

GOLDFIELD GRAND JURY ACTS

Special to the Montana News—
Goldfield, Nev., Dec. 29, 1907

At yesterday's session the grand jury of Esmeralda county, of which George Wingfield, the vice-president of the Consolidated Mines company, is a member, formally passed a resolution, recommending that a board of arbitration be appointed to act on the industrial situation.

It is suggested that the board consist of twelve men, four to be selected by the mine owners, four by the miners and these eight to select four others.

The miners have signified their willingness at all times to meet the mine owners in conference. President Mahoney says they are not seeking any audience with bodies that ignore them but the operators will find them ready to listen to any advances.

The "Nevada Workman," the organ of Goldfield Miners' union, is getting a good deal of amusement out of the fact that William Erb, secretary of the Mine Operators' Association, and Henry Webber, a wealthy and prominent member of that organization, were arrested Christmas night for disturbing the peace, raising Cain generally and discriminating hooting and other commendable acts to make of Goldfield a veritable city of dreadful night. A deputy sheriff took them in charge and they were later released on bond. The next morning in the justice court Mr. Erb was fined \$20 and the case of Mr. Webber was continued. These are two of the "law and order" gentry that are raising heaven and earth to have the miners' union destroyed on the grounds that it is an organization of lawless men.

They are typical of the rest. Nowhere can a lower, more ignorant and more indecent set of capitalist class be found than among the mine owners of Goldfield; and the "Workman" says it is up to the miners to secure an injunction in restraint of the mine owners association on the ground that it is an organization of drunken soaks and rowdies.

Six Millions and a Half in Velvet.
This is the size of the dividends distributed during the year by the mines and leases of Goldfield. And the labor troubles are blamed for diminishing this golden stream by a fourth. Yet with this Uida wealth in their hands the mine owners are seeking to diminish the wages of those who dig the glittering treasure from the earth, and discounting even this with a depreciated scrip.

Goldfield, Nev., Dec., 29, 1907

Events are moving forward rapidly in the affairs of the industrial circles

of the great gold camp the last few days.

On Thursday, Dec. 26, the Goldfield Consolidated Mines company through its vice-president, George Wengfield, filed a lengthy complaint in the United States court at Carson City asking for the dissolution of Goldfield Miners' Union No. 220, sensational allegations were made in the application for injunction. The union was designated as "incendiary, illegal and contrary to sound public policy." An order was asked for restraining the union from holding meetings pending the action of the court.

As a foundation for the action the Consolidated Mines company swears that "the local union is really a criminal society and a conspiracy to agitate the questions that tend to subvert the general principles of government." The bill of complaint says one of the cardinal principles of the organization is continuous warfare between employer and employed, that the union is in restraint of trade and clearly illegal.

It is stated with authority that the institution of these proceedings in the United States court may be traced directly to the order of President Roosevelt.

Besides the local union itself being made defendant, the Western Federation of Miners is called upon to make reply to the complaint, as well as all officers of the local union and those serving upon committees who are cited "appointed to carry out the unlawful commands and conspiracies of aforesaid organization."

The document reads like a page from the ancient witchcraft organizations. It is ludicrous in its medieval ignorance and assiduity.

The operators also complain that Union No. 220 is a part of another larger organization known as the Industrial Workers of the World which has in its ranks not only miners but all other laborers of the Goldfield mining district.

A history of the alleged atrocities of the Western Federation of Miners throughout Colorado, Idaho and Montana, including the Steunenberg case and all other crimes and horrors with which the great labor organization has been slandered, is freely rehearsed, including the sentence, "so powerful has the union become that the ordinary officers of the law have been unable to cope with it."

The Goldfield mine operators have really achieved an intellectual feat in defining the grand principles of the class struggle. The document would really make a good propaganda sheet.

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PETTIBONE FOUND NOT GUILTY

Special to the Montana News—
Boise, Idaho, Jan. 4, 1908

It proved an intelligent move when the defense decided to rest its case and rely upon the Haywood rulings for acquittal.

However, many were apprehensive because the defense had stated it would make no argument. They were afraid the prosecution would take advantage. Hawley made sure he would not be answered before he made his grand harangue. He stood before the jury, tore and twisted and mixed up the evidence, misrepresented the indictment and perverted the law. Again and again he accused the defense of cowardice for not putting its star witnesses on the stand. He said Pettibone dare not testify, Haywood dare not, that Easterly, Davis, Ackman, Malich were there but kept mum. These declarations did rattle a juror or two until they took into consideration the state of Pettibone's health, and the fact that the remaining testimony was identical with that given in the Haywood case.

The testimony of the prosecution was all in and none of it tended to connect the defendant with the killing of Frank Steunenberg. The testimony of Orchard had not been corroborated. The law could not convict.

But Hawley stood for more than three hours before the jury, a living lie. So plain his perversions, his flattery and his hypocritical reference to Orchard's fear of God that it acted some what as an emetic to almost the entire crowd.

Judge Wood made it a specialty to rectify the gravest of Hawley's misrepresentations. He advised the jury that it was their duty not to take into consideration nor rely upon an attorney's opinion. That they must decide upon the evidence only.

In his instructions he reminded the jury more than once that Pettibone was on trial only for the killing of Steunenberg, and that "the evidence

of corroboration under the statute as to the killing of Steunenberg, as an independent transaction, is not sufficient to warrant a conviction."

The instructions, while not unfavorable to the defense, were more binding than in the Haywood case as more stress was laid upon the possibility of a general conspiracy among the leaders of the Federation.

The jury retired about 9 o'clock Friday night. The crowd dispersed from the court room except Pettibone, his wife and attorneys and a few friends. Until nearly midnight a crowd lingered on the outside. About 11 o'clock Pettibone became sleepy and retired for the night. Mrs. Pettibone waiting at his bedside. It was only a few minutes until Pettibone was sleeping as sound as a child. At midnight Perky and Hilton retired and among those remaining were Moyer, Anna Adams, Max Malich, Billy Easterly, Conates, Breen, Nugent, Whitsell and wife. There was a continual sally of mirth and wit. Peter Breen and Max Malich made our sides ache with laughter as they clashed their Irish and German wit. Nugent was the thermometer of the crowd. Whitsell and Clifford lulled us with snatches of song and verse and girlish Mrs. Whitsell carressed and teased us all. Anna Adams stirred the fire, and mothered the crowd. She scolded us if we tried to eave drop, but she, dear girl, it was all right when she tipped lightly and listened to catch a word of that precious pending verdict.

At midnight some of us went to lunch and brought back some for those who remained. As the hours wore on, we urged one another to nap. Moyer said, "I'll never close my eyes until George is safe."

Max Malich stretched out on the prosecution's table, placed a stock of law books under his head and his pipe

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Not by a Jury of their Peers

Cutts, Edwards and Shannon, Three Butte Union Men, Sent to Jail

VIOLATED ONE MAN MADE LAW

Edwards Believed to Be Innocent Man —Government by Injunctions on the Rampage

Last Friday afternoon Judge Hunt in the Federal court of Helena sentenced Joseph Shannon of the Butte Miners' Union to ninety days in jail. Wm. Cutts of the Butte Carpenters' Union to ninety days in jail and \$250 fine. A. S. Edwards of the Butte Central Trades Council to ninety days in jail and \$100 fine for having contempt of government by injunction.

The fourth defendant, R. C. Scott, of the Butte Workingmen Union, was discharged.

The defendants were charged with leading mobs in Butte for the purpose of running scab linemen out of the camp and taking a scab of the scab phone building that is now in course of erection in Butte.

It was general talk on the streets of Helena Friday afternoon that Shannon, Cutts and Edwards would be found guilty. Where this information came from, we cannot say but the local citizens' alliance men seem to have had a general forecast of the verdict.

