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ZENITH COMPANY MUST HAVE HIGHER RATES

Zenith City Telephone Company Should Have Higher Rates If It Must Survive. If Company Is Destroyed the Bell People Will Again Have Monopoly in Duluth.

The Labor World is in favor of the proposed amendment to the franchise of the Zenith City Telephone company, by which this company will be entitled to make some slight increase in its telephone rates.

It probably will appear strange to some people that a labor paper should take such a position. Usually labor papers are opposed to every privilege granted to public service corporations, and should the city have the right to acquire a plant, we would be found at this time fighting for a municipal telephone plant. But that is an impossible proposition at this time, thanks to an unconcerned legislature.

The Labor World must choose the next best thing. We know some things about the telephone business that all of the people should know.

We firmly believe that the very life of the Zenith City Telephone company depends upon the passage of the proposed amendment. Long ago the Bell company predicted the failure of the independent company unless it secured higher rates.

Bell Company Is Unrestricted.

The destruction of the independent company will mean the giving again of a monopoly to the Bell company. This company, so the courts have decided, have a perpetual right to operate in this city. Very little, if any, municipal control can be exercised over it. Give the Bell people a monopoly, and we will again enjoy the sweet pleasures of an inferior and out of date telephone service, at rates to suit the scruples of the company.

Competition in the telephone business has compelled both companies to maintain the very best service.

Union labor should support the Zenith Teleph. Co. because its electrical workers work the eight hour day, while the Bell company is an open and avowed opponent of organized labor. Its employees still work the long workday. The Bell company is on the unfair list of organized labor. Now is the time to support our friends.

The Zenith City Telephone company has been absolutely fair and open in its desire to secure higher rates. It made a complete disclosure to the city officials of its financial condition. It was made apparent to every person who studied the figures that some thing must be done to save the company that had the fearlessness to attack the wealthy and arrogant Bell company, and give to the people cheaper and better telephones.

This company is sending out letters to the people. The first is to the workmen and reads as follows:

Much More Work for Labor.

"At the February election, it will be our privilege to vote on an amendment to the franchise of the Zenith City Telephone Co. It is highly important to your interests as a citizen and workman that the amendment should carry. If the rates of the Telephone Co. for which the amendment provides are increased the company will pay out during the next two years from \$150,000.00 to \$200,000.00 for labor. \$200,000.00 expended for labor means the employment of 200 men 500 days at \$2.00 per day. This will be a highly important matter because indications are that there will be far less work all over the country during the next two years than during the past two. While during the past two years there have been more jobs than men, it now looks as though there would be more men than jobs during the next two years. Even though you do not work for the company many other men will who otherwise might be after your job, or might get jobs which otherwise would be open to you. At any rate it will result in many of your brother laboring men getting work at good wages. Every day of added employment tends to keep wages up to the proper standard.

Service Not Restricted to Subscribers.

Before the Zenith City Telephone Co. came to Duluth no one, unless a subscriber, was allowed to use a telephone. The policy of the Zenith Company has been to accommodate as far as possible every citizen of Duluth. We have never objected to anyone using our telephone whether a subscriber or not, so long as our customers were willing. True, since our company adopted the policy the Bell Company has been obliged to do the same. There can be no question, though, that if our company is forced to give up the business, which they must do if the rate schedule voted by our City Council, is not sustained by the people, every person not a subscriber will be again forbidden the use of a telephone.

Before the coming of the Zenith City Telephone Company the telephone was a convenience of the rich man or the privileged few only. We have been the means of its being placed within the reach of all. If it suddenly becomes necessary for you to talk to a friend in Duluth, Woodland, Lake-Superior, West Duluth, New Duluth, Superior, Old Superior, or South Superior, you can do so without it costing you a cent. The Zenith City is the telephone company of the common people, the Bell Company, that of the rich man.

Zenith Is Poor Man's Company.

Who ever heard of anybody, but a rich man having a telephone until our company forced the Bell Company from their high horse down among the people?

