the boss don't like us, he can't handle us, and he knows that we will handle him in the near future... Use any means necessary, it don't make any difference what these [sic] "means" are, but use them to win your strike.

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<sup>11</sup>Ibid., July 23, 1917.

<sup>12</sup>Testimony, 1238.

<sup>13</sup>Detective Unknown, July 25, 1917, handwritten manuscript in case 2, drawer 12, Montana Historical Society Manuscript Collection. Exhibits in the Rohn Case. Hereafter cited as Detective.

<sup>14</sup>Carl Dilling, July 25, 1917, handwritten manuscript in case 2, drawer 12, Montana Historical Society Manuscript Collection. Exhibits in the Rohn Case. Hereafter cited as Dilling.

<sup>15</sup>Testimony, 771.

He continued with an attack on the A.F. of L. and concluded with a statement which claimed that if the International Union of Mine, Mill and Smelter Workers wanted to strike, they had to receive W.A. Clark's permission.<sup>16</sup>

The detective conversed with John Williams, a Union official, at the conclusion of the meeting. Williams told him that the Union did not plan to affiliate with the Industrial Workers of the World, and that the Union had 900 Wobblies as members. Williams added: "What is the use of affiliate, when we win this strike and make our position more secure, we will show them who we are."<sup>17</sup>

At a meeting of the Metal Mine Union, held on the next day, Little explained to the Union leadership that they failed to win the strike because they were not militant enough: "You fellows are conducting a peaceful strike! Great God! What would Uncle Sam say to the Soldiers he is sending to meet the German Army if they laid down their arms and said we are conducting a peaceful war."<sup>18</sup> Little's earnestness was not doubted by Company officials; in 1903 one man almost succeeded in driving them out of the state. Little presented a menace to the status quo at Butte. The exact relationship between the Union and the I.W.W. is difficult to ascertain. Frank Little, among many Labor Unions representatives who came to Butte in an attempt to affiliate the Union with the I.W.W. was the only organizer who was allowed to attend and to speak at the

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<sup>16</sup> Detective, July 25, 1917.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid., July 26, 1917.



closed meetings of the M.M.W.U.

On July 27, Little delivered the second of his public speeches at Butte. In this address, according to the press, he referred to the Constitution of the United States "a mere scrap of paper which can be torn up. He described President Woodrow Wilson as a lying tyrant and declared that the I.W.W. was willing to fight the Capitalists but not the German."<sup>19</sup> The speech was labeled by the Butte Daily Post as a "treasonable tirade."<sup>20</sup> An editorial in the same issue directed a question to the town of Butte: "How long is It Going to Stand for the Seditious Talk of the I.W.W. agitator."<sup>21</sup> The call for direct action against Little by the people of Butte became apparent by this editorial.

On July 24, District Attorney Wheeler assigned several agents to investigate Little and to find if he could be prosecuted for his public utterances. This probe came as an answer to the demands of several Butte citizens and of the Montana Council of Defense.<sup>22</sup> On July 31, Wheeler visited L. O. Evans of the Anaconda, who, along with John Gillie, and Cornelius F. Kelly, both high ranking officials of the Company had discussed the problem of Little with him earlier in the month.<sup>23</sup> In the earlier meeting the Company officials demonstrated concern over the activities of Little. Wheeler asked Evans under which section of the Espionage Act of 1917 he could prosecute Little. Evans' answer was that

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<sup>19</sup>Butte Daily Post, July 28, 1917.

<sup>20</sup>Ibid.

<sup>21</sup>Ibid.

<sup>22</sup>Ibid., August 1, 1917.

<sup>23</sup>Testimony, 363, 1222.

district attorneys elsewhere in the nation seemed to be able to find legal grounds,--but that he could not point to Wheeler any explicit provisions under which Little could be prosecuted.<sup>24</sup> It was extraordinary that on two separate occasions officials of the largest copper mining company in the world showed concern over the activities of one labor agitator.

The press regarded Little as a traitor and a saboteur. The Companies viewed him in the way of industrial settlement and believed that "his purpose was to tie up everything in Butte."<sup>25</sup> Little left no doubts in regard to his opposition to the mine operators in particular, and the capitalistic system in general. If one could gain control of the miners, he could paralyze Butte's industries for an extended period of time. Before Little came to Butte, the mine owners had expected violence, though the Union pledged non-violence. After Little appeared, the companies were convinced that violence was inevitable.

Some union members claimed that the I.W.W.'s were brought to Butte by the Anaconda Company in an effort to discredit the Union and wreck the strike. Several labor leaders believed that the speeches made by Little injured the cause of labor.<sup>26</sup> The I.W.W. element attempted to control the strike, but failed.<sup>27</sup> Union leaders claimed that they urged Little to leave town or discontinue his activities.<sup>28</sup> William F. Dunne charged that the Butte I.W.W. was composed, in equal parts, of Company

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<sup>24</sup>Wheeler, Yankee, 139-140.

<sup>25</sup>Testimony, 1232.

<sup>26</sup>Ibid., 1351-1352.

<sup>27</sup>Ibid., 1353.

<sup>28</sup>Ibid., 1355.

detectives and laborers though he did not believe that Little was a company detective. Dunne was convinced that Little's presence in Butte was arranged by those in the I.W.W. who were agents of the mining companies.<sup>29</sup>

Thus Frank Little was regarded as a labor preventor who was a direct threat to the operations of the mines; a traitor to his nation; a tool against the labor movement; a hated leader of an undesirable organization. The energetic newspaper campaign against Little, the I.W.W., and opponents of war was in full force at Butte. Many of the citizens demanded and received little action from their local and national governments.

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<sup>29</sup>Ibid., 1356-1357.

## CHAPTER IV

### THE MURDER OF LITTLE

At approximately three o'clock on the morning of August 1, a large black automobile stopped in front of 316 North Wyoming Street, known as the Steele Block, a boarding house next to Finnlander Hall. Six masked men emerged from the car. One stayed on the sidewalk as the others entered the boarding house. One of the men was described as being five feet-eleven inches and not more than twenty years old, another was described as a short, chubby five feet-four inch, another was five feet-nine inches and stout. All were believed young because of their rapid movements.

They kicked in the door of room thirty which was on the ground floor, and found it unoccupied. The noise aroused the landlady, Mrs. Nora Byrne, who slept in an adjoining room. She opened her door, and found herself staring at a flashlight. One of the masked men said, "There is a mistake somewhere." They went to Mrs. Byrne's room and she asked them what they wanted. One of the men said "We are officers and we want Frank Little."

The terrified Mrs. Byrne answered that Little was in room thirty-two. They quickly ran to that room and tried to open the door but found it locked. They then kicked in the door and, without waiting for Little to dress, dragged him outside. Little resisted and, as they reached the sidewalk, they had to carry him. The five men and the outside guard got into the car; the engine of which had been kept running.

The car sped away, but halted after traveling a short distance. The crippled, frail victim, still in his underwear, was tied to the bumper of the car and dragged a considerable distance; his kneecaps were scraped off. He was taken to the Milwaukee Bridge, a short distance outside the city limits, where he was severely beaten--as bruises on his skull indicated--and was hanged from a railroad trestle after he had put up a terrific fight. Pinned to his underwear was a six by ten inches placard with the inscription "Others take notice, first and last warning, 3-7-77." On the bottom of the note the letters "L-D-C-S-S-W-T" were printed, and the letter "L" was encircled.

The Butte press theorized that the letters stood for the last names of the individuals whom the "vigilantes" planned to "visit" next. It was thought that they were William Dunne, the Socialist editor of the Butte Bulletin, Tom Campbell, Joe Shannon, Dan Shovlin, John Williams, and Leon Tomich--all leaders of the Metal Mine Workers' Union, except Williams, who was sent to Butte by the I.W.W. The body was found by Robert W. Brown who, while on his way to work, noticed it swinging from the trestle. He notified Desk Sergeant William Taylor of the Butte Police. Taylor called Chief of Police Murphy who subsequently took charge of the investigation. The body was not cut down until about seven o'clock in the morning, when Coroner Lane arrived.<sup>1</sup>

The Silver Bow County Attorney called the murder an outrage against the community and he promised vigorous prosecution and arrests; his

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<sup>1</sup> Butte Miner, Anaconda Standard, August 1-4, 1917; Strike Bulletin, August 2, 1917; New Northwest (Missoula) August 3, 1917.

sentiments were echoed by under-sheriff Jack Melia.<sup>2</sup> Deputy U.S. Attorney James Baldwin stated that "it was not a case of lynching by a mob, but a case of cold-blooded and premeditated murder."<sup>3</sup> Wheeler telegraphed the Attorney General concerning the murder. Included in the statement was a report he received that the men who murdered Little wore army uniforms.<sup>4</sup> Gregory's directive to Wheeler was that he ascertain if members of the United States military took part in the hanging of Little.<sup>5</sup> The Adjutant General's Office had information that the lynching was to be followed by more lynchings and deportations, and wanted to know if troops should be sent to Butte.<sup>6</sup>

An article in Solidarity, the I.W.W. organ, stated that Representative Jeanette Rankin declared that she was warned in regard to a lynching in Butte. She was unable to contact the President or any Cabinet members before the lynching.<sup>7</sup> An article similar to this appeared in the Western News of Hamilton on August 9, 1917. Representative Rankin stated:

I have no patience with the alleged utterances of Frank Little but I have the greatest contempt for that form of direct action that permitted the foul and cowardly murder of Frank Little. ...no one is safe where lynching is sanctioned.