We are opposed to mob law. The socialist party is opposed to mob law and always advises union men against such methods. The socialists believe that intelligence on the part of the workers will solve the labor problem. When the working class becomes intelligent enough to run the affairs of the country and displace the capitalist then and not until then will the labor problem be at an end.

However much as we are opposed to mob law, we must oppose such sentences as were given the union men of Butte by Judge Hunt. In the first place the men did not violate a state law, but a one man made law, a government by injunction law, and in the second place the men were not tried by a jury of their peers, but judged by the legislator, who made the injunction law. A labor war is on in this state, two contending forces are lined up. The Bell Telephone company and Organized Labor. Labor had the whip hand and the corporation was being whipped to a stand still all along the line, but they have an ally laying in reserve and that ally is the Federal court whose judge comes to the rescue of the beaten capitalist and flings an injunction at labor, whereby labor must stand still and dumb and the corporations do as they please. An injunction is something that corporations are exempt from in a labor war but which labor is bound to respect or go to jail.

In passing sentence, Judge Hunt said, "Is this a government of law or are we at the mercy of a mob." In our opinion mob law was created when the injunction was granted the scab phone company. Force creates force, unlawfulness on the part of the authorities create unlawfulness on the part of the mob. No one man has a right to create a law, enforce that law and pass sentence on the violators of the law he himself has created. Yet, this is the power given judges through government by injunctions.

The whole trial was a travesty on justice. A. S. Edwards, who was sentenced to ninety days in jail and fined \$100, is an innocent man. The evidence against him was weak. The judge would not accept it, but according to the judge's own words, Edwards was sentenced to jail on general principles and because the judge did not like his appearance. Edwards has a record of his actions, time and place for months past. He had received warning that the corporation was after him and he took no chances, but done his best to keep out of trouble and

he succeeded until the U. S. marshal got hold of him.

Ninety per cent of the adult population of Silver Bow county believes Edwards to be an innocent man and that the judge was entirely in error or biased when he sentenced him.

The majority of those who were present in the court room during the trial and heard the testimony reached the conclusion that the evidence was all in Edwards favor. The trouble with Edwards was, he was to accurate. He kept his notes too well.

It is the common talk on the streets of Butte and among the union men of Helena that the basis for the sentence that Edwards received was owing to the fact that he has a damage suit in the courts for \$10,000 against the Bell Telephone company and had he not that suit against the company he would not be in jail today.

Perhaps Judge Hunt did not know anything about this damage suit of Edwards, whether he did or whether he did not, the union people of Montana believe that the damage suit and the sentence are related.

The entire trial has not increased the respect of the workers for courts that issue injunctions in labor disputes and union men have just reasons to complain. The union men claim that evidence they desired to introduce was overruled by the judge but the scab phone company could get in anything they desired as evidence.

On the sixth day of October at 3 P. M. in the city of Butte General Manager Murray of the scab phone company put his hand on a copy of the injunction granted by Judge Hunt and laughingly said, "This is the document that will defeat the unions of Montana." And he has been very arrogant in his dealing with the unions ever since, and on the first day that the trial of Plunkett and Lenihan took place, General Manager Murray boasted in front of the Butte hotel that all would be convicted. This time he felt so sure that the union men would be convicted that he remained in Salt Lake.

Judge Hunt in passing sentence on Joe Shannon said that he would be lenient with him as he had a wife and seven children. Shannon did not steal anything or committed a felony. Yet this same judge sentenced a man for illegally fencing fifty nine thousand acres of public land to twenty-four hours in jail and fined \$700. If Shannon had only stolen some of the public domain instead of interfering with the business of a scab corporation or roughly handling a scab, it is safe to say that he would be home with his wife and babies long before this.

This government by injunction business is getting to be a farce and is only bringing the courts into contempt in the eyes of the people.

By what constitutional rights has any judge to make laws for the people of a sovereign state.

Have we not a legislature elected by the people to make laws to govern us. Have we not a governor who is executive of the state. What are sheriffs and the police for. Yet here comes a judge not elected by the people, not responsible to the people and makes laws that take predominance over the laws made by a people's legislature, and over the constitution of the state that was adopted by the vote of the people. The worst of it is all those judge made injunction laws are

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LAST STAND AT BOISE CITY

Special to the Montana News—
Boise, Ida., Dec. 20, 1907.

Charlie Neville on the stand all forenoon. Edgar Wilson cross examined him closely concerning the details of the trip he took with his father and Orchard. He was unable to give many particulars except those in which Orchard played a part. The first night out he said he slept between Orchard and his father, but was awake most of the night, that Orchard got up about 2 a. m. and mounted the little "red" horse and rode away, returning about daylight. Charlie says it was the night the Independence depot was blown up. They were camped about 13 miles from Independence. Though Charlie claimed to be awake, he did not hear the explosion and did not remember the horse being fagged the next morning.

Charlie remembered Orchard and his father buying guns at Denver and Orchard giving his father \$500 to take care of. He guessed his father gave it back, but didn't know. Saw Orchard and his father talking confidentially together many times but didn't know what they said. Up in Wyoming Orchard led them for good, his father was arrested and taken to Denver.

Charlie acted some what chagrined when he was called upon to acknowledge that the Pinkertons "herded" him around and that one of them was overseeing him now.

A. E. Carlson testified that W. F. Bradley was connected with the Coeur d'Alenes mines.

Borah read an article from the Miners' Magazine to show that the Federation regarded Bradley an enemy. But the bitterness of the struggle between the mine owners and the mine workers stood out so predominant in the article, that Borah's purpose was lost sight of.

Mrs. Ida Toney, clad in a neat gray costume, timid and harmless looking, took the stand this afternoon. She related how Orchard was not out late nights, that he high graded. That he was a member of the Federation and knew Moyer, Haywood, Pettibone, Davis, Easterly, in fact most of the miners—that they were sometimes together—that she saw a telescope of bottles in Orchard's bedroom, didn't know what they were for. She saw some men dig up a box behind the barn since Orchard's arrest, didn't know what was in it. She said the Federation headquarters supplied her with relief money the same as the families of other strikers. She told how Orchard went up to Denver shortly after the Vindicator explosion and she hadn't seen him since.

In cross examination Darrow drew from her the fact that she had been

for over a year in close touch with the officers of the mine owners' association. That they had conferences with her concerning this case, gave her boy work. That Pinkertons have interviewed her frequently, given her \$65 and bought her ticket to Boise and are on hands now. Her attendant, Mr. Brown, who is a Pinkerton, was asked to stand up, so the court might know he was at his post.

Mrs. Steve Adams in the court room today, here to testify for the defense.

Boise, Saturday, Dec. 21.

Cross examination of Mrs. Toney continued. She knew Detectives Scott and Sterling had seen Orchard with them; soldiers searched houses during Cripple Creek strike but not hers. The night of the derailing of the Independence train, Orchard was out for 10 or 15 minutes in his night dress. Carlton, secretary of the mine owners' association, had refreshed her memory on this subject.

She says she does not want nor try to remember the misery she has passed through the last few years, that she has almost been crazy and were it not for drugs she would not be able to be on the stand today.

She claims she doesn't like the Pinkertons, wouldn't trust them and yet she signed a statement of what she was going to testify, to a Pinkerton and had allowed one of them to revise it several times.

Mrs. Orchard's son, Mark Toney, testified that he knew Orchard high-graded. That he saw Pettibone only twice, once at Orchard's house, once at Denver. Neither saw nor heard anything suspicious either time. Mark said he got money from Detective Pettimen and started to Boise from Carlton's bank. He owned that Detective Cole and Davis watch him now, eat with him, and sleep close by.