After five years from the date of the charter the Zenith City Telephone Co. is obliged to sell to the City, if the City then wishes to buy. If this amendment fails to carry there will be no telephone plant for the City to buy at the end of the period. A vote for the

amendment is a vote for increased employment of labor, for increased trade of our merchants, for your convenience of being able to talk to acquaintances anywhere about the head of the lakes without cost. It is a vote for the continuance of first-class telephone service at reasonable rates. It is substantially a vote for municipal ownership. Vote, yes, on the amendment. It will pay you to do so.

ZENITH CITY TELEPHONE CO.

Plain Statement of Facts.

The second circular is to all citizens in general. It is a plain and honest statement of facts. Read it carefully, and when the time comes to vote, vote for the amendment. Support the independent company over which we have control as against the Bell, the company, when it had the opportunity, that bled and abused the people in the most arrogant manner:

"The telephone rates question. It concerns you as a citizen and it concerns you as a business man.

An important amendment to a public franchise is to be submitted to a vote of the people. It should be decided rightly. This can be done only by the citizens voting intelligently. Please allow us as business men, to talk to you in a plain, straight forward business manner, and kindly give what we have to say the courtesy which a significant paper bearing on an important public question demands. You can fulfill your obligations as a citizen only by voting intelligently. Unless you already know all about the question, this paper will give you additional information. The impression seems to prevail that if the Zenith City Telephone Co. were out of the field, a Bell Telephone could be had for \$50.00 per year. This is a misapprehension. Do not be deceived. Note carefully the following facts and figures.

Primitive Phones Driven Out.

Up to the time the Zenith City Telephone Co. announced its intention to enter the field Duluth had only the old style, primitive and antiquated outfit known as the grounded system, in which the cost of both construction and maintenance when compared to the present Central Energy system of both companies, were very low. To establish a telephone under the old system a single wire was run from the exchange to the location of the telephone where it passed into the ground. There was no return wire. In the present system a wire not only leads out to the telephone but returns to the switchboard, doubling the former amount of outside construction. Twice as many poles, twice as many cross-arms, twice as much wire. The electric current for conveying the voice was then furnished by a battery costing but a few cents and located in the base of the telephone. The motive power is now furnished by a Central Energy system, the cost of which per telephone is many times greater than that of the former system. The cost of the present switchboard is many fold greater than that of the old system. In the said \$50.00 per year, a telephone is now far more than double that of the antiquated Bell system referred to.

Bell Company would Raise Rates.

What would be the probable cost of a telephone to you with the Zenith City Telephone Co. eliminated from the field? At our coming the price of a Bell telephone was \$50.00 per year but since the Bell telephones are now furnished from a plant costing nearly three times as much for each telephone installed as did the primitive outfit from which the \$50.00 telephone was furnished, in order to make the same per cent on the investment it would be necessary to charge more than twice the \$50.00. Provided the cost of labor and material were unchanged and the number of telephones the same, the logical price would merely be in excess of \$100.00. There has, however, been a large increase in prices. In the said \$50.00 per year, construction men were paid \$2.00 per day or less for ten hours. Now they are paid \$2.75 for an eight hour day. An increase of 72 per cent. While not all telephone labor has increased so largely, it is safe to say that there has been an average increase of 50 per cent on all the elements entering into the cost of furnishing a telephone. Accordingly we must add 50 per cent to the \$100.00 making the present cost of a telephone based upon the former price, in excess of \$150.00 per year. While \$150.00 per year may not be a high price for a telephone and actually is so, yet it would not be a high price here when compared with Bell prices elsewhere.

Cost of Installing Phones.

The average normal cost of installing and operating a telephone in Duluth is probably greater than that of any other city in the country. It costs ten or more times as much to set a pole in our Duluth Grants as in the soil of the average city. The same is true of excavating for underground work. We can learn of no other city where so many miles of wire are required to establish an equal number of telephones. In Minneapolis, where you will doubtless agree, a phone could be furnished much cheaper than here, the price of the Bell Telephone furnished from the antiquated ground system, was prior to the present opposition, \$120.00 per year, with a 10 cents toll to St. Paul worth from \$5.00 to \$10.00 per telephone per annum. In Chicago, a compact city, with no rock or hills, the price with a service far inferior to what is rendered here, is \$175.00 per year for business and

(Continued on page 5.)