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<sup>2</sup>Anaconda Standard, August 2, 1917.

<sup>3</sup>Ibid.

<sup>4</sup>Wheeler to Gregory August 1, 1917, in D.J. File 186701-54-1.

<sup>5</sup>Ibid., Gregory to Wheeler.

<sup>6</sup>McCain to Commanding Officer Western Department, Aug. 1, 1917 A.G. File 370, 6 in D.J. Glasser File.

<sup>7</sup>Solidarity, August 18, 1917 in D.J. Glasser File, Department of Labor File 33/493. Also U.S. Congressional Record LV, 5897.

She declared that ex-Senator Joseph M. Dixon said, "Little was not killed because of the treasonable utterances against the government. That was made the excuse of the dead."<sup>8</sup>

District Attorney Wheeler issued a statement immediately after the lynching:

The lynching of Frank H. Little said to be an international officer of the I.W.W., is a damnable outrage, a blot on the state and city. There is no excuse for this murder. The murderers should be apprehended and given the severest penalty of the law. My office and every special agent in my jurisdiction will assist the state and county authorities to catch the men who committed this awful crime. Every good citizen should condemn this mob spirit as unpatriotic, lawless and inhuman.<sup>9</sup>

The statement went on to declare that there was no law under which Little could have been indicted.<sup>10</sup>

William "Big Bill" Haywood, then National Secretary-Treasurer of the I.W.W., sent a telegram to the Butte I.W.W. local which described Little as "an earnest, active advocate of the working class.... The world will avenge his death."<sup>11</sup> Senator Henry L. Myers declared that the lynching of Little was the logical result of his incendiary and seditious speeches. He believed that some of the Butte citizens became exasperated by Little's defiant talks and threats against the government, and that this resulted in their loss of patience, and control.<sup>12</sup> Senator Walsh believed that the lynching of Little would serve the ends of the

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<sup>8</sup>Western News, (Hamilton) August 23, 1917.

<sup>9</sup>Anaconda Standard, August 2, 1917.

<sup>10</sup>Ibid.

<sup>11</sup>Butte Miner, August 2, 1917.

<sup>12</sup>Butte Daily Post, August 4, 1917.

enemies of the United States better than any agitators.<sup>13</sup>

Senator Myers represented the view taken by the Montana press that Little was murdered by unknown "vigilantes" for his seditious remarks, because the citizens could wait no longer for their government to act. Typical was an editorial in the Butte Miner.

His actions and inflammatory speeches, directed against this country and its government, warranted punishment at the hands of the duly constituted authorities, for his statements were traitorous in character and it seems reasonable to suppose that if the officials had done their duty Butte might have escaped the stigma of this act, of having a few citizens take the law into their own hands and pursue a course of illegal severity that cannot be justified.

As far as the man himself is concerned, his death is no loss to the world.... The lynching of Little should be condemned almost as much for its stupidity as for its illegality.... Although he was serving no good purpose in life, it is regrettable that a few citizens of this community, should have taken upon themselves to act as judge, jury and executioners.<sup>14</sup>

The Anaconda Standard followed the same lines with a headline "Butte's Name Tarnished by the Stain of Lynch Law." The article added that the lynching brought shame and disgrace upon Butte. It called for stronger federal action to avoid the repetition of the figures 3-7-77 appearing in print.<sup>15</sup> The Butte press attempted to justify the murder. Throughout the first week of August the press speculated on who could have committed the murder. One possibility it presented were the soldiers who Little called "uniformed scabs;" a second stipulated that Little was murdered by fellow Wobblies who thought that he was a detective.<sup>16</sup> The

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<sup>13</sup>Ibid.

<sup>14</sup>Butte Miner, Aug. 2, 1917.

<sup>15</sup>Anaconda Standard, August 2, 1917.

<sup>16</sup>Butte Daily Post, August 2, 1917.



assertion that Little called soldiers "uniformed scabs" was denied by Dunne.<sup>17</sup> Wheeler said that Little could not be prosecuted for his remarks.<sup>18</sup> One Butte citizen, who was present when Little was cut down from the trestle, thought that Little committed suicide to avoid going to war, and that 3-7-77 was his draft number.<sup>19</sup>

One possibility which was discussed neither by the Company press, nor by those two newspapers sympathetic to the mine owners, was that charged by the Butte Bulletin, the I.W.W. paper at Butte. Its headline of August 2 read, "Frank Little Murdered by Gunmen, Companies in Desperation Resort to Deadly Violence." The Bulletin announced that it had "sufficient evidence to indicate the names of five men who took part, everyone of whom is a company stool pidgeon. Two of these men are in business, two are gunmen and one is connected with law enforcement.... every man, woman, and child in this country knows that Company agents perpetrated this foulest of all crimes."<sup>20</sup> The paper accused "William Oates, Herman Gilles, Pete Beaudin, a rat named Middleton and two dozen others working under a chief gunman named Ryan," of murdering Little.<sup>21</sup> If the Bulletin possessed proof, it was never revealed. When the coroner's jury met, it declared Little to have been killed by persons unknown. The reason for the killing, according to the Bulletin, was that

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<sup>17</sup>Testimony, 1348.

<sup>18</sup>Ibid., 1226-1230.

<sup>19</sup>Anaconda Standard, August 4, 1917.

<sup>20</sup>Butte Strike Bulletin, August 2, 1917.

<sup>21</sup>Ibid.

the mining companies wanted to provoke the miners into violent action and then to crush them. Miners' violence would result in martial law and the subsequent halt of the strike by military means.<sup>22</sup>

William F. Dunne attempted to use the murder of Little as an instrument with which to rally and to unify the Butte labor force. Dunne, brilliant and cynical, told the truth when he told the Montana Council of Defense in 1918 that he was not an I.W.W.<sup>23</sup> He did believe in the overthrow of the capitalist system, but not with the means which the I.W.W. employed. He thought that Little's arrival in Butte, with an I.W.W. charter, was ill-timed. He called Little illiterate and badly-informed on labor problems, and thought he had a very bitter temperament. Dunne admitted his attempt to make a martyr of Little, but insisted that he did not believe in "this martyr stuff" himself: "The murder was certainly used for publicity purposes and it should have been."<sup>24</sup> Dunne concluded his statement on Little: "He was not the type of man that I admired in the first place."<sup>25</sup> Dunne attempted, in a way, to frighten labor into joining the strike.

A day after the murder, Montana's Attorney General Sam C. Ford came to Butte to investigate. He believed that the Butte authorities would not exert themselves in finding the killers. He felt that the miners believed the Company engineered the murder, and that they were afraid to talk.

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<sup>22</sup>Ibid., August 17, 1917.

<sup>23</sup>Testimony, 1348.

<sup>24</sup>Ibid., 1350-1356.

<sup>25</sup>Ibid., 1355.

Mrs. Nora Byrne, the owner of the boardinghouse from which Little was abducted seemed to know much more than she was willing to divulge-- and her fear of telling anything was evident.<sup>26</sup> It was subsequently removed that Mrs. Byrne left Butte a year later, and returned to Ireland and was on the Anaconda Company payroll for the rest of her life.<sup>27</sup>

On August 5, 3,000 people marched in the funeral of Frank Little. Thousands more watched the procession. It began at the Duggan Funeral Home and ended at the Mountain View Cemetery, a distance of four miles. The American flag was carried ahead of the procession, led by Tom Campbell and William Dunne. The casket was covered with a red silk banner which was inscribed "a martyr to solidarity." The burial was without religious ceremony and, as the body was lowered into the grave, the Marseillaise was sung.<sup>28</sup>

The Bulletin regarded Little's funeral as a "protest against Tyranny."<sup>29</sup> Movies of the funeral were taken and this paper subsequently announced their showing.<sup>30</sup> The Bulletin never reported the results of the investigation of the murder. Little's murder, in fact, did not receive much coverage in the Bulletin until the Bulletin prepared a special issue exactly a year after Little's death, which included numerous pictures of the August 1917 events.

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<sup>26</sup>Donald A. Garrity, The Frank Little Episode and the Butte Labor Troubles of 1917. Unpublished Senior Honors Paper, Department of History, Carroll College (Helena, Montana, 1957), 33 (Garrity's interview with Sam. C. Ford).

<sup>27</sup>Letter by R.D. Steinmetz counsel of the Anaconda Company in New York City to writer, Dec: 28, 1965. Steinmetz stated that he could find no reference to Mrs. Byrne in the Company payroll.

<sup>28</sup>Butte Daily Post, August 6, 1917.