Monday, Dec. 23.—Mrs. Toney was recalled to the stand by defense to identify letter written by her to Fred Miller at the time of Orchard's. This letter was vigorously objected to by the state.

Mark Toney again took the stand to identify a letter written by him to Darrow. Both letters will be offered in evidence by the defense.

E. M. Sabin, a lawyer of Colorado Springs, testified that Lyte Gregory had been guard and detective of the Sun and Moon mine. Gregory was to be a witness in criminal proceedings on the charge of arson against the Federation for blowing up the Sun and Moon transformer house. Also charge of conspiracy was pending. Between the two trial Gregory was killed.

Cross examination brought out the

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ARMED TRUCE IN GOLDFIELD

Special to the Montana News—
Goldfield, Nev., Jan. 3, 1908

The industrial atmosphere at Goldfield presents the impression of armed and opposing forces during a truce. According to the report of the picketers at the meeting of the miners' union Tuesday night, 4 scabs had quit during the week and 68 were working on that day.

In spite of word to the contrary that the daily sheets are trying to convey the town is full of deputies, more than 50 being in constant requisition.

At the request of the Federation the hearing of the answer to the complaint of the mine owners against the union has been postponed until Jan. 10.

Roosevelt has evidently felt that that Democratic Governor Sparks was endeavoring to draw him into a political trap by beguiling him to order out the federal troops in a peaceable strife and thereby draw the wrath of the Federation voters upon him next election. But his strenuousness sidestepped gracefully by throwing this responsibility upon his excellency and demanding that he get the support of his legislature if he wants governmental aid.

The union men seem to be a unit in preferring the presence of the troops to that of Sparks' deputies or a Diamondfield Jack constabulary.

Capitalistic Prop.

The opinion seems to be widespread that in case the mine owners and Governor Sparks fail to get legislative support to their military scheme, Diamondfield Jack will have the mobilizing of some sort of legalized state thugs to make trouble among the men who won't work. When the slave won't work he must be made to work.

Diamondfield Jack is the administrative Thurgerton representative. His real name is Jack Davis. He and Sparks were Texas rangers in the Lone

Star state years ago. No wonder Sparks favors that form of rounding up the working class. His associations are familiar to his rum-soaked brain.

Later transferred to barren Nevada, Diamondfield Jack ranged the cattle of Sparks through southern Idaho. The usual war was on between the cattle and sheep men. In this section of the country it took a somewhat different phase, and developed into a fight between the Mormons and gentiles; the Mormons defending the sheep business and the gentiles the cattle ranges.

The report is that Sparks wanted some sheep herders killed that Davis rode forty miles one night and back to do the deed and establish an alibi. He was tried for the crime, convicted and sentenced to be hanged. The tale is really appalling. Sparks had put up half a million dollars for his defense, and through his instrumentality Davis was pardoned. The Mormons had cut the telegraph wires and messengers had to outride the wind to get the reprieve to the condemned man before the sentence was executed. The black cap had already been adjusted and Sparks' right bower retains cap and the rope as interesting relics among the souvenirs of his adventures.

He has roamed over quite a patch of the globe, hunting the come of which he has found in the South American revolutions. He at one time owned some of the richest prospects in Goldfield, Diamondfield, as it was called then. Most of these he has lost at this time, his wife has left him and he is generally down at the heel. No doubt, to organize a Nevada constabulary for his friend Sparks even though he had to do it sub rosa, would be a welcome revival to him, both in his interests in life and in purse.

Capitalists Fight for Product.
Everything points to the fact that the squeezing out of the small man, the tragic game that is being played

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GOVERNMENT BY INJUNCTION.

We are opposed to government by injunction. We are opposed to any method of jurisprudence which makes a Czar of a judge, allow him to make arbitrary laws, and sentence men to jail for violation of his self-made law. We are opposed to government by injunction because it deprives a man of the right of a trial by a jury of his peers. We do oppose and will oppose any and all acts of court or king subversive of democratic institutions and destructive of all liberty.

The Socialist Party and Social Reform.

"Formerly," said Liebknecht, "people used often to say that the only means of winning the masses to Socialism was to leave them alone till their impoverishment was completed, and then despair would bring them to us, but no one believes in that nonsense any longer."

These words were uttered some ten years ago. They have reference to a position that received the support of Socialists in the early years of the movement.

In spite of the fact that this position has been long abandoned (as Liebknecht's words denote (there are large numbers of the rank and file of the present day movement who still accept it, in spite of what Liebknecht says to the contrary. The idea continually crops up in the discussions in our locals, and in conversations with Socialists. So much is this the case that one may say without exaggeration that fully one-third of the party members still retain a belief in it.

It seems clear to the writer that the persistence of the impoverishment theory in the minds of many Socialists must be due to this ignorance of the party's position upon the vital question of social reform. There are some, of course, who understand that position, but reject it because they believe it to be incorrect. But in the writer's opinion they are very much in the minority.

This assumption of ignorance on the part of many Socialists may not meet with approval, but it is a fact and it is not well to be blind to it.

How can any member of the Socialist party who has read Part Five of the 1904 platform of the Socialist party—wherein the party considers that to effect the immediate economic betterment of working class conditions, is to furnish that class with new weapons and strength in its struggle against capital—can logically persist in retaining the old impoverishment theory. No one who has read that part of the platform referred to and compares it with the contrary ideas prevailing to a great extent among Socialists, can deny that there is much ignorance existing of the party's present attitude on the question under consideration. To illustrate our point, it will best serve our purpose to outline the progress of party opinion on the reform question, and the conditions which lead up to the abandonment of the old position.

The Socialist party is a party of progress and as such it must be open to new light and sensible to new conditions. New conditions continually arise, and program and tactics must be changed to suit them. "We can never make a perfect and final program," said Liebknecht at the Halle congress of 1890, "for science is making continual progress, and the party must not set up any paper pope in the shape of an infallible program." "If there is any party that has no dogma," said Bebel at the Hanover congress of 1899, "it is the Social Democratic party."

The entire history of the Socialist

movement substantiates the above. To digress slightly: Previous to the attainment of universal suffrage in Germany in 1871 the idea of revolution through force almost completely dominated the party mind. Liebknecht, who afterwards became the movement's most able parliamentary leader, was at that time a firm believer in this method. The prevalence of the idea was, of course, under conditions then existing, natural. The proletariat, unable to obtain anything from parliamentary methods, consequently discarded them—Russia at present furnishes us with a fine example of this. But with the attainment of political power by the proletariat came into being a new condition which demanded a new tactic. That tactic was political action, which was at once adopted by the progressive element of the party. This at once created a division in the party range; the defenders of the new method on one side and those of the old on the other. This fight continued until the German Socialist party definitely broke with the extremists, i. e., the advocates of force, in the Erfurt congress in 1891. The German example was afterwards followed by the international congress in London, 1896, where belief in parliamentary action was made a condition of membership in that congress. Henceforth the party was declared political and parliamentary.

But to return to the question of social reform. With the proletariat acquisition of political power, began at once in real earnest the amelioration process of the economic conditions of the workers. As we have seen, owing to the prevalence of the impoverishment theory among a large portion of the party membership, this process was ignored; patching up, as it were, of the old system, it did not possess any real value in the workers' struggle for emancipation. But after the party declared for political action and proclaimed itself the political party of the working class, it discovered that it was necessary in order to obtain the support of the workers to do something to satisfy their immediate economic needs through the progressive amelioration of their conditions. The old revolutionary phrases were no longer of any use. Some real practical work was needed. While still leading the working classes towards their ultimate goal, the co-operative commonwealth, they must do something for them on the way. The German learned the lesson and used it to advantage. All that the German workers have gained in improvement of their condition is due directly or indirectly to the activity of the German Socialists. Herein is to be found the secret of the success of the German movement; so much has it accomplished for German labor that the entire working population is fast recognizing it as the only logical working class representative. To the same cause can be attributed the success of the movement in France, Italy, England and other countries.