TROUBLES IN STORE FOR THE STEEL TRUST

THREATENED STRIKE OF THOUSANDS OF STEEL MILL EMPLOYEES.

Caused By Wage Reduction. Men Own Their Homes and are Prepared for a Battle of Five Months Duration. Steps Being Taken to Organize a Union of Steel Workers in Historic Old Homestead.

Pittsburg, Pa., Jan'y. 14.—Five thousand men employed in the Carnegie steel mills at Homestead have informed Superintendent Hunt that if their wages are reduced a strike. Last Monday they took steps to form a union, and after this has been accomplished a general strike will result unless the company decides not to cut wages.

The rollers and heaters, the highest paid men in the big mills, have been getting \$3.75 per hundred tons. The company cut this to \$1.75. The men in their schedule are willing to accept \$2.00.

The Carnegie Steel Company is now dealing with men who own homes, who have been prosperous since 1899 and who can order a strike of four or five months without distress.

These facts worry the company officials more than the project of fighting the Amalgamated Association. The latter will throw its efforts in behalf of the Homestead millmen because it means a similar reduction to the union workmen.

The executive committee of the Amalgamated Association of Steel Workers have ordered 3,000 men employed in two of the Steel Trust's factories to go out on strike.

This action was taken because the men declared they would no longer work at reduced wages, while the Trust's profits remained unaffected. The men who were ordered out were employed in the plants of the Canonsburg Sheet & Tin Company and the Glassport Hoop Mills, of the Pittsburg Steel Company.

There is a generally expressed opinion here that this is the beginning of a strike that will reach the proportions attained by the steel strike of 1902. Steel officials profess to believe, however, that there is no danger of the strike spreading.

KNOCKS OUT MINERS IN FIGHT FOR HOLIDAY

Labor Commissioner Decides in Favor of Coal Barons.

Seranton, Jan. 14.—Carroll D. Wright, the umpire appointed by Judge Gray, chairman of the Anthracite Strike Commission, to decide the Saturday half-holiday question in the Schuylkill region, has decided against the men.

The miners recent the decision. They say every point submitted to the Labor Commissioner has been invariably decided against them. For many years previous to the recent big strike they enjoyed the Saturday half holiday, and they believe they should still be allowed it.

When the matter was submitted to the Conciliation Board the miners' representatives on the board voted in favor of the holiday, and the operators' representatives against it. There was a deadlock, and Wright was appointed umpire.

There has been much dissatisfaction among the miners with Wright as umpire, and his latest decision is certain to make him more unpopular. The board is now deadlocked on five matters, and is about to ask Judge Gray for an umpire to decide them. If he reappoints Mr. Wright there will be a storm.

FIRE DEPARTMENT TO WAR ON UNION LABOR

Chicago, Jan. 14.—The Chicago fire department will compel union labor employees of the fire department to withdraw from unions or retire from the city's service. The fire chief will commence war against the organizations next week. Sufficient time will be given the firemen to withdraw from the unions in compliance with the rules of the organization, but if any employee has not withdrawn by Jan. 15, charges will be preferred against him for violation of orders.

METAL MECHANICS AND MACHINISTS TO AMALGAMATE

Indianapolis, Jan. 14.—Amalgamation of the members of the International Association of Allied Metal Mechanics with those of the International Association of Machinists is practically assured as a result of action taken at the convention of the former organization, when it was decided to put the proposition of amalgamation to a referendum vote of both organizations.

JOHN MCNAMARA TO EDIT FIREMAN'S MAGAZINE

Columbus, O., Jan. 14.—John F. McNamara, of Columbus, O., chairman of the grand executive board of the Brotherhood of Locomotive Firemen, has been elected editor of the Firemen's Magazine.

ACCEPTS REDUCTION.