<sup>29</sup>Butte Bulletin, August 4, 1917.

<sup>30</sup>Ibid., August 17, 1917.

The Daily Post stated that "William C. Sullivan, counsel for the Metal Mine Workers' Union, utterly failed to substantiate the charges" made earlier against the five men by the Bulletin, when he was questioned by the County Attorney.<sup>31</sup> Subsequently, the murder was mentioned infrequently in the Butte papers.

Daily papers in Montana's larger towns, such as Great Falls, Missoula, Billings and Miles City, presented the same view on the murder as did the Post. An exception was Will Campbell, editor of the Helena Independent and member of the Montana Council of Defense:

Considerably more than two thousand copies of an extra Independent were sold in an hour or less. It was just at noon when the violent death of Little became known. Groups of business men, workers, women and officials gathered here and there. There was but one comment heard.

"Good work: Let them continue to hang every I.W.W. in the state."

It is the failure of the courts and the military authorities to act which has caused the numbers, "3-7-77" to again appear in Montana, and without boasting of the condition, the Independent is convinced that unless the courts and the military authorities take a hand now and end the I.W.W. in the west, there will be more night visits, more tugs at the rope and more I.W.W. tongues will wag for the last time when the noose tightens about the traitors' throats.

Little openly boasted that the I.W.W. would keep the soldiers so busy the United States would have no time to fight Germany. This is as far as the I.W.W. have been permitted to go on in their work in Montana, they have given aid and comfort to the enemies of the United States.

The time has come. The Independent cannot comprehend why the United States government has not long ago established prison camps and interned there the enemies of the American government. It is beyond the comprehension of the average citizen why the war department has not ordered certain leaders arrested and shot. The people will not stand for much more. The policy of "watchful waiting" in dealing with the I.W.W. will not be tolerated.

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<sup>31</sup> Butte Daily Post, August 7, 1917.

The Butte committee, L., D., C., S., S., W., and T., whoever they might be, are actually being praised for their work early Wednesday morning, because the courts and the regularly constituted authorities have failed in certain sections of Montana as they did in Arizona. And Montanans know the meaning of "3-7-77."

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It sort of quickens the blood in the veins of some of the pioneers of Helena to see once more the fatal figures in print--"3-7-77." 32

Will Campbell presented the thinking of the intensely patriotic in Montana, those who controlled the activities of the Montana Council of Defense.

The Missoulian commented on the great interest of state political leaders in the murder:

The answer is politics, nothing more. Our governor has cast a lingering eye on the seat of Senator Walsh; Mr. Wheeler is feeling his way toward the governorship and representative Rankin...is preparing the framework for a campaign for the United States Senate with an especial appeal for the support of all the discontented elements in Montana.<sup>33</sup>

Martin K. Hutchens, editor of the Missoulian, was the only one to state the obvious.

The lynching of Little ~~A~~ attracted some attention in weekly independent newspapers west of the Divide, and little interest in their counterparts east of the divide. Although the threat of the I.W.W. and the conduct of Burton K. Wheeler were significant issues with all of them.<sup>34</sup> Some

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<sup>32</sup>Helena Independent, August 2, 1917.

<sup>33</sup>Daily Missoulian, August 8, 1917.

<sup>34</sup>The weekly papers surveyed were the Cut Bank Pioneer Press, June 1917-July 1918; Western News of Hamilton, June 1917-July 1918; Secby Sentinel, June 1917-Dec. 1917; Fergus County Argosy, June 1917-Dec. 1917; Madisonian Times, of Virginia City, June-Dec. 1917; Carbon County Journal.

of the papers did not exhibit the slightest interest in the murder.<sup>35</sup> In Eastern Montana, the Miles City Independent and Dawson County Review reported the story of the lynching. The Miles City paper presented an account of the Butte happenings as reported by W. G. Sullivan, lawyer for the Metal Mines Workers' Union. The impression which one received was very unfavorable to the mine owners.<sup>36</sup> The Dawson County Review of Glendive told of the murder one day after it happened, in a one-column story. The paper indirectly referred to it later in the year when it quoted an editorial which had appeared in the Manufacturer which referred to I.W.W. requests for protection against deportations from Butte. That editorial pointed to the I.W.W. as the cause of the troubles and losses which Montana had experienced during that year.<sup>37</sup>

In North-central Montana the Valley County News of Glasgow condemned the lynching, and hoped to see the murderers brought to justice. It offered a few observations regarding Butte.

Butte has a way in keeping in the limelight most of the time with that city as a periodical Mecca for the undesirable class of humanity that preys on the working people and at the same time creating all kinds of trouble of that city, Butte is barely able to get control over one seditious upheaval when another presents itself.<sup>38</sup>

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<sup>34</sup>(continued) March 1917-June 1918; Phillipsburg Mail, June-Dec. 1917; Choteau Acantha, June-Dec. 1917; Jefferson Valley News of Whitehall, June-Dec. 1917; Miles City Independent, June 1917-June 1918; Valley County News of Glasgow, June-Dec. 1917; Hardin Tribune Journal, June-Dec. 1917; Dawson County Review of Glendive, June-Dec. 1917; and the New Northwest of Missoula, June-Dec. 1917.

<sup>35</sup>Scoby Sentinel, Carbon County Journal, Phillipsburg Mail, Jefferson Valley News, Hardin Tribune Journal, had nothing concerning the murder in them.

<sup>36</sup>Miles City Independent, August 3, 1917.

<sup>37</sup>Dawson County Review (Glendive) August 2, September 27, 1917.

<sup>38</sup>Valley County News (Glasgow) August 3, 1917.

In central Montana the Fergus County Argosy of Lewistown called Little the chief fomenter of Butte labor troubles. The Argosy added that "...ninety per cent of the citizens of Montana are in sympathy with their [murderers] efforts to rid Butte and Montana of the pest which threatens its [Montana's] existence." It added cynically that "A placard was pinned to Little's body which indicated that others would be given the same dose if the trouble continues."<sup>39</sup>

The Cut Bank Pioneer Press wished to isolate the causes of industrial unrest in Montana. It was not satisfied with simply blaming it all on the I.W.W. It believed that the causes of unrest in Montana were deeper than I.W.W. agitation. It wished that the problems could be approached "scientifically and sympathetically," so that they would cease to hinder the U.S.'s war effort. It quoted a Boston Transcript editorial which remarked that the Wobblies made a mistake when they started to make trouble in a state in which all a citizen had to do to mobilize was to reach into his hip pocket. The Pioneer Press asked, "Can you gues [sic] what state."<sup>40</sup>

In southwestern Montana the Madisonian Times of Virginia City requested reason and condemned lawlessness:

While we are preparing to make great sacrifices for freedom, let us not permit the growth within our body politic that is calculated to nullify and make impotent that freedom.<sup>41</sup>

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<sup>39</sup> Fergus County Argosy (Lewistown), August 3, 1917.

<sup>40</sup> Cut Bank Pioneer Press, August 24, 30, 1917.

<sup>41</sup> Madisonian Times (Virginia City), August 10, 1917.

In northwestern Montana, Miles Romney's Western News did not believe the Company press and stated this as strongly and with much more objectivity than did the Butte Bulletin:

To becloud the issue a great hue and cry has been raised about the I.W.W. by Company controlled press, that seeks to spread the belief among patriotic people that a great treason-breeding organization is centered in Butte, which is curtailing the output of copper. Now the truth is that but a very small percentage of the miners of Butte are in sympathy with the I.W.W. and by recognizing their union and meeting them half way the corporation managers could resume operations within 24 hours.

Romney noted that on the night of the lynching, police units were reinforced by numerous special deputies, 300 soldiers were stationed at Butte, and the mining corporation had several hundred gunmen ready to keep the peace. If the threatened I.W.W. violence had erupted, the authorities and the Companies would have been ready. Romney concluded with two questions which to him were rhetorical: "why the necessity of masked murder, and who would be the beneficiary if the Union were destroyed?"<sup>42</sup>

Much of the August 3 issue of the New Northwest of Missoula was devoted to the murder. An editorial condemned the murder, and the I.W.W. for its war stand. It also attacked the Companies, which had "exploited labor and robbed it of its just reward." The stand taken by the paper was a call for unity during time of the war.<sup>43</sup>

The majority of Montana's weekly newspapers neglected to comment on the murder of Little. Some repeated the Butte Daily Post account.

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<sup>42</sup>Western News (Hamilton), August 9, 1917.

<sup>43</sup>New Northwest (Missoula), August 3, 1917.



A few hinted that the Post did not present the real reasons for the demise of Little. Fewer declared that outraged patriotism did not play a large role in the murder of Little, whereas the Companies battle against the Union did.

What seemed to be an organized campaign in protest of the murder was demonstrated by a series of letters from all over the nation to President Woodrow Wilson. Letters which denounced the cowardly murder.<sup>44</sup>

The murder of Little brought to a high pitch a campaign which protested the lack of action by Federal authorities against sedition. It gave the super-patriots of Montana a powerful weapon. In countless newspaper editorials and in political action across Montana and in Washington, D. C. defenders of the right of dissent, and those who refused to interpret laws in a way satisfactory to the mob, were viciously attacked.