In this country the rapid growth of the Wisconsin Social Democratic party can also be explained in this way. The record established by the Socialist members in the legislature of that state is one that every Socialist should be proud of. They have set an example which the Socialists of every state must copy if they desire a successful movement.

We will now proceed to consider the further progress of party opinion on social reform. As we have seen, the movement's attention was attracted to it by necessity. In it was discovered the sole element of success. The material by which a movement could alone be built up. To effect improvements in the worker's condition was then considered only valuable as a means to obtain the workers' support and direct their attention to the study of Socialism. But as a factor in the work of real proletarian emancipation it was not entertained. For a long time, however, that view has been entirely abandoned, according to the present declaration of principles, all such improvements furnish the proletariat with new weapons and strength in the fight for emancipation.

In proof of this I would again refer the reader to Part Five of the 1904 platform of the Socialist party; also to further substantiate it I give the following quotations from prominent European Socialists: Volmar said in the Stuttgart congress of 1895, "He who raises the position of the working people economically and politically increases their strength for further battles and places a sure foot on the way leading to the final seizure of the powers of state. Said Frau Zekkin at the Hanover congress in 1899, "We promote these reforms not to win the masses, but to raise, with slaves breaking their chains, you may make a momentary riot, but you cannot build a new society. Our whole reform is directed to this end, to raise the working class to a higher economic, intellectual and moral level; and I subscribe with both hands to the remark of Brother Alder that we must work with our whole might for those demands of the present just as if we were working for the attainment of our

JUSTICE IS BLIND

The following individuals were sentenced by Judge Hunt for unlawfully fencing in public land or in other words stealing the land that belongs to the people. The amount of land fenced by each individual was from five hundred to fifty nine thousand acres.

Emil Bircher, \$100 fine and twelve hours in jail.
J. T. Carroll, \$700 fine and twenty-four hours in jail.
Emil Forester, \$240 fine and twenty-four hours in jail.
Adelbert Whitney, \$100 fine and twelve hours in jail.
Daniel W. Slayton, \$200 fine and twelve hours in jail.

This is the way Judge Hunt deals with union men. Note the difference in the term of sentence compared with that given the big land thieves:

For helping to escort a scab out of Butte, Williams Cutts, of the Butte Carpenters' Union, is sentenced to ninety days in jail and fined \$250.

Joseph Shannon, member of the Union Miners' Union, was sentenced to ninety days in jail for forcing a member of the Butte Miners' Union, who was scabbing, to go to the union hall and give up his card.

A. E. Edwards, business agent of the Central Trades Council, an innocent man, is sentenced for ninety days in jail and fined \$100, because the judge did not like his appearance.

A. J. Plunkett, a union lineman, was sentenced to ninety days in jail for calling a scab a scab and punching him on the nose, in Anaconda.

P. D. Lenihan, another Anaconda union man, sentenced to four months in jail for kicking a bunch of scabs in Anaconda.

None of these men were tried by a jury of their peers, although the land thieves were.

great goal itself." The deputies to the German reichstag in their report to the Berlin congress in 1892 summed up the new attitude towards social reform in the following words: "What can be got for working men by parliamentary work is a mere vauitum to sustain them on their march forward—a mere instalment which serves to furnish the proletariat with a little more of the means of battle which they require in order to fulfil their historical mission."

As an additional proof I would also refer the reader to the Erfurt program of 1891 drafted by F. Engels, which unfortunately is too long to quote here.

Did space permit I could quote other authorities, but what I have already given will suffice to establish my contention, that the international movement does consider improvement in the worker's condition an essential factor in their fight for economic freedom. As to the correctness of that position no Socialist can logically deny.

In closing I would like to emphasize that the Socialist can in all sincerity work for the present interests of the workers with the assurance that it is work of real value, that it does not retard the advance towards the ultimate goal, but a powerful means to gain that end.

By elevating working men economically and politically we are getting them more and more for the great ideal of co-operation.

Let us use our energies in this direction; we will then attract the attention of the workers towards us, and thus build up an impregnable organization. The workers need some practical work done, and the sooner we are through with mere revolutionary phrases and get down to real constructive work the better. This is a question of vital importance and as such should have the attention of every Socialist; the movement's present attitude towards it is the result of an enlightened knowledge of conditions, and it has shaped its course accordingly.

In the interest of our great cause let us consider how we can best serve the present and future interest of the workers when the confer upon us political power.

Last Stand at Boise City

(Continued from Page 1.)

statement that Gregory attended the first trial but the prosecution did not call him.

Deputy Clerk Peterson testified in an official capacity in regard to mileage, identifying Fred Miller's illegal subpoena, and set the records right as to who were retained lawyers for the defense.

Tuesday, Dec. 24.—The state closed its case today by putting Judge Gabriel of Colorado on the stand for effect. He testified to nothing, only showed that he was the plant tool of the Colorado mine owners.

When the state rested, Attorney Nugent on behalf of Pettibone filed three motions. One asking the court to advise the jury to acquit upon the ground that there was no corroboration of the accomplice Orchard. Second, that the court instruct the jury to acquit upon the ground that Pettibone was being prosecuted without due process of law. For the reason that the constitution of Idaho guarantees every person accused of crime the use of the compulsory process of the court to compel the attendance of his witnesses. And as Pettibone was not in the state of Idaho but in the state of Colorado at the time of the murder of Steunenberg and the presumption of law is that his witnesses are in Colorado and beyond the reach of the compulsory process of the court; therefore the section of the statute under which the state is proceeding is unconstitutional. Third, that in the indict-

ment Pettibone was charged with being personally present and setting off the bomb while the proof shows that at the time of the murder, he (Pettibone) was in the state of Colorado, and had not been in Idaho for years. Which is a fatal variance between the allegations of the indictment and the proof. The court took the matter under advisement until Thursday morning.

Thursday, Dec. 26.—Judge Wood read at great length his decision which was reduced to writing. Every body in court thought from the nature of the law read and the precedent cases cited, that Pettibone would be acquitted. It was a general surprise when Judge Woods then overruled all of the motions of the defense and held that in his opinion, the evidence of a conspiracy the defendant Pettibone was a part and of which the killing of Steunenberg was an incident, was sufficiently corroborative of Orchard to justify continuation of the trial.

Darrow in his opening statement to the jury outlined what the defense proposes to prove. He was too ill to stand and seated in his chair before the jury with something of pathos in his voice and manner, he entered calmly into the life of Pettibone, relating how he had come west to grow up with the country. That he had identified himself with the progressive movements of the country. How he was a genial, jovial fellow whom every body liked and confided in; that he had been only an honorary member of the Federation for years and took no part in its administration. But he was all-round companionable fellow and all the miners made his Denver store a stopping place and they often trusted money and trinkets in his keeping. Darrow doubted that Orchard had committed half the crimes he claimed; that he had with McParland's aid gathered and strung up them as a chain of jewels for himself, since his arrest.

Darrow proposes to introduce evidence in abundance from lawyers, hotel keepers, preachers, teachers, etc., as well as miners, to show that Orchard talked to people in general, that he vowed vengeance on Steunenberg for his having made him a pauper. He traced Orchard from place to place, always gambling and hunting easy money, and mixing with detectives. He tried to get some friends at Salt Lake to come and help him blow up Steunenberg, but failed. He tried to get Easterly but failed. He got Jack Simpkins to come but he placed the bomb alone. The statement before the jury was much the same as in the Haywood case.