Pittsburg, Jan. 14.—The 3,000 employees of the Edgar Thompson Steel works of Pittsburg, and eleven blast furnaces of the Carnegie Steel company at Braddock have accepted the reduction in wages offered them. There was little objection to the scale except in some of the smaller departments, where day wages and salaries are paid. The tonnage men in the converting mills and bloom mills of the plant receive the heaviest cut, which is from 10 to 25 per cent.

MEMBERS MUST LIVE UP TO LAWS OF UNION

SUPREME COURT OF NEW YORK DEFINES RIGHTS OF UNIONS.

Important Decision for Union Labor Handed Down By Court in Which the Right of a Union to Compel Its Members to Abide by Its Laws, Courts Cannot Interfere in Such Cases.

Albany, N. Y., Jan'y. 14.—A most important decision, settling finally the right of unions to compel strict compliance with their constitutions and by-laws, and otherwise of great interest to union labor, was handed down in a New York court recently. The case was that of two known union men against Stereotypers' Union No. 1.

Supreme Court Justice Leventritt decided that Louis Quanchi and Chas. A. Bailes are not entitled to an injunction restraining the New York Stereotypers' Union No. 1 and its officers from interfering with their employment on the New York Herald or from demanding that the Herald discharge them. Quanchi has been superintendent of the Herald's stereotyping department for seventeen years, and Bailes was his assistant. Some time ago they discharged James J. Freely, a stereotypist, on a charge of general incompetency, and Freely then made charges against them before the union, accusing them of malice and persecution and of having plotted to cause his discharge. Quanchi and Bailes were notified to appear before the union, and their request for an adjournment was overruled. They were summarily tried and expelled on the recommendation of the executive committee of the union.

George G. Ailinger, president of the union, then called at the Herald office and demanded the discharge of the two men as non-union workers. In view of the fact that a strike would certainly be called in the Herald shop if the men continued to work, the Herald notified the men that they would not be allowed to work, but that their pay would be continued until the legality of the union's action could be determined. Quanchi and Bailes got out a temporary injunction restraining the union from interfering with them, and Justice Leventritt was asked to make this injunction permanent. In denying that application Justice Leventritt says:

"It is not disputed that the rule in regard to voluntary associations of this character is that the constitution and the relations between the association and its members, and that the courts cannot redress any action of the association expelling or punishing a member when such actions have been taken in accordance with the express provisions of the constitution and by-laws. Individuals who form themselves together in a voluntary association for a common object may agree to be governed by such rules as they think proper to adopt, if there is nothing in them to conflict with the law of the land, and those who become members of the body are presumed to know them, to have assented to them, and they are bound by them. In this case at bar every provision of the constitution and by-laws to which the plaintiffs subscribed was duly complied with, and although the punishment of expulsion inflicted seems out of all proportion to the offense charged, I am powerless to interfere. After their expulsion the notification to their employer that the members of the association of which the defendant is president would not work with the non-members was lawful. I am constrained to deny both motions, and have no alternative but to vacate the preliminary injunction."

NO AGREEMENT WITH CARPENTERS

Indianapolis, Jan. 14.—Dennis Mulcahy and Thomas Kidd, President and Secretary of the Amalgamated Woodworkers' International Union, have returned to Chicago, having failed to reach any agreement with William D. Huber and Frank Duffy, President and Secretary of the United Brotherhood of Carpenters and Joiners, in regard to the recent ruling of the American Federation of Labor that all members of the United Brotherhood who are employed in the mills should be transferred to the Amalgamated Woodworkers. About 35,000 men of the Brotherhood of Carpenters are directly concerned by the order of the Federation. Another meeting will be held in Chicago between January 1 and 18.

A Year of Irregularities.

New York, Jan. 14.—Bradstreet's in its annual review of 1904, says that it has been a year of irregularities in the commercial and industrial world. It declares too swift a pace had been struck up to middle of the year, when troubles began to pour in from labor dissensions and business depression. It says that unsatisfactory conditions certainly confront the opening of a new year, but hopes that these will be dispelled as the year wears on.