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<sup>44</sup>D. J. File 186701-54-(2-8).

## CHAPTER V

### THE REIGN OF HYSTERIA

The murder of Frank Little had a great deal of influence, directly and indirectly, on events in Montana after August 1, 1917. It intensified the hysterical campaign for passage of anti-sedition acts in Montana; this campaign had a decided effect on politics and the political career of men who were to lead Montana politics in subsequent years. Federal troops came to Montana and their presence and conduct became significant issues of the period. A special session of the Montana Legislature in Helena and the introduction of bills before the U.S. Congress in Washington were direct results of the Montana labor problems of 1917-1918.

On August 8, 1917 the Helena Independent stated that Western Montana was in the grip of I.W.W. hoodlums. The campaign of hysteria reached outrageous proportions as the Independent claimed that Arizona Apaches, incited by the I.W.W., were on the warpath again. Montana newspapers predicted a reign of terror--as a revenge for the lynching of Little.<sup>1</sup> Montana's representative in Congress received numerous communications which requested action by the Federal Government. A representative telegram was mailed by the leaders of the business community of Missoula. A Community affected by a long, I.W.W. inspired lumber strike. It stated that the conditions in Missoula necessitated prompt action by the federal government in order to secure the lives and property of the citizenary

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<sup>1</sup>Helena Independent, August 2, 1917.

endangered by I.W.W. agitators who preached treason and promised reprisals for the death of Little.<sup>2</sup> The commander of the army units at Butte continually reported no problems at that city.

Butte very quiet, impossible to give definite information as to future, standing on extinct volcano, may be active in fifteen minutes, do not anticipate more lynching or deportations similar to that from Bisbee [Arizona].... New Union including President Campbell...guaranteed no demonstration time of Little's funeral.<sup>3</sup>

A similar report was dispatched from Butte on the following day.<sup>4</sup>

Little's funeral passed without incident, and, late in August, B. K. Wheeler reported to Attorney General Gregory that Montana was quiet, no violence being observed or reported.<sup>5</sup> Thus, both the army commander and the District Attorney at the scene thought the situation in Montana to be quiet.

Senator Myers in Washington, D.C., reported to William Fitts, Assistant Attorney General, that he was receiving numerous letters from Montana about the critical conditions there. The letters he received described intrigues, threats, anti-government activities and calls to strikes. He thought that conditions in Montana were "truly alarming." He insisted that Montana was invaded by a "horde of I.W.W. agitators" who were preaching treason. Myers declared that the loyal citizens of Montana were alarmed by the lack of action by the Department of Justice against the activities of the I.W.W.<sup>6</sup> Myers became United States Senator

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<sup>2</sup>C.H. McLeod, Kenneth Ross and others to Senator Myers, August 2, 1917 in D.J. File 186701-27.

<sup>3</sup>Ligget to A.G., August 3, 1917, War Department Files, A.G. 370.6 in D.J. Glasser File.

<sup>4</sup>Ibid.

<sup>5</sup>Wheeler to Gregory, August 21, 1917, D J. File 186701-27-15.

<sup>6</sup>Myers to Fitts, August 10, 1917, D.J. File 186701-27-8.

with active Company support and represented Anaconda policy.

On the same day Federal troops were ordered into Butte to patrol streets leading to the mines.<sup>7</sup> It was not clear who ordered the Army units into Butte.<sup>8</sup> They were to play an important role, however, in the subjugation of labor and remained there long after the war ended. The War Department had a direct interest in continuous production at the Butte mines. This interest, and the pressures for action by the Montana community had a direct bearing on the placement of large contingents of federal troops at Butte.

On August 7, Representative Jeanette Rankin introduced in the House of Representatives a joint resolution which would authorize the President to take over, and to operate some of the mines, the product of which was needed for the defense of the United States. Arizona, the state which produced more copper than any other state, and Butte, the largest copper producing district in the country, were not operating to full capacity because of disagreements between labor and owners. Butte's output, according to the National Council of Defense, was down 18,000,000 tons from its normal production during July, and strikes produced lawlessness, a lynching, and deportations.

Miss Rankin proceeded to describe her fruitless attempts to avert violence at Butte. She described what she considered to be the causes of the strike, namely the "rustling card" system and unsafe conditions

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<sup>7</sup> Butte Miner, August 11, 1917.

<sup>8</sup> Abraham Glasser, "The Butte Miners Strike 1917-1920," 51-62, in D.J. Glasser File.

in the mines. "Mr. John D. Ryan, of New York, the president of the Anaconda Copper Mining Co., is the man responsible for this situation....

If Mr. Ryan says the rustling system must be abolished, it will be."<sup>9</sup>

Miss Rankin told the House that Ryan never answered her appeals and she called on him to abolish the "rustling card" system, to meet with the miners, and to recognize the Union; she urged him to be patriotic and, thus, alleviate the Butte situation.

Her speech continued with a devastating attack on the corporations engaged in copper production, which were engaged in war profiteering.

Through the patriotic efforts of some prominent men the Government was able to secure copper for 16.67 cents a pound when the market price was 32 cents. At this price the Government purchased 50,000,000 pounds of copper, and later purchased 50,000,000 more. However, the companies refused to accept this same price, and they are now waiting for the Committees on War purchases to say what they will pay...if the committee sets the price of 28 cents, this one purchase will cost the Government \$6,000,000 more than the advertised price.<sup>10</sup>

The following day the Washington Post published an interview with Miss Rankin in which she continued her attack on Anaconda:

I think I know perfectly well what Anaconda will try to do to me. They'll try to do to me just what they have done to everyone who ever tried to oppose them.... They own the state. They own the government. They own the press.... First I'll be roasted from one end of the state to the other. Every newspaper will print my shortcomings real or fancied, in the largest type. All the mud and all the bricks in the state will come hurtling in my direction.

She declared:

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<sup>9</sup> U.S. Congressional Record, LV, 5896-7.

<sup>10</sup> Ibid., 5897.

...they probably won't assassinate me, because they use more subtle methods now. <sup>11</sup>

She added that the reason for all her actions was to aid suppressed miners at Butte. <sup>12</sup>

Rankin declared war on the Company and it resulted in vicious attacks on her in the Montana press. These attacks persisted until the senatorial elections of 1918 in Montana. The Missoulian stated that Miss Rankin lost her usefulness as the representative of Montana in Congress. <sup>13</sup> The Cut Bank Pioneer Press attempted to explain Miss Rankin's action:

Bonny Jean's newest role--and Bonny Jean is a quick change artist with few equals if you will exclude Fighting Bob LaFollette and Peerless Billy [Haywood] is that of big sister to the unwashed I.W.W. boys at Butte.

A spectacular fight is sensed between Rankin and Stewart, with Sam bidding for the support of the bourgeoisie and smug privilege and Jean catering to the proletarian and as Shakespeare termed it "the greasy coated mob," and against our poor downtrodden Wall Street, the subsidized and predatory press and the heirling of plutocracy. <sup>14</sup>

The Western News of Hamilton noted that the majority of Montana's newspapers denied the charge that they were owned by the Company. <sup>15</sup> This was technically correct, according to Miles Romney's paper, Anaconda did not have direct ownership of the newspapers, but it discovered cheaper ways to control them, without owning the papers. <sup>16</sup>

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<sup>11</sup> Washington Post, August 8, 1917.

<sup>12</sup> Ibid.

<sup>13</sup> Daily Missoulian, Aug. 14, 1917.

<sup>14</sup> Cut Bank Pioneer Press, August 17, 1917.

<sup>15</sup> Western News (Hamilton), September 6, 1917.

<sup>16</sup> Ibid.

The most venom came usually from the pen of Will Campbell. On December 11, 1917, he presented his opinion of Miss Rankin:

She is a Socialist and always has been; she believes the present war to be a fight between Wall Street and German autocracy... She is one who believes the millenium will arrive when the competitive system is destroyed and Socialist system established; she subscribes to the Industrial Workers of the World in their demand that all industry be turned over to the men and women who operate the industries.

Jeanette would be a member of the Bolsheviki in Russia.

...the one thing which is going to defeat her is that sobbing sentence: I want to stand by my country, but cannot vote for war. 17

On August 14, Representative Rankin came to Butte; a parade in her honor was cancelled by the police, supposedly to avoid disturbances. Undeterred, a large crowd assembled to welcome her. Surrounded by a heavy police guard, she went to her hotel as some in the crowd screamed obscenities at the police.<sup>18</sup>

On August 18, she spoke to a large gathering of miners. She attacked those who murdered Little and deplored a situation in which lynching was sanctioned. She also voiced her disapproval of the methods of the I.W.W., told the miners she was in full support of their cause, and urged them to return to work.<sup>19</sup> She concluded with a pledge to the miners that she would do her best to aid them and appealed for a peaceful solution to the Butte labor problems, since the nation needed unity during war.<sup>20</sup>

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<sup>17</sup>Helena Independent, December 11, 1917.