Friday, Dec. 27.—Most of the day was occupied with the reading of the depositions of San Francisco witnesses in the case of the Bradley flat explosion. The testimony of Linforth, its owner, and of Bradley himself, were read. By using the written evidence that was offered in the Haywood case, saves expense of bringing the witnesses here. The testimony of both Bradley and Linforth declare emphatically that the flat was blown up by gas and not by a bomb; and that Orchard being in the vicinity, took the credit.

Mrs. Alice Fitzhugh, who formerly kept a rooming house at Cripple Creek, says she knows K. C. Sterling, that he was a mine owners' detective, that he roomed with her, as did also Orchard; that she had seen them together a dozen times, had heard them in whispered conversation a few days before the Independence depot was blown up.

Darrow left today for California to have an operation performed on his inner ear.

"Four Cut Jack," the mine owners' gun man, sat as usual where the jury crowds by him as they go in a body to and from their seats.

Saturday, Dec. 28.—Depositions on the Bradley explosion continued to be read today. Breen represented the

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defense, Borah and Van Duyn, the prosecution. Fewest attendance since the trial began.

The testimony of J. B. Riley was read first. He passed the Bradley residence a little before the explosion. He described the place and said he saw nobody, nor any sign of pending disaster.

Mrs. Crowe's deposition was next read; she detected smell of gas and had for a day or two before the explosion, she remembered that the milk Orchard claims to have poisoned, was bitter; and that she never went to the theater with Orchard.

The deposition of Mrs. Lucy Cummins says she was in the dining room at the time of the explosion, she describes it and claims she smelled escaping gas.

Mrs. Lingforth, wife of the owner of the Bradley flat, her testimony corroborated the other witnesses. Eckleman and Perry of the fire department, both think the explosion was due to gas. They had to wait for the gas to escape before they could go into the basement.

Dr. Elmer-Kelley, who picked up Bradley, describes Bradley's condition, etc., and he attributes it to gas.

The architects, plumbers and gas fitters who examined the building carefully after the explosion, are satisfied it was due to gas.

Edgar Wilson, one of the attorneys for the defense, is in bed sick. With both, Darrow and Wilson disabled, the case rest heavy upon the remaining attorneys, as their work constituted only special features.

Jessie M. Myer.

Pettibone Found Not Guilty

(Continued from Page 1.)

in his mouth and soon was sleeping heavily. Long in the chill of the morning Anna Adams shook Malich, saying, "Get up Max, you've got a cold already. Go doze by the fire."

Max minded.

We received intimation from time to time, how the jury stood—eight to twelve, ten to twelve but one of two, Oh, so slow! At day light we came and went wearily—at last, about 10 o'clock the court room began to fill. It was evident a verdict was not far off. At 11 A. M., after almost 15 hours, the jury was ushered in. They had come to an agreement. And when the clerk read the verdict "Not Guilty", a mighty chorus of joy went up from that immense crowd. Pettibone peacefully listened with sparkling eyes, Mrs. Pettibone burst into tears. The throng gathered around to congratulate, but Pettibone felt that it was his first duty and privilege to thank the jury one by one as they passed out. Pretty soon the man who has been Pettibone's constant guard while here came up and ordered him to put on his overcoat, carefully bundling him up, he said, "Well, 'Pett', old boy, this is my last order. Be good to yourself."

After leaving the court house Pettibone and his party walked across to

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St. Alphonsus hospital. Though Pettibone is not a Catholic, there stood, eagerly waiting for him, a group of sisters, the priest and bishop anxious to congratulate him.

Pettibone's first stroll down town was greeted by that happy-go-lucky song—"I'd rather be on the outside a-lookin' in, etc." In the evening Pettibone and his wife, Moyer, Easterly, Anna Adams and little son, Davis Coates and your correspondent assembled for supper at the Boston. The band played our favorites, among them the Marsaillaise. We felt like an assemblage of poets while we listened. It was the most intensely happy party I've have ever been in. Some one remarked passing by us, "They look like they all had just got out." Jessie M. Myer.
Montana News Service.

The strike of the East Side tenement house workers against the high rents imposed by greedy landlords is proving effective. The Socialists are being roundly denounced by the capitalists for inciting the trouble and the "reds" accommodatingly acknowledge their villainy. Mass. Meetings and street parades have been of frequent occurrence, and even the plutocratic dailies of New York that usually suppress or distort everything that concerns labor are compelled to give the tenants' strike some notice. Many of the workers have moved out of the district into Brownsville and other suburban sections.

Radnicka Straza is the name of a new Socialist party paper printed in the Croatian language at 572 Blue Island avenue, Chicago, Ill.

If you want your fellow workers to know the real facts about the troops being ordered to Goldfield, get them to subscribe to the News. Full reports will be printed in the News every week from Goldfield as long as the trouble last.

THE DAWN OF SOCIALISM. Slowly, gently fades the darkness, In the East the first soft light Of the glorious day of freedom Breaks upon my longing sight.

Spreading out upon the heavens 'till it tips the western hills With a warm and glorious radiance; brighter now the earth it fills.

Till the night of self and suffering fades before the glorious light, And exploiting and monopoly take their everlasting flight.

There the social flag of freedom floats upon the breeze of morn, And the slaves of trust and sweat shop lift their eyes with hope new-born.

Lift their eyes to see the dawn of freedom's bright and glorious day; Through the social evolution all oppression passed away.

Come from out congested cities, breathe a breath of purer air, Gaze upon the works of Nature, learn the lessons written there.

Free from slavery then their reason Nature's law may understand, Dimly seen through misty ages, 'tis the brotherhood of man.

And methinks this inspiration had enthused the poet's rhyme, When he dipped into the future, when he wrote these words sublime—

"Till then war drum throbbed no longer and the battle flags were furled "In the parliament of man, the federation of the world."

There the common sense of most shall hold a fretful realm in awe, And the kindly earth shall slumber lapt in universal law. —Will S. Forsyth, Chilliwack, B. C.

Boise, Ida., Dec. 30, 1907. Montana News, Helena, Mont.

The mine owners of Nevada are doing their utmost to throw the workers outside the protection of the law.

First they tried to establish martial law. The dictator would then have been the military commander stationed at that place. His sole word would have been "law;" and upon his sole will would have depended the treatment of those who offended him. The task of the mine owners' association would then have been comparatively simple. They had only to win by whedle or bribe this military dictator. Through him they could treat the working men of Goldfield how so ever they chose. But in this attempt they have failed.

Another way remains. The injunction is quite as an effective a method for coercion as is martial law. It, too outlaws those against whom it is used. Either may be employed to bully a subject class. Each depends, for its expression and direction, upon the sole will of a single man. The master-class, has in either case, to wheedle, bribe, or otherwise manipulate one sole person in order to effect its purposes.

You have read how they automobilized and feasted Gen. Funston. It is not improbable that they have equally great faith in their ability to manipulate the judge of whom they are now asking an injunction. An injunction, such as they ask, would serve their ends as well as martial law.

Jessie M. Myer, Eugene, Oregon.

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National News

Wisconsin Notes.

The Milwaukee Free Press (Reform Republican) under the heading, "To meet Socialists," contained this statement on its front page last week: "That the Republicans and Democrats will fuse in a movement to elect aldermen-at-large against the Socialists in the spring appears to be a certainty. One conference on the subject between Peter J. Koehler, Republican county chairman, and W. H. Grabner, Democratic chairman, already has been had, and others have been arranged for. Mr. Koehler and Mr. Grabner both believe that the large number of candidates who will come out for aldermen-at-large will so split the votes that the Socialists will win, if some arrangement is not made. It is said that twelve men in each party are to be decided upon and that the word is to be passed to the voters to cast ballots for them. After the nominations, it is said, if there seems to be a disposition among the Democrats to vote for some Republicans, and vice versa, that six Democratic nominees and six Republican nominees will be selected and the voters urged to concentrate strength upon them to keep the Socialists from electing their men. Comrade Victor L. Berger replied to this as follows:

"By fusing, the two old parties admit that both of them have failed—that both of them are morally bankrupt. By fusing, the politicians openly proclaim that their graft is in danger and that they want to defend their graft at all hazards. By fusing they also show to the people that the people's interest lies the other way and that the people must defend their own interests. And the old parties particularly emphasize this to the working class. And ours is a working class movement before all things—although the result of our agitation benefits all classes. The two old parties therefore can do us no greater favor than to unite at the next spring election. This will make the issue clear. It will be working class against the old graft, the myriads of honest men against the little cliques and bunches of grafters, boodlers and politicians."