No Settlement Reached.

Gloversville, N. Y., Jan. 14.—No settlement has been reached between the glove manufacturers and the striking table-cutters. A protracted struggle is predicted. Unless some conclusion is reached early next month other glove workers will probably be called out, thus tying up the industry in that vicinity.

CREATES NEW PRECEDENT.

Chicago, Jan. 14.—Judge Holden created a precedent in Chicago by fining a labor union as a corporation, this being, it is said, the first action of its kind ever taken by a court in the history of trade-unionism in the United States.

CRIME TO RAISE WAGES HOLDS N. Y. GRAND JURY

FOUR UNION MEN INDICTED FOR ADOPTING WAGE SCALE.

Strange Proceedings By a Rochester, N. Y., Grand Jury. Indictment Says The Defendants Conspired to Fraudulently Commit Acts Injurious to Trade and Commerce. Ancestral Revived for a Cause.

Rochester, N. Y., Jan'y. 14.—Astonishing as it will doubtless seem to most people a grand jury here has indicted Francis J. McFarlin, Wm. Challice, Michael O'Brien and T. M. Guerin for conspiracy to raise wages. The accused are members of the Carpenters' Union of Rochester. Their offense was fixing a wage scale of not less than \$2.25 a day, "which price," says the indictment, "was far in excess of the fair market value of a day's work." It is set forth that the accused, with others unknown, elected officers and delegates and proceed to carry out their conspiracy.

Perhaps it will be interesting to quote from the indictment. Here is a paragraph:

"On the first day of May in the year of our Lord, 1903, did unlawfully, fraudulently, maliciously, and corruptly, conspire, combine, confederate and agree together, and to among themselves, and with divers other persons whose names are to this grand jury unknown, to commit acts injurious to trade and commerce and did then and there commit acts injurious to commerce in the manner following:

The indictment proceeds to show that the accused also "destroyed all competition among themselves" so that good money-making citizens of Rochester could no longer hire them for a song. The full text of the legal advertisement would fill five columns of the Labor World, but this give a fair idea of it.

This is probably the first serious attempt to prevent the rise of wages by indicting unionists for conspiracy, since the infancy of labor organization in America in the early part of the last century. It reads much like a part of the legal history of our ancestors in the days when the Connecticut blue laws were thought necessary to regulate human conduct. The idea is so entirely preposterous that it can result in nothing but the extensive advertisement of the assiduity of a Rochester grand jury. And yet it has.

of the employing class in that section, and makes it clear enough what they would do if they could. It ought to show workmen, too, the urgent necessity of using their ballots right.

MITCHELL TALKS ON IMMIGRATION QUESTION

Pittsburg, Jan. 14.—John Mitchell, president of the United Mine Workers' Union, says on the immigration question: "Immigration should be restricted much more than now. No matter how decent and self respecting and hard-working the aliens who are flooding this country, may be, they are invading the land of Americans, and whether they know it or not, are helping to take the bread out of their mouths. America for Americans should be the motto of every citizen, whether he be a workman or a capitalist. There are already too many aliens in this country. There is not enough work for the many millions of unskilled laborers, and there is no need for the added millions who are pressing into our cities and towns to compete with the skilled American in his various trades and occupations. While the majority of the immigrants are not skilled workmen, they rapidly become so and their competition is not of stimulating order."

LABOR CONVENTIONS TO BE HELD IN 1904

Chicago, Jan. 14.—The following labor conventions will be held in the Ohio Valley States in 1904:

Cincinnati — May 8, Amalgamated Meat Cutters' Union and Butcher Workmen of North America; Aug. 1, International Brotherhood of Teamsters. Jan. 18, Indianapolis United Mine Workers of America; May, Columbus, O., Tin Plate Workers International Protective association; Sept. 12, Indianapolis, International Union of United Brewery Workers; Oct. 3, Paducah, Ky., International Union Shipwrights, Joiners and Caulkers of America; Oct. 4, Louisville, Journeymen Barbers' International union; Oct. 10, Sandusky, O., Coopers' International union.