<sup>18</sup>Butte Miner, August 15, 1917.

<sup>19</sup>Helena Independent, August 19, 1917; Western News August 23, 1917.

<sup>20</sup>Helena Independent, August 17, 1917.

A day earlier she had cabled Secretary of War Baker and requested him to use his influence to persuade Cornelius F. Kelly, the Managing director of the Anaconda Copper Mining, to abolish the "rustling card" system. She believed this would settle the Butte strike question.<sup>21</sup> Secretary Baker forwarded the cable to Secretary of Labor Wilson who answered Baker with the statement that 9,000 out of 13,000 men were back at work in Butte, thus implying that the problems were solved. Wilson also cabled Miss Rankin that the subject had been discussed with a representative of the ACM who declined to make any changes at that time.<sup>22</sup>

In 1918, Representative Rankin entered the Republican primary for the Senate nomination and was defeated. She ran as an independent anyway and was defeated again.<sup>23</sup> Her anti-war vote, attacks on the Company and support of the miners' demands earned for her the animosity of the economic powers and the press of Montana. Jeannette Rankin's statements during her interview with the Washington Post were prophetic--unrelenting editorials, which constantly slandered her, resulted in a successful campaign to remove her from office. Defeat in the elections of 1918, and the position Miss Rankin took during 1917-1918, gained her a wide base of support which aided her subsequent political career.

As the strike lingered, and seemed to come to a halt a faction of

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<sup>21</sup> Rankin to Baker, August 17, 1917. Department of Labor File 33/493 in D.J. Glasser File.

<sup>22</sup> Wilson to Rankin, August 17, 1917. Wilson to Rankin August 21, 1917. Department of Labor 33/493 in D.J. Glasser File.

<sup>23</sup> For analysis of Rankin's campaign in 1918 see Ronald Schaffer, "Jeannette Rankin, Progressive Isolationist," Unpublished Ph.D. Dissertation, Princeton University, (Princeton, May 1959), 138-148.



the Metal Mine Workers' Union gained control over the Mine, Mill and Smeltermen's Union and declared a strike on August 24, 1917, at the giant smelter at Anaconda.<sup>24</sup> Company reaction was swift: complete shutdown of all Montana operations. Approximately 15,000 men were unemployed.<sup>25</sup>

The press interpreted the strike as an outcome of the factional fight between M.M.W.U. and the A.F. of L and also as a plot of Representative Rankin and the I.W.W. to force the government to take over the mines.<sup>26</sup> After the Company offered the smeltermen a higher wage, operations at Great Falls, Butte, and Anaconda resumed on September 17.<sup>27</sup> The day before the decision was made to return to work, federal troops were sent to Anaconda under orders of the War Department. Major Erastus H. Williams, commander of the troops in the Butte district at that time, issued a statement: "Federal troops have been sent to Anaconda under orders of the War Department to prevent violence and disorder and interference with the rights of individuals to work unmolested."<sup>28</sup>

Again the Metal Mine Workers' Union was on strike alone. During October, Butte operations performed at ninety percent capacity.<sup>29</sup> On

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<sup>24</sup>Butte Daily Post, August 24, 1917.

<sup>25</sup>Ibid.

<sup>26</sup>Ibid., See also Helena Independent, August 25-September 16, 1917.

<sup>27</sup>Butte Daily Post, September 17, 1917.

<sup>28</sup>Helena Independent, September 17, 1917.

<sup>29</sup>War Industries Board to Secretary of Labor Wilson, October 27, 1917, Department of Labor File 33/493A1. In D.J. Glasser File.

December 18, 1917, the M.M.W.U. called off the strike it had called more than six months earlier.<sup>30</sup> The strike ended but the conditions which created it were not removed. Army troops continued to patrol the streets of Butte.

No major disturbances were reported by the press until March 17, 1918, when a St. Patrick's day demonstration was dispersed by the army.<sup>31</sup> The Union had received permission to hold a parade, but governor Stewart and the Montana Council of Defense intervened and the permission was revoked. The Governor contacted the commander of the Western Department who in turn ordered the commander at Butte to stop the parade.<sup>32</sup> Thus the civil authorities in Montana were pressuring Army Headquarters in San Francisco to reverse the decisions of the army commander at Butte to suit their ends. On March 25, 1918, the I.W.W. Hall at Butte was raided and forty-one persons were arrested.<sup>33</sup>

No reports of further disturbances appeared during the spring of 1918. A report by a Labor Department commissioner described the labor situation at Butte to be "in very good shape with no apparent unrest..."<sup>34</sup> The troops stationed at Butte and Anaconda behaved during this period in

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<sup>30</sup>Butte Daily Post, December 1917.

<sup>31</sup>Butte Miner, March 18, 1918.

<sup>32</sup>Captain Omer N. Bradley, commanding officer U.S. troops at Butte to C.G. Western Department. Department of War Files, 370.6 Butte, Montana, March 19, 1918 in D.J. Glasser File.

<sup>33</sup>Butte Miner, March 26, 1918.

<sup>34</sup>C.Y. Hang to H.L. Kerwin, May 2, 1918. Department of Labor file 33/493 A1, in D.J. Glasser File.

a "blameless fashion," a condition which was soon to change and produce numerous protests by local and Department of Justice officials.<sup>35</sup>

Meanwhile the murder of Little received attention not only in the local and state press but also on the regional and national level. One factor which was prevalent in the commentary on the murder was the call for legislation to prevent mob rule. The New York Times devoted an editorial to the lynching at Butte:

The lynching at Butte, Mon., of Frank Little...was a deplorable and detestable crime, whose perpetrators should be found, tried and punished by the law and justice they have outraged. Not in palliation to the Butte assassins but in warning to seditious and violent persons of fiery speech, the language and acts of Little that brought him to his end, should be recalled... He excited strikes whose plain object was to injure the United States.... It is dangerous to be publically offensive when popular emotion is strong. When anxiety, loss and suffering have made the nerves sensitive. Little was lynched. The I.W.W. has been trying and is busily trying still, to lynch the United States. Wandering bands of outlaws, their leader well supplied with money, apparently acting according to an organized plan, have tied up a part of the American Copper mines, have attacked the lumber industry, have burned crops and wrecked agricultural and other machinery. To hamper the building of ships, the making of munitions, the supply of food to our Army and Navy, and to the Allies, is the clear result and obvious purpose of these acts. The I.W.W. agitators are in effect, and perhaps in fact, agents of Germany. The Federal authorities should make short work of these treasonable conspirators against the United States.<sup>36</sup>

Less than two weeks after Little's murder action occurred on the regional level. The Governors of Utah, Nevada, Idaho, Washington, Oregon, and Montana met at Portland, Oregon, to discuss the I.W.W. menace

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<sup>35</sup> Abraham Glasser, The Butte Miners Strike 1917-1920, 18. In D.J. Glasser File.

<sup>36</sup> New York Times, August 4, 1917.

in the West.<sup>37</sup> Governor Stewart of Montana demanded prompt federal action against the I.W.W. and was selected by the other governors to go to Washington, D.C., and to present their resolutions to President Wilson.

On August 13, 1917, the I.W.W. Secretary of the Spokane local intensified the fears of an already hysterical population in Montana by calling a general strike, if all Wobblies in Northwest jails were not released by August 20. The response was swift, as on August 19, I.W.W. leaders in the Northwest were arrested and Spokane was put under martial law; the I.W.W. great Northwest General Strike never came to pass.<sup>38</sup>

In early September Governor Stewart and Senator Myers met President Wilson and told him of what they considered to be a grave situation in Montana and Northwest, and of the need to suppress the I.W.W.'s.<sup>39</sup>

On September 5, 1917, Federal agents raided I.W.W. headquarters in thirty-three cities. Agents of the Department of Justice subsequently raided I.W.W. general and local offices, without search warrants, to secure more evidence against the Wobblies.<sup>40</sup> Federal action against the I.W.W. had commenced.

On the state level, however, the patriots did not see enough actions to satisfy their demands. Instead they witnessed setbacks to what they considered loyalty. In early November, 1917, District Attorney Wheeler presented several cases against Slackers in the Federal District Court at

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<sup>37</sup>Helena Independent, Aug. 12, 1917.

<sup>38</sup>Labor and Industry Report, 31.

<sup>39</sup>Helena Independent, September 6, 1917.

<sup>40</sup>H.C. Peterson and Gilbert C. Fite, Opponents of War: 1917-1918. (Machson, 1957), 62.