Because Chicago does not possess a Socialist justice of the peace, Comrade Frañckel, Cook county secretary of the Socialist party, came to Milwaukee this week to be married by Comrade Carl P. Dietz, Social-Democratic justice of the peace, who performed the ceremony in the most class-conscious and uncompromising manner possible.

Socialists and unionists of New York are planning to hold a great fair next May upon the occasion of the launching of the Daily Call.

Armed Truce in Goldfield (Continued from Page 1.)

In Goldfield, where the union men are merely pawns. The Guggenheim smelter trust millionaires are trying to get hold of Goldfield—same breed as he of the Denver senatorial purchase. They are building a new road in from Ely to give them exclusive control of the transportation. They already are the real owners of the Consolidated properties, and it is said that when they get through with the panic, strike and Nixon and Wingfield, the latter will be broke, the camp's stock boom will be collapsed, about three or four hundred men will be working on what solid properties there are in camp and the poor man will have to seek pastures new if he desires to live an independent existence.

Desperate Resolves.

There is no doubt that the operators will do almost anything to win their point. It is said that a number of the most prominent union men are marked for sacrifice. The fate of Klein, a jeweler, is a tragic instance in point. Klein had been accused of high-grading. High-grading is a term applied to the purloining of the rich ore from the mines. It is called high-grade when it its value is such that the assayers will purchase it, and they purchase no less than a dollar a pound. The mine owners had charged the miners with high-grading but had failed to obtain a conviction in the courts, and a horrible stratagem was laid. Klein was enticed by the company watchman at the mill to rob the plates, where he was told, three or four thousand dollars worth of gold might be found. The conspirators lay in ambush and shot the top of his head off.

Murder is an easy weapon for this game of gold lust.

Impeach Governor.

At its meeting on New Year's eve, the miners' union passed resolutions to petition the houses of the legislature to impeach Governor Sparks for malfeasance in office. One bright-headed union man remarked that any one that had voted for Gov. Sparks had no kick coming.

Ida Crouch-Hazlett.

International

The Russian Inquisitors have done their worst. Thirty Socialist ex-M. P.'s have been exiled to Siberia, and twenty-two of them, by a refinement of cruelty, have been sentenced to additional terms of imprisonment.

Germany, needless to say, plays a leading part in the reactionary movement which is now convulsing Europe. Even the Liberal-Labor Trade Unions (Horsch-Dunker), which used to be so difficult to move, are beginning to scent danger, and appoint sub-committees to draft a more vigorous program for the future. Herr von Bethmann-Hollweg, the Prussian minister of the interior, excelled himself last week in the reichstag by saying that Socialism aimed at the destruction of an "order established by God." Both kaiser and minister are very fond of appealing to the heavens for sympathy when they meditate an attack on the organizations of the people.

In Belgium the Congo question drags on apace, and it is doubtful when it will eventually come before the chambers. At present it is remitted to a commission of seventeen, and these gentlemen can hardly be expected to hold a meeting before the New Year. When they do meet they will be in no haste to come to a conclusion, and February will be well spent before they think of tabling their report. Some days will then elapse before the government can make up their minds to take the plunge, and by that time King Leopold may have intrigued for a new kind of settlement. The fact is that neither King Leopold nor his ministers are in real earnest in the matter. They have shown that they favor neither an eight hours bill for miners at home nor enlightened administration abroad.

KEIR HARDIE IN INDIA. His Farewell Speech.

When Mr. Keir Hardie left India en route for Australia, via Ceylon, the place of his embarkation was Tuticorin, at the southern extremity of the Indian peninsula. Previous to his departure he was presented with an address on behalf of the citizens of Tuticorin by Mr. K. Ramachandrier, the municipal chairman. In the course of the speech which Mr. Hardie made in acknowledgement, he criticized the "Simla" reforms, and urged the advisability of holding the next Indian congress in England as a means of gaining the ear of Great Britain, and impressing her forcibly with India's feelings and India's needs. Mr. Hardie concluded his farewell speech in the following impressive words:

"Your appeal should not be to the cabinet ministers or members of parliament, but to those electors who are the creators of cabinets and parliaments. Get the ear of Great Britain and reach the heart of its people, and leave it to them to look after cabinets and members of parliament. I shall have certain proposals and certain suggestions to make on my return home. What the fate of those proposals will be remains to be seen. But this I say, it will go before the people and before parliament.

I feel it a privilege to be the first spokesman of the working classes of England to see for myself the conditions of the people of India. Remember, we too, are fighting the battle of freedom, but freedom is not to be insular or isolated. We are not free if we sanction injustice or oppression. We have earned opprobrium, vilification and abuse because we championed the cause of the weak. Be it the Zulus of South Africa, be it the people of India, we stand for justice for all. I shall leave your shores, being privileged that mine has been the first voice from the ranks of the coming power. Bear always in mind that you carry their sympathy in your struggle. I take with me tangible tokens of your kindness, but what I value more than all those mementoes is the hearty affection of the people of this country, which it has been my pride to receive. If the voice and thought are not different, my voice is not that of a person, but that of a growing movement which in its fruition shall have swept poverty from the world and given freedom to all its peoples (Cheers)."

Facts About Municipal Theaters.

In last week's Leader there was a paragraph descriptive of the Municipal Theater at Geneva. The town gave the site and building for the Grand Opera House and subsidises it to the tune of \$37,000 annually. Paris, Berlin, Vienna and Brussels have all state opera houses. In Frankfurt and Breslau the town councils contribute \$50,000. Lyons, Bordeaux and Toulouse vote over \$45,000 annually to the same object. Paris has three municipal theaters, besides four state subsidised ones. Vienna has a state theater, a municipal theater and a popular theater.—Labor Leader.

Women's Clubs

The Economic Marriage.

Lida Parce Robinson.

It is historically true that the marriage relation became involved with economic simultaneously with the evolution of personal property, and that this combination was made wholly in the interest of the latter.

In early Greece and Rome, and later under feudalism, the land, to which all industry was closely related, was exclusively in the hands of men; either by free ownership or by servile tenure. And each man needed an unpaid and perpetual servant to perform the offices of domestic service and manufacture; to till the fields, to grind the grain, to spin and weave the wool; in short, to prepare his food and clothing. Marriage became the means of securing to every man such a servant. The combining of this industrial slavery with sexual ownership was an economy perhaps not unworthy of the immature mind of man at that period; and by attaching moral odium to any escape from the situation by the woman, her submission was secured.

Under early civil law woman appeared, not on the list of individuals, but on that of household equipment. She was bought or sold, or bequeathed, like any other chattel, and her life could be taken by the Patriarch, with as much impunity as that of any other slave, or an ox or a horse. She did not appeal in the genealogy, as a branch of the family tree. Her children were not related to her, in law or in popular understanding. It was a common saying that "A woman is the end of a family."