SIX THOUSAND MEN DEPEND ON 300 FOR WORK

Chicago, Jan. 14.—There are about 6,000 men in the Illinois Steel Company's plant in Chicago who depend upon 300 skilled men in the rail, plate and converting departments. Their wages range from \$6 to \$30 a day, the latter figure being for the men who tell when the blast of the furnaces is ready for pouring. There are at least 1,000 helpers in these departments who work for less than \$2 a day.

ASK CONGRESS TO PENSION OLD LABORERS

Memphis, Jan. 14.—The Tennessee State Labor convention at Knoxville recently passed a resolution asking congress to pass a law granting a pension of \$12 a month to every workman who shall have reached the age of sixty years and have earned less than \$1,000 a year. The law is to be modeled along the lines of the New Zealand pension law for laborers.

DEPORTATION FROM STATE LATEST THREAT OF MILITARY

Governor Peabody and the National Guard of Colorado at the Command of Men of Millions. Liberty, Freedom—Every Constitutional Right Destroyed by Military Authorities.

Denver, Col., Jan. 14.—The injunction issued on Thursday night in Judge Seeds' Court in Cripple Creek against the officers in command of the National Guard and a number of mine owners, by counsel for the miners, restraining the militia from molesting members of the Western Federation of Labor with regard to the "vag" order, seems to have had the desired effect in stopping the arbitrary actions of the soldiers in the district.

Colonel Verdeckberg, commanding the troops, is between the devil and the deep sea and is at a loss to know what move next to take. While officers continue to talk a la Bell, it is not believed they will ignore the writ of Judge Seeds.

Governor Peabody, it is reported, has advised them to act carefully in the matter.

Should the military authorities run counter to the injunction the case will then be taken to the Supreme Court to test the Governor's power in placing the district under military rule and deporting miners, and it is known that the administration is afraid of the decision of that tribunal.

The National Guard officers have refused service of the writ, but have made no move to disobey it. Several mine owners have agreed to abide by the order.

Attorney General Miller is of the opinion that the military cannot evade the injunction, and declares that so long as the military officials know of the existence of such writ they are compelled by law to obey it, whether or not service has been accepted.

A few minor arrests were made last night, the charges being other than vagrancy.

With a State National Guard doing the bidding of a Governor unfriendly to organized labor and an association of multimillionaire mine owners who have taken \$100,000,000 in gold out of the Cripple Creek district in the last ten years on one side and a mere handful of tolling miners on the other side, the strike which was called by the Western Federation of Miners August 10 last is no nearer settlement today.

Though the mine owners, the Governor and the military authorities have done everything in their power to kill the strike.

The mine owners believed martial law would grind under its heel the miners in Cripple Creek, and martial law was declared to give supreme power by the Governor more than a month ago.

But in spite of martial law the Western Federation of Miners is keeping up its unequal fight, and just as the mine owners felt they dealt the Federation its deathblow the spirit of unionism asserted itself in Telluride and Governor Peabody this week placed the ban of martial law on San Miguel County.

Press Is Pleased.

With a press which is dominated by men who have accumulated fortunes opposing them and only one organ on their side, the miners have stuck bravely by their organization.

Despite military oppression they have dared to oppose the mine owner's plan to crush their organization out of existence.

Already the strike has cost the State of Colorado \$6,000,000. The output of gold from the state this year shows a decrease of \$6,428,000, which Director of the Mint Roberts in his annual statement from Washington lays directly to the strike.

4,000 Were Involved.

One of the largest mine owners was unbiased enough to acknowledge that mine and some rights which employments must recognize, and before other members of the association could stop him James Burns, the owner of the Portland, signed the Federation agreement.

As a result his mine is working full time with a force of almost six hundred men—all union workmen. In addition to this there are few smaller properties in which union men are employed—altogether probably 800 men.

Four thousand men or more are out of work and stand idly by while mines operated by members of the Mine Owners' Association are manned by nonunion miners—strike breakers imported to the district from other camps where they had shown their efficiency in that capacity.