Butte. Sitting in judgment was District Judge George M. Bourquin. Highly unusual procedures occurred as in one case the Judge allowed the case to go to the jury under instructions very favorable to the defendant. In another case, upon a return of a verdict of guilty, Bourquin directed the counsel for the defense to make a motion for a new trial on the grounds that the evidence was insufficient to justify the verdict; the motion was to be based upon the procedure of the trial. In yet another case, the Judge, in his charge to the jury gave his personal opinion that the verdict was not guilty. At one point Wheeler asked for more time to prepare a better case, Bourquin agreed to a postponement of one hour and a half.<sup>41</sup>

If tempers flared after the failure of Bourquin to convict any of the slackers in November, 1917, matters became explosive when Ves Hall, a stockman from Rosebud County, and A J. Just, an Ashland, Montana, banker, were acquitted by Judge Bourquin of violating the Espionage Act of 1917. They had been charged with making seditious statements: They hoped for German victory, that submarines had a right to sink U.S. ships, that President Wilson brought the country into the war as a result of English propaganda, that Wilson was the richest man in the U.S., and that the U.S. was brought into the war by Wall Street millionaires to protect J. Pierpont Morgan's English interests.<sup>42</sup>

Judge Bourquin ruled that those statements could not support a verdict of guilty.<sup>43</sup>

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<sup>41</sup>Wheeler to Gregory, November 3, 1918, D.J. File 186233-61-14.

<sup>42</sup>Wheeler, Yankee, 153-154.

<sup>43</sup>U.S. Congressional Record, LVI, 4560.

"...the declarations were made at a Montana village of some 60 people, 60 miles from the railway, and none of the Armies or Navy within hundreds of miles.... Thus Hall and Just did not cause insubordination, disloyalty or mutiny or refusal of duty, in any of the branches of the armed forces. They did not obstruct the recruiting or enlistment of anyone to the service of the U.S. as a result they could not be found guilty.<sup>44</sup>

Judge Bourquin in reviewing the case challenged the patriots of Montana:

The Espionage Act is not intended to suppress criticism or denunciation, truth or slander, oratory or gossip, argument or loose talk, but only false facts willfully put forward as true and, broadly with the specific intent to interfere with Army or Navy operations.

Bourquin continued with a defense of Wheeler.

United States Attorneys throughout the country have been unjustly criticized because they do not prosecute where they can not. In instances their proper failure to prosecute has been made the subject of complaint to the Department of Justice to oust them or defeat re-appointment.<sup>45</sup>

The decision caused a furor in Montana especially since all over the nation the court convicted the seditious. Will Campbell was disappointed, and the Anaconda Standard lamented that it was impossible to punish treason and sedition in Montana.<sup>46</sup> The murder of Little was caused, according to Montana's political and economic leadership by the inability of Wheeler to act against him. Wheeler's failure to secure numerous convictions against slackers, and the decision in the Ves Hall case combined to convince the patriots of Montana that the Federal authorities were helpless against the I.W.W. They decided to act on the state level.

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<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

<sup>46</sup> Helena Independent, February 3, 1918; Anaconda Standard, January 31, 1918.

On February 3, 1918, Governor Stewart announced a special session of the 15th Legislative assembly to convene on February 14, 1918, at Helena.<sup>47</sup> Governor Stewart declared that some of the laws of the State of Montana were "inadequate, insufficient and lacking." He pointed to the need to protect soldiers against losses which resulted from the fact that they were in the army. He asked for the legalization of the State Council of Defense and the Home Guard organizations in Montana. He also asked the Legislature to act upon the National Prohibition Amendment. The major portion of his opening speech dealt with the need to curb sedition in Montana.

...our state statutes do not contain adequate provision for the punishment of those guilty of sedition, treasonable and disloyal acts and utterances within the State of Montana. Some suitable statute should be enacted to cover the same. Otherwise the people of the different communities may be provoked into becoming a law unto themselves and as a result unwarranted and illegal violence may occur. ...there is no law to curb the pernicious activities of individuals and organizations guilty of sabotage, criminal syndicalism and industrial and political anarchy. At this critical time it is important that the people have protection from such dangerous activities.<sup>48</sup>

All the legislation asked for by the Governor, except for the Home Guard measure were passed. The patriotic citizens of Montana had their chance and they used it well to curb any dissent in the state. On February 23, 1918, the Governor signed into law the Montana Criminal Syndicalism

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<sup>47</sup> Helena Independent, February 4, 1918:

<sup>48</sup> House Journal of the Extraordinary Session of the Fifteenth Legislative Assembly of the State of Montana, February 14, 1918--February 25, 1918 (Helena, 1918), 1-2. Hereafter cited as House Journal.

Act.<sup>49</sup> Criminal Syndicalism was defined as the doctrine which advocated "crime, violence, force, arson, destruction of property, sabotage and other unlawful acts of methods...." as a means to achieve industrial or political revolutions.<sup>50</sup> The Montana bill was a copy of an earlier Idaho bill.<sup>51</sup>

Another bill which was intended to suppress free speech was presented on February 16, 1918, and became law on February 23, 1918.<sup>52</sup> This bill introduced by Representative William J. Crismas of Carbon County, was the bill presented to the U.S. Senate by Senator Myers of Montana on August 13, 1917.<sup>53</sup> Myers introduced the bill ...on account of a lynching that had occurred in Montana just a short time before....

A man named Little was lynched at Butte, Mont. It was reported that he referred to United States soldiers as "Uncle Sam's scabs in uniform,"... There was no effort by officers of the law to punish him; it was claimed that there was no law to punish him; and, as a result, one morning he was hung by a mob. Having that in mind and fearing a repetition of such occurrences unless we had more and better law to suppress, prevent and punish such utterances, I introduced a bill on the subject.... There is going to be more of mob law and lawlessness unless we speedily enact a measure of this kind.<sup>54</sup>

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<sup>49</sup>Senate Journal of the Extraordinary Session of the Fifteenth Legislative Assembly of the State of Montana, February 14, 1918--February 25, 1918, (Helena, 1918), 43-50. Hereafter cited as Senate Journal.

<sup>50</sup>Laws Passed by the Extraordinary Session of the Fifteenth Legislative Assembly (Helena, 1918), 14. Hereafter cited as Laws.

<sup>51</sup>For the account of the passage of the bill see Robert E. Evans, "Montana's Role in the Enactment of Legislation Designed to Suppress the Industrial Workers of the World. Unpublished Master's Thesis, (Missoula: Montana, 1964), 89-91. Hereafter cited as Evans, Montana's Role.

<sup>52</sup>House Journal, 50, 72.

<sup>53</sup>U.S. Congressional Record, LV, 6039.

<sup>54</sup>Ibid., LVI, 4714.



The Myers bill was referred to the Judiciary Committee and was ignored there.<sup>55</sup> It was not ignored, however, by the Extraordinary Session of the House and Senate of Montana. The Act stated that any words uttered or printed against the government, army, or constitution of the U.S. would be punished.<sup>56</sup> This act was incorporated into the Espionage Act of 1918, introduced by Senator Thomas J. Walsh of Montana. This act was used for further nationwide suppression of the I.W.W.<sup>57</sup>

Joint resolutions by the state legislature which called for the resignation of Bourquin and Wheeler were introduced at the Session.<sup>58</sup> The first resolution was tabled and the second was defeated by one vote.<sup>59</sup> The Judge and the District Attorney fared better than did Charles L. Crum, Judge of the Fifteenth Judicial District of Montana. Crum acted as a character witness for Ves Hall and A. J. Just. The Senate found him guilty of aiding abetting draft dodgers, and of criticizing the U.S. participation in the War; he was impeached. Wheeler considered this action a tragedy, for he thought Crum was a "...fine and honorable man."<sup>60</sup>

Thus the super-patriots of Montana were not only able to pass laws which prohibited free speech, but showed their zeal by punishing a public official for words which he pronounced before the laws were passed.

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<sup>55</sup>Ibid., 4695.

<sup>56</sup>Laws, 28-29.

<sup>57</sup>Evans, Montana's Role, 98-121.

<sup>58</sup>Anaconda Standard, February 23, 26, 1918.

<sup>59</sup>Ibid., February 24, 26, 1918.

<sup>60</sup>Wheeler, Yankee, 155.

The indignities, however, had not ended. On May 29, 1918, the Montana Council of Defense commenced with the inquisition of Burton K. Wheeler.

One public official who withstood more criticism, underwent more attack, and gained more prestige during the period than any other Montanan was U. S. District Attorney Burton K. Wheeler. From June, 1917, until his resignation over a year later, Wheeler was faced with a slander campaign. This resulted from his unwillingness to follow the super-patriotic mob and to prosecute indiscriminately anyone suspected by the mob of sedition and treason.

Wheeler's problem resulted from his strict interpretation of the Federal Espionage Act of 1917. This Act intended to prevent the obstruction of recruiting and enlistment of citizens by those opposed to war. It also outlawed any acts which led to disloyalty or mutiny within the armed services. It was used by many federal attorneys and judges, who interpreted it loosely, to combat any criticism of the war effort. The strict interpretation, as viewed by Wheeler was that in order to be indicted a person had to willfully present false information with an intent to interfere with Army or Navy activities. This interpretation of the Espionage Act supported by Judge Bourquin was the initial cause of Wheeler's problems.