Under the influence of the dictum of the church, that "marriage is always a vice," feudal law prohibited polygamy, and one consequence of this was, that the wife and mother became of more consequence to the family. She began to be recognized as an individual, and to be partly recognized in law, as being related to her children. It was possible to enforce all these disabilities against women, because, and only because, man had possession of all the facilities for industry, and was physically able to maintain it. But when a feudal lord died, having daughters but without male issue, it became necessary to let the daughter inherit, or else let the property pass from the family. Under these trying circumstances the daughter won. In early Rome, a son would have been adopted, with elaborate ceremony, in these conditions; and so impressed was the primitive mind with the value of ceremonial, that the adopted son would have been felt to be a real member of the family. But the value of ceremonial had declined, and to the feudal lord, lacking a son, it was the daughter or nothing. Thus woman came to be invested with the human status and with property rights—under certain circumstances. But alas, even where she was thus fortunate, while unmarried, she instantly lost all rights and returned to the servile status upon marriage. The marriage ceremony retained its potency, though the ceremony of adoption had ceased to convince.

The right of inheritance, which, it will be noted, was conceded to woman in the interest of the family, not of the woman, was nevertheless the opening wedge to property rights in the interest of the woman. Since that time, statute law has modified the status of woman in her favor in many particulars, even to the extent of preserving them to her in the married state, in some localities. But the principle of the common law remains unchanged, under which the position of the wife is one of servitude.

The majority of men now, have no use for an industrial slave. And the competition of labor has reduced them to a situation in which it is impossible or inconvenient for them to provide food and shelter for dependents. Thus the advantage for man, in the economic marriage, has disappeared, or has even become an advantage for the woman, in cases where productive labor is not done in the home, and the man must earn all the money for the purchase of products. Many still cherish the dream of woman's dependence and servility; but economic conditions, at least, look not backward, but forward.

Under the subject condition of woman, which gives her a claim for support on her male relations, her labor can be sold for anything it will bring; the family will, at least, be something ahead. This causes a demoralization of the labor market in those occupations in which it is possible for a woman to engage. The economist sees that this mixture of economics and sex relation is a mistake and that is fatal, at least, to the former. And so he concludes that in the future, after further evolution of society, there will be no more marriage. He does not conceive that there can be a marriage, contracted without special favors or disabilities between two free and equal individuals, which shall be

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primarily and mainly a matter of personal attachment, and only incidentally related to economic interests. But the conclusions of the economist are not the last word on the subject of marriage. The biologist and the psychologist are yet to be heard from. One need not be a prophet to see that the economic marriage is doomed. But to assume that marriage is doomed, therefore, is premature. Under present industrial conditions, the servile condition of woman in marriage is not only ridiculous, but, as said before, it demoralizes the labor market. The obvious thing to do, is to eliminate from the law relating to the status of married women, everything creating disabilities in the married state, and from the marriage contract everything that indicates a difference of rights and privileges as between the contracting parties. Will marriage then be destroyed? Not at all. It will be relieved of an incubus that, so long as it is not removed, will continue to drive people toward the delusion of so-called free-love.

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Nothing to Arbitrate

Special to the Montana News—Goldfield, Nev., Dec. 31, 1907.

Yesterday Captain W. L. Cox, personal representative of Governor Sparks in Goldfield during the trouble, received a telegram from his chief stating that an extra session of the legislature was called to meet on January 14, and adding, "If we fail to get proper relief we will try martial law in Goldfield."

In his call the governor quotes the constitution of the state, which provides that a legislature so called shall transact no business except that for which it was convened. The governor further says that the object of the session is to adjust by legislation if possible the controversy existing between the miners and mine owners at Goldfield. The old sickening requisition is made for "law and order." The capitalist class hypocritically uses this phrase whenever it wishes to oppose law and protect disorder in its own class.

Troops to Remain.

As President Roosevelt said the troops would remain three weeks if the call for the extra session was made within five days, more comfortable quarters are being arranged for the soldiers.

The condition of an armed camp with absolute quiet and peace throughout the whole district.

The tone of the governor's telegram shows that he is not overly confident that he is going to be able to whip the legislature into acquiescence. He was not able to do it at the last session, and has cause to be dubious. His flat-footed declaration that martial law will be ordered here if the result of the assembly's work is not satisfactory to him arouses the conjecture as to who will be in charge of the city in such an event provided the troops are ordered withdrawn by the legislature. There is a pronounced element among the legislative members that is opposed to any military demonstration so long as the sheriff has said that he would maintain peace and order here if he had to deputize every able-bodied man in the camp.

Nothing to Arbitrate.

The grand jury at its session on Saturday passed recommendations for an arbitration board to sit on the industrial situation. The proposal was that it be composed of twelve members, four to be chosen by the miners, four by the mine owners, and these eight to choose four others.

Mr. George Wingfield, president of the Goldfield Consolidated Mines company, was a member of the grand jury. When seen in his office as to the probable outcome of the suggested plan, he said he was not present when the grand jury passed the resolution, but that nothing would come of it, as the operators positively refused to have

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Three Shows daily Open year around anything to do with the Western Federation, and they had nothing to arbitrate. He said the mine owners had a definite program, that they had seven or eight strikes in the last year and would do nothing with their properties, and they meant business; that the properties would soon be operating with non-union men. He denied that the trouble here was a matter of stock manipulation. It will doubtless be quiet here till after the legislature convenes January 14. Ida Couch-Hazlett.

State Department

Watch Great Falls for real construction work during the next few months.

Bill Cragg of Fergus county fires in two subs this week.

Mable sent in a New Year's greeting ten subs and \$5.00 to pay for same.

Comrade Palsgrove of Great Falls sends in \$9 for due stamps.

Comrade Biggs of California sends in \$1.00 for subs this week.

Local Great Falls is getting ready to form ward organizations.

Our reliable Butte secretary, Henry Davis, sends in \$11.65 for due stamps and subs and \$4.50 for the equipment fund.

Comrade Mable is stirring things up in Cascade county. At Stockett he succeeded in getting the Miners' Union to subscribe for fifty copies of the News for one year.

The Great Falls Socialists have had among them recently Comrade Williams, a member of the Texas Socialist party. All regret that he took his departure so soon. He gave a glowing account of the movement in Texas. He has the best wishes of all the comrades.

A committee has been appointed by the great Falls local to arrange dates for Comrade Buzzell, commencing January 14. The local has also decided to make dates for Henry Larsens Call, the university lecturer, and John C. Chase, Socialist candidate for governor of New York last election, who are expected some time during February or March.

The circulation of the News is growing rapidly; it took the linotype operator just four hours this week setting up the names of new subscribers for our mailing list.

Keep up the gait, comrades, and the News will have twenty thousand of a circulation by next fall election. Then watch the socialist vote climb in Montana where government by injunction rules supreme.

A Capitalist Error.

It is apparent to all that in prosecuting working men in Goldfield the employers have for their object the crushing of organized labor. It is strange that the capitalists do not realize that their efforts in this direction will some time act to their disadvantage. Such despotic doings as we have lately witnessed in Goldfield furnishes the Socialists with weighty arguments in their onslaughts on the injustice of capitalism, which will sooner or later serve to deprive them of working class support.

President Roosevelt has again proven himself in his actions in this case a tool of capitalism, and that the party he represents is never on the side of labor in its struggle with capital.

We assume that the majority of the Goldfield miners must be Republican and Democratic. How it must shake their confidence in those parties! The official head of the Republicans has assisted in the work of crushing them by using the arm of the military, and from the Democrats they have not received even recognition. Yet both at election time profess to be friends of labor. Both are the very embodiments of hypocrisy. Will the union men be blind to this forever? We hardly think so. Sooner or later it will have its effect. Union labor will learn the lesson capitalists have taught them, and will ultimately march under the banner of Socialism to economic freedom, and thus render scenes like Goldfield impossible.