Charges Against Governor.

Governor Peabody sent troops into the Cripple Creek district in spite of the protests of citizens and peace officers, including sheriff, district attorney, county commissioners, justices of the peace and city officials, who assured the Governor they were fully able to preserve the peace.

Declared martial law while all the courts were in opposition and business progressed undisturbed by strikers. Ordered the suspension of the writ of habeas corpus on December 5, 1903, in the case of Victor Paul, one of the miners under arrest.

Refused to withdraw the troops despite the numerous protests of representative citizens and officers of the law.

Permitted mine owners to use the militia officers like puppets, ready to carry out all their whims.

A representative of the Sunday Chicago American, who visited the district, found that a month's reign of the military authority had cowed the striking miners into silence.

Effect of Military Rule.

The militia and the mine owners have taught the people to look upon

STATEMENT BY J. C. COLE, Deputy District Attorney.

To the Editor:

There was never a time prior to the calling of the National Guard into the Cripple Creek district that the civil authorities were not amply able to enforce the laws of the state.

Nor has there been any time since.

Governor Peabody sent the National Guard without consulting the civil authorities and against their protests.

Governor Peabody's commission appointed to investigate the conditions here prior to the order out of the militia arrived here at 9 o'clock in the evening and left the following morning at 4 o'clock. Their investigation was supposed to have been carried on in the intervening seven hours of the night, and none of its members made an attempt to consult me.

Since their arrival in the Cripple Creek district the militia has violated the rights guaranteed to citizens of the United States by the constitutions of the United States and the State of Colorado.

I am glad and thankful to the labor papers that they are investigating the conditions in the Cripple Creek district and give to the public an unbiased account.

J. C. COLE,
Deputy District Attorney.
January 9, 1904.

STATEMENT BY P. J. DEVAULT, Assessor Teller County, Colo.

To the Editor:

In my opinion the National Guard in the Cripple Creek district has gone beyond the law in arresting men on pretexts and against whom they preferred no charges. It is evident from their actions that their purpose here was to break the strike, rather than maintain order when disorder did not exist.

Signed a petition asking Governor Peabody to withdraw the troops, because their presence here is not and was not needed.

The fact that the militia has released prisoners rather than have the court pass on their right to hold them is a confession of guilt on the part of the military authorities.

P. J. DEVAULT,
Assessor Teller County.
January 9, 1904.

"union" men as lawbreakers and criminals.

Charges of cruelty and violation of civil rights against the militia could be heard on every side.

To the citizens of other states who know naught of what it means to be dominated by the military arm a summary statement of the accusations against the militia will prove a revelation.

Here are a few of the most glaring offenses.

Before the Cripple Creek District was proclaimed to be under martial law the military authorities who were supposed to be merely policing the district and acting in conjunction with the civil authorities of Teller county, arrested men on pretexts without warrants.

They raided the homes of citizens in the dead of night.

They arrested schoolboys for taunting strike breakers.

They confined prisoners in the "bull pen" in Camp Goldfield, and without preferring charges kept them under arrest for days.

They maltreated the prisoners, threw them to the ground and poked their bayonets against their helpless bodies. The refused to release their prisoners until habeas corpus proceedings were begun.

They took possession of Judge Seeds' court—intimidated the Judge by their presence and trained a gattling gun on the courthouse to show the supremacy of the military law.

Though Judge Seeds ordered the release of the prisoners the military authorities rearrested them as soon as they stepped outside of the courthouse. They took these prisoners and kept them in the "bull pen" in Camp Goldfield.

The military authorities forestalled a decision of the Supreme Court of Colorado by turning the prisoners over to the county authorities a few days prior to the time set for the hearing of the cases on writ of habeas corpus.

In a letter which Mr. J. C. Cole, Deputy District Attorney, wrote to the Governor, endorsing the acts of the military authorities, he gave the chief executive his opinion as follows:

"I will state to Your Excellency that it is the desire of this office, and especially myself, to enforce the law wherever I find it is being violated.