The attacks on Wheeler began during the period of draft registration and intensified during the period in which Frank Little was at Butte and immediately after Little's death. The Company controlled press charged that Wheeler's lack of enthusiasm to enforce the law caused the death of Little. The Butte Miner stated:

It is high time that a lot of the government red tape were eliminated and also it is high time that some of the governmental officials of this nation forget about giving such consideration to their own political aspirations when it comes to acting for the benefit of the United States. <sup>1</sup>

This editorial was one of the mildest concerning Wheeler's conduct. The Helena Independent was possibly Wheeler's loudest and most constant tormentor. It granted that Wheeler was not a socialist, but accused him of living in and being influenced by a socialistic atmosphere.<sup>2</sup> Wheeler's refusal to be stampeded into prosecuting the opponents of the mining companies, and the growing hysteria in Montana earned him the distrust and hate of the Company and the press. But his stand gained for him the respect and support of many labor and agricultural organizations. This wide base of support frightened the Company. Thus his conduct as District Attorney and the issue of loyalty were used as a pretense in order to destroy him. The real issue was the emergence of Wheeler as a political force within Montana which the Company could not control. If the Company could discredit Wheeler as a traitor his influence and appeal would decline and disappear.

The anti-Wheeler campaign intensified as the hysteria in Montana grew. By the end of 1917, the newspapers lost all restraint and editorials against Wheeler appeared constantly. Most of them were entitled, "Wheeler Must Go" or "Wheeler should Go." "Montana has been put to shame and humiliation by office holders who have sacrificed duty to politics, who

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<sup>1</sup> Butte Miner, August 6, 1917.

<sup>2</sup> Helena Independent, September 8, 1917.

have been cold to the call of patriotism."<sup>3</sup> On November 11, the Missoulian addressed an open letter to Senator Walsh which demanded that Wheeler be removed from his position.<sup>4</sup> In central Montana the editorials had a

There are thousands of American people who are coming to think that the United States government is altogether too easy with these rattle-snakes traitors who are burning our docks, mills, elevators and factories.... There seems to be more work in Butte for the patriotic citizens who silenced Mr. Little. 5

In Eastern Montana the Miles City Star attacked Wheeler for his failure to deal with men like Frank Little.<sup>6</sup> The Missoulian knew the solution to the problem of Montana, it called upon Senator Walsh to recommend a

...federal prosecuting attorney equipped with a hard spine, a brain that will function properly, and a sense of conscience that places duty to the people above politics.

Montana is in sore need of an official of that sort and since Mr. Wheeler has been well repaid for all political services that he may have rendered, we think it is time to balance the accounts, close the books, and open a new deal. What say you? Senator. 8

The papers were compiling of Wheeler's criminal lack of law enforcement.

On February 8, 1918 Wheeler answered his attackers in a speech at Great Falls before the Montana Society of Equity. Wheeler defended his record as District Attorney. He accused the "big interests" of an

<sup>3</sup>Daily Missoulian, October 18, 1917.

<sup>4</sup>Ibid., November 9, 1917.

<sup>5</sup>Fergus County Argosy (Lewistown) November 9, 1917.

<sup>6</sup>Miles City Star, November 24, 1917.

<sup>7</sup>Daily Missoulian, November 24, 1917.

<sup>8</sup>Ibid., December 10, 1917.

effort to have him removed. He added that they complained to the Justice Department that he was a Wobbly. He stated that his real crime was his refusal to take orders from the conservative monied interests.<sup>9</sup> Wheeler blundered by speaking at the Equity convention. The Montana Society of Equity which was organized in 1914 had by this time 15,000 members. It was organized in protest of the high costs of production and shipment to the farmer. It attacked the political parties in Montana for their subversion to the corporate interests.<sup>10</sup> The Montana press regarded it as a subversive organization. During the meeting the Society endorsed the policies of the Non Partisan League. The League was organized in South Dakota in 1915; its support came mainly from discontented farmers and laborers; though the league wanted reform and not the overthrow of the capitalistic system, it was treated by the press as a twin of the I.W.W. which supposedly infiltrated it. The League supported both parties and in 1918 gained control of the Republican party in North Dakota. In Montana in 1918 it had thirteen representatives of both parties in the State House and two members of the Senate.

The Helena Independent declared that:

...Wheeler destroyed his usefulness to the United States Government by his association with the disturbing and trouble making elements of both political parties by seeking the endorsement of the Non Partisan League and the Wobbly union of Butte.<sup>11</sup>

The Miles City Independent blamed Wheeler for making Montana "...a Mecca for every pro-German in the Nation." The Independent also criticized

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<sup>9</sup>Great Falls Tribune, February 9, 1918.

<sup>10</sup>K. Ross Toole, Montana: An Uncommon Land (Norman, Oklahoma, 1959) 219.

State Attorney Ford for his criminal neglect in the prosecution of the seditious.<sup>13</sup> These editorials were representative of the numerous attacks on Wheeler which continued until his resignation.

Wheeler had been appointed District Attorney, at the recommendation of Senator Walsh, in 1913. This was Walsh's way of compensating him for his courageous stand on his behalf during the elections of 1912. The Company opposed Walsh, and Wheeler, a state legislator from Silver Bow, demonstrated great independence in opposing a Company candidate. Wheeler's term as District Attorney was uneventful prior to the entrance of the U.S. in World War I.

As early as October 22, 1917, the Helena Independent suggested that the one problem which Senator Walsh had to face, if he desired re-election, was that of Wheeler.<sup>14</sup> Walsh realized that he needed the support of the Company to be re-elected, but could not secure it as long as he remained loyal to Wheeler.<sup>15</sup> Wheeler resigned in October, 1918, and was offered a federal judgeship in Panama. He replied disgustedly that if he were to be deported he would rather go to Siberia.<sup>16</sup> Wheeler enumerated the causes of his resignation.

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<sup>13</sup>Ibid., May 3, 10, 17, 24, June 7, 1918.

<sup>14</sup>Helena Independent, October 22, 1913.

<sup>15</sup>For accounts of the 1918 senatorial election in Montana see Ronald Bates, "Senator Walsh of Montana, 1918-1924, A Liberal under Pressure." Unpublished Ph.D. Dissertation, University of North Carolina (Chapel Hill, 1952), 52-71. Also Richard T. Ruetten, Burton K. Wheeler of Montana: A Progressive Between Wars, Unpublished Ph.D. Dissertation, University of Oregon (Eugene, 1961), 12-16.

<sup>16</sup>Wheeler, Yankee, 162-163.

By way of explanation for this action I desire to say that the Anaconda Copper Mining company for the past 18 months through its press, through those who owe their political existence to that concern, and through their representatives, have carried on a campaign of misrepresentation and vilification against me unequalled anywhere in this country and unfortunately by reasons of the same, many honest, patriotic citizens of Montana have become imbued with the idea that I have been faithless to the trust imposed in me. While those who are familiar with the work of the office of the United States attorney pay no heed to this propaganda, yet the friends and political advisers of the Hon. Thomas J. Walsh . . . feel that my remaining in office may mean his defeat.

I have tendered my resignation rather than sacrifice my friend.<sup>17</sup>

Army Intelligence was also interested in the activities of Wheeler. On May 22, 1918, Colonel F. G. Knabenshue, an intelligence officer in the Western Department, recommended to Washington that the re-appointment of Wheeler be delayed. A Captain Jones forwarded the content of the cable to the Justice Department, which replied that there was a factional fight in Montana, and asked to disregard the officer's recommendation. A report by Knabenshue to his superior followed. He reported that:

Wheeler by reason of his personal political affiliation with the I.W.W. socialists shin fehners [sic] and non-partisan league and seeking refuge behind attitude United States Judge Bonquim [sic] is not handling espionage seditious and disaffecting matters...situation so grave he [Stewart] convened legislature extraordinary May [sic] last...  
Knabenshue recommended that "...Judge Bonquim [sic] should be transferred and man 500 % American sent to Butte... also reappointment Mr. Wheeler killed...  
...some strong man should be sent to Butte to take over and clean that state of its present war situation before mob

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<sup>17</sup>Great Falls Tribune, October 10, 1918.

<sup>18</sup>Captain H. T. Jones to Justice Department and Reply, May 22, 1918. In D.J. Glasser File.

rule displace civil law and order. Feeling in Montana and temper of the people will not much longer tolerate political machinations...Governor Stewart expressed his confidence in defeat of Senator Walsh this fall because of his support of Wheeler. 19

This report was forwarded to A. Bruce Bielaski, Chief of the Bureau of Investigation in the Justice Department. A special investigation of Wheeler was conducted, and the Department concluded that Wheeler did his job well.<sup>20</sup> The tone of Knabensue was unmistakably familiar as were the accusations, but the Department of Justice stood by Wheeler.

From May 31, to June 4, 1918, the Montana Council of Defense conducted hearings concerning the arrest of one Ebenhardt Von Waldru, and investigated charges against Oscar Rohn. This was the announced purpose of the hearing. In reality, it was to be an investigation and the defamation of William F. Dunne, editor of the Butte Bulletin, and the inquisition of Burton K. Wheeler. The primary intent of the hearing was to destroy the career of Wheeler and eliminate him as a force in Montana politics.

In the case of Von Waldru, a German who was suspected of espionage by the Federal government, Lewis and Clark County had hired Von Waldru to infiltrate and expose a spy ring at Butte. The County demanded his release so he could testify in some pending spy and sedition cases. Oscar Rohn, president of the East Butte Company, was investigated for being pro-German, at his own request. This resulted from the days of hysteria in Butte, during which he had hired a spy to infiltrate the

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<sup>19</sup>Knabenshue to Chief of Military Intelligence Section, June 4, 1918. In D.J. Glasser File.

<sup>20</sup>John Lord O'Brien, Assistant Attorney General to Lt. Colonel Churchill, Military Intelligence Section, June 19, 1917, in D.J. Glasser File.



I.W.W., only to have his spy accused of spying on the Company for Germany. The Council of Defense recommended Von Waldru be released and Rohn declared innocent.<sup>21</sup>

On May 29, 1918, a joint session of the State and Counties Councils of Defense adopted a resolution which protested the reappointment of Burton K. Wheeler.<sup>22</sup> This resolution was endorsed by the Montana Council of Defense.<sup>23</sup> Wheeler was not informed of this resolution.

The Montana Council of Defense investigated Wheeler's political views and financial standing. It surveyed the recent history of Montana in an attempt to disgrace Wheeler. It tried to link Dunne to Wheeler, but this failed, since Dunne and Wheeler had met only once.<sup>24</sup> The Council attempted to link Wheeler with the I.W.W. He once said that the I.W.W.'s were much abused. Wheeler explained that the abused ones were the miners among whom only a few were Wobblies.<sup>25</sup>

When this line of questioning failed, Wheeler's finances and contribution to the war effort came under attack. Wheeler's tormentors failed there also since Wheeler declared that he had made speeches

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<sup>21</sup>Minutes of Montana Council of Defense, Folder dated Mar. 27, 1918. Montana Council of Defense Papers in State Historical Society of Montana. Hereafter cited as Minutes.

<sup>22</sup>Joint Session State and County Councils of Defense, May 29, 1918. (Helena, 1918) 12-13. Montana Council of Defense Papers, in State Historical Society of Montana.

<sup>23</sup>Minutes, folder dated March 27, 1918.

<sup>24</sup>Testimony, 349, 1134.

<sup>25</sup>Ibid., 352.

supporting the war effort, and had contributed and bought Liberty Bonds. Repeatedly the most personal questions were directed at Wheeler, demonstrating utter contempt for individual dignity and privacy.<sup>26</sup>

Mr. Lease of the Council, while questioning Wheeler, attempted to blame him for Little's murder:

"You are aware of the fact that the verdict of the State of Montana, that if the Federal officials of Butte had been doing their duty, that would not have been necessary for the citizens of Butte to hang Mr. Little. Wheeler answered: "Now let me say that I don't agree with you that that is the verdict of the people of Montana. However I feel that some people believe that, and they believe it because of the fact that some of the newspapers in this State have made that charge without absolutely any foundation whatever, and simply because of the fact they they wanted to prejudice certain people against me and my office. Now, there is not a question of a doubt but what he was not hung by any representatives of the people of the city of Butte. 27

Editor Campbell angered Wheeler, who once retorted by calling the Independent "absolutely subsidized and subservient to mining interests of the state."<sup>28</sup> As Wheeler became angrier, he neglected all caution and stated to the Council of Defense:

...I am not a Socialist, never have been a Socialist, and never expect to be a socialist, not only that I feel, however, absolutely that a great many principals [sic] of socialism are correct, and they are being adopted by the democratic and republican parties, but I feel this, that as far as the socialist party is concerned, and socialistic ideas, that they are so impractical that they cannot be carried into effect, and that they are purely utopian ideas. 29

Wheeler described the hysteria in Montana. He said that he

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<sup>26</sup>Ibid., 369-381.

<sup>27</sup>Ibid., 365-366.

<sup>28</sup>Ibid., 449.

<sup>29</sup>Ibid., 450.

received thousands of reports which stated that many Montanans looked like German spies, and that he received reports of planes flying over the mountains, the plains, the city of Helena and the Bitterroot Valley--all of which, he added caustically would indicate that the Germans were very active in Montana.<sup>30</sup> Repeatedly he charged that the intent of the hearings was to ruin him politically. L. O. Evans, who served as legal adviser to the MCD, which demonstrated a definite link with the Company, explained to Wheeler that his difficulties resulted from the fact that in the prosecution of traitors, seditioners and aliens he did nothing.<sup>32</sup>

Wheeler's utter contempt for the MCD was manifested in the statement: "How would you like to have some little body of men get together in secret meeting and pass resolutions..."<sup>33</sup> The MCD acted, according to Wheeler, to do "...everything possible in the world to prevent my re-appointment in Washington, and it has been done for political reasons."<sup>34</sup> William F. Dunne, editor of the Butte Bulletin ridiculed the Council. His favorite target was editor Will Campbell, whom Dunne intimated, had taught him how to lie.<sup>35</sup> Dunne, brazenly explained his Marxist philosophy to the members of the Council.<sup>36</sup> He insisted that they "all have grown lean and gray, or fat and bald in service of big business."<sup>37</sup> Dunne surprised the MCD by daring to question the legality of the

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<sup>30</sup> Ibid., 1098.

<sup>31</sup> Ibid., 1237.

<sup>32</sup> Ibid., 1234.

<sup>33</sup> Ibid., 1289-1290.

<sup>34</sup> Ibid., 1291.

<sup>35</sup> Ibid., 1338.

<sup>36</sup> Ibid., 1342-1345.

<sup>37</sup> Butte Bulletin, May 31, 1918.

proceedings.<sup>38</sup>

The Council's attempt to discredit Wheeler failed. Out of office for two years he attempted to capture the governorship of Montana in 1920 and failed miserably. But the image of independence vis à vis the Company which he acquired during this period helped him to create a solid base for a long distinguished career as United States Senator from Montana.

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<sup>38</sup> Testimony, 1338.

## CONCLUSION

The study has shown that the miners' strike of 1917 was a spontaneous strike, and not a radical plot to sabotage the United States war effort as claimed by the companies. The miners demands for better wages and safer working conditions were not unreasonable and certainly not intended to force a radical-socialist revolution. The mining companies, genuinely frightened by the I.W.W., chose to fight the new union not on the basis of the issues but through an unrestrained press campaign, which contributed to the war hysteria. The I.W.W. consisted of a small percentage of the labor force at Butte. The thought of violent Wobblies, opposing the war effort possessing dynamite underground was enough of a justification for the companies to combat them in every way possible. The maintenance of the "open shop" was the goal of the mining companies, the campaign of hysteria had as its aim the keeping of the status quo at Butte.

The senseless murder of Frank Little, still unsolved, can be understood in the context of general policy of turning a peaceful strike into a violent one, and then crush it. The Butte Union had a small but vocal I.W.W. element in it, but certainly the 15,000 strikers were not all Wobblies. The murder of Little resulted in the coming of the army to patrol the streets of Butte, and the intensification of the hysteria in Montana. This was exploited by employers and some in state government in Montana and anti-sedition acts were passed. The Montana Sedition Act became the basis for the subsequent federal act limiting freedom of expression.

Some public officials dared to oppose the companies' interests and the hysteria, and consequently came under merciless attack. The unwillingness of Judge Bourquin and District Attorney Wheeler to be stampeded into action to crush the opponents of the mining interests, resulted in the Special Session of the Montana Legislature, February, 1918, and in the inquisition of Wheeler before the State Council of Defense in June, 1918. Wheeler had established himself as a champion of labor and agricultural groups against the Anaconda Company. For years he had demonstrated independence and courage in opposing the Company and he became a political force to be reckoned with. The principal purpose of the Montana Council of Defense hearing during June, 1918, was to wreck the career of Burton K. Wheeler.

The events of 1917-1918 had a direct effect on the Senatorial elections of 1918. Jeanette Rankin's defeat came as a result of her support of labor and vote against war. Walsh's dumping of Wheeler assured him victory in 1918. The political careers of Wheeler and Rankin, though, did not come to an end. During this period they gained a political image of courage and independence which stuck with them for many years. The political views and loyalties of Wheeler changed, but the respect and admiration of those he championed during the turbulent years propelled him into a long career in the U.S. Senate.

The Companies succeeded in maintaining the "open shop," and removed some of their opponents in the State. Labor divided could not successfully face the mining interests, hostile public opinion, and the army. The goal of the Anaconda Company was to keep its political and economic dominance of the state. Thus, the hysterical press campaign, the

Special Session, the campaign against Rankin, Bourquin, Wheeler and labor were means to prolong the Company's rule of Montana.

The mine owners on one side, exploited the hysteria. On the other side the radical labor organization battled for supremacy in the State. Little sanity and objectivity existed in the embattled land.

The events in Montana during World War I, provide a dangerous precedent to the course of events in a democracy during a war. The problems were real in many cases, the solutions were not, as emotions rather than reason prevailed.

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## Letters

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