

THE DEFENCE OVER RULED

Judge Decides in Favor of Kidnappers, Perjurers and Safe Crackers

(By National Socialist Press.) Los Angeles, Cal.—Counsel for the defence of John J. McNamara and his brother James started their part of the great trial by moving that all indictments against the former be set aside on the grounds that the court had no jurisdiction in the case and that all indictments against James McNamara be quashed on the ground of illegality of procedure and bias on the part of the grand jury.

particular stress on such lines as: W. J. Burns and W. J. Ford entered into a wicked and illegal combination and conspiracy which had for its purpose the seizure and illegal extradition of this defendant from his home in Indiana.

In Indianapolis with Burns on the same felony charge has not returned to his haunts around Los Angeles and there is no apparent attempt to apprehend him.

Mrs. McManigal in Court. Mrs. Emma McManigal under went the ordeal of another day in court when she appeared to answer to a citation by Judge Walter on a charge of contempt of court.

were issued she might have been asked to testify. Now the indictments are out and the prosecution is simply trying to extract information from her to find out what she knows before the beginning of the trial.

Word has come direct from Scotland Yard, London, that the whole story of Burns making an important capture of "Caplan" or "Schmidt" was a gigantic fake worked up by the detective for advertising purposes.

MUST USE THE BALLOT

Gompers Realizes That Corporations Can Bankrupt By