M. L. Baker.

The Montana News is the only Socialist paper that has a representative in Goldfield. If you want the real facts of the situation there subscribe for the News.

J. A. Roades, the genial secretary of Local Lewistown, sends in for \$3.00 of due stamps and a sub to the News.

The daily press reports that a new home-stead law introduced by Senator Dixon of Montana is now up for final passage. By this new law it is proposed to give each settled in Montana 640 acres of land. Such lands as are suitable for grazing purposes only are to be effected by this law.

The claim is advanced, that no man can make a living on 160 acres, but if he was given 640 acres he could then increase his herd to a good living size and thereafter exist in comfort. How nice this sounds. How laudable and philanthropic a congress, under oath, sworn to maintain a system of gain, giving away land, giving it away to the poor settler and for the poor settler's benefit. It is inconceivable.

But a little study will show the true object of this new land wrinkle, the clauses within are there and they cast their shadows through the settlers' raiment in which it has been dressed in order to secure public approval.

One clause says: Not the settler only, but all who apply can have 640 acres.

Another clause says: If you have already taken up a homestead of 160 acres, that makes no difference, another 480 acres is yours for the asking.

Then another clause says: If you have no use for the land, get the deed and sell; quite a nice thing.

One ugly looking clause whispers: Now is your harvest, boys, I know a lot of big ranchmen who would like to own as much as half a county, a section is worth \$1,000 and up, spread out, boys, spread out.

Another clause says: It doesn't matter how much land you already own, this is a free gift for you of another 480 acres. That \$1.25 per acre improvement item is a scare crow for tender feet. You insiders know that it's just the cost of the fence and you have got to have that anyway.

And there are other clauses, enough and plenty to tear away from the people every section of public land in Montana and establish a feudal system of cattle and sheep barons who would be respectable and all powerful through the largeness of their holdings.

All men familiar with the range conditions in Montana will admit that 640 acres of grazing land is none too much to support a family, and no one could or would object if this amount was given to each man who desired to use it for his support, but to do so and do it honestly then there would be no chance for the upper classes to profit or acquire the land for themselves.

An honest law, one that would really conserve the grazing lands to the people, for the people's use and benefit would not convey by deed to anyone but it would instead register in the applicant's name to be his for all time consequent upon use, neglect to use, abandonment, renting out or allowing others to use, would forfeit his claim.

Is there anything simpler, or who would want more, none excepting those who are out for gain. As it now stands the lands are owned by the people collectively, 90 per cent of the people can be classed as of the common herd and their desire is that the grazing lands should be in the hands of many little men, each one using his quota for his own support. But this trick will do the business, then when it's too late, you ninety per cent will lament in sorrow.

F. A. NYSTROM.

The following unions have ordered bundles during the past week:

Miners' Union, Stockett, Mont. 50 copies.

U. M. W. of A., Aldridge, Mont., 400 copies.

U. M. W. of A., Almy, Wyo., 300 copies.

Brewery Workers of Great Falls, Mont., 10 copies.

Goldfield Grand Jury Acts

(Continued from page one.)

The capitalists have learned the merits of their contest well from the socialistic doctrines, that have been so widespread over the country. But all this grand array of class logic failed to have the desired effect on Judge Farrington of the Federal court and even a temporary restraining order was denied. January 3 was set for the hearing of the petition for the injunction.

Acting President C. E. Mahoney says of course the Federation will take some action against the injunction to dissolve, it but no such injunction has been granted as yet.

Was Operations.

It is amusing the quandary the mine owners are in to "protect" their property. They have been thrown into hysterics ever since the order came for the recall of the troops Monday, Dec. 30. What they want, is for the powers of government to be exercised to enforce the industrial conditions they wish to impose upon the slaves that dig out their gold for them.

Under the existing laws there can be no state militia in Nevada. All kinds of pressure has been brought to bear upon Governor Sparks to get him to convene the legislature for the purpose of obtaining some adequate guarantee that the state powers will place their forces at the service of the operators.

Sparks has violated the United States constitution in calling for the federal troops without the mandate of the legislature, and Roosevelt has violated the constitution in sending them here without this authority.

Strenuous Teddy has felt this and it has rankled under his collar bone somewhat. All of the influentials have tried to get Sparks to get that legislature together. But Sparks was "set." He wouldn't call it. But he prayed Teddy to keep the troops here. Teddy says he wouldn't unless that legislature was called.

But, behold, the belligerents take another think, and on Dec. 28 Roosevelt telegraphs the governor that if within five days he will issue a call for a special session of the legislature he will continue the troops in Goldfield during the period of three weeks. If within five days the call has not been issued, the troops will be withdrawn. Sparks is now up against it. His negative condition is softening, and it looks as though, true to their historic mission, the capitalist faction would get together against the working men.

Sparks' idea of protecting capitalism is by raving hands of legalized desperadoes similar to the Texas Rangers. Texas Rangers are the Nevada governor's bean ideal of the bulwarks of civilized society.

There are other various wild ideas of a state police to take the place of a state militia.

In Governor Sparks' letter to the president he complains that the three thousand union membership is constantly armed, and that arms are kept in the union hall. He says nothing, however, of the 500 stand of arms kept by the mine operators at the Montezuma Club, their headquarters, and the Consolidated offices. He says the communist and anarchist must find new fields. He refers to his plan of a state constabulary along the line of the Texas Rangers which was turned down emphatically by the legislature.

Afoot and Alone—Between the Devil and the Deep Sea.

The fact is that Governor Sparks stands alone, the pitiful football between the mine owners and the Federation men. The legislature turned him down cold at its last session. When he asked for hired murderers to kill the union men, it answered with a shrieking, "no," and a rousing whoop for Moyer, Haywood and Pettibone, and a resolution denouncing the injustice done them by the denial of a speedy trial.

No wonder Gov. Sparks is afraid to bring the heavy expenses on Nevada of a special legislature to authorize federal troops stationed at Goldfield, when he has every reason to believe they would give him the g. b. so hard that it would make him dizzy.

No wonder, he went off and got drunk when he knew the mine owners were after him to make him howl for troops. No wonder, he stammers out all kinds of excuses why it is inconvenient for geographical reasons and otherwise to convene an extra session.

Senator Newlands has joined his pleadings to Senator Nixon's and has implored Secretary Taft, who has advised with Secretary Root—all officialdom with its hydra heads together to go out and squelch those murderous miners.

What will the governor do now? Will he or will he not? And if he does anything, will it be the devil or the deep sea? The lady or the tiger?

Ida Crouch-Hazlett.

Send in your orders for bundles and have the latest and most reliable reports from Goldfield.

Not by a Jury of their Peers

(Continued from Page 1.)

made solely for the benefit of some corporation. The judge who makes the laws, sees that they are enforced and orders a U. S. marshal to invade a community and usurp the powers of the local police.

Then the defendant is brought before this one man legislature the injunction judge, and tried without a jury of his peers.

What is the use of holding an election and going to the expense of electing a legislature and state officers. Why not turn the whole powers of state over to an appointed federal judge, he can run the whole affair and to the best interests of the corporations and do it cheapest.

A rather curious incident shows in itself the difference when union men and land thieves get into court.

Myer and Mackel, the attorneys for the union men, asked that the trial be postponed for ten days to allow time to prepare a defense. Judge Hunt refused the request.

John T. Murphy, indicted by the grand jury for illegal fencing of thousands of acres of the public domain in eastern Montana has his trial postponed until next spring so he can go to Florida and spend the winter and his ill gotten wealth.

No, there is no law for the rich and another for the poor. Government by injunction has grown rank throughout the country and the sooner it is made an issue of and fought to a finish the better.

We venture to prophesy this that the next election in Montana will see a great increase in the socialist vote as a protest against judges trying to run the state on injunction methods.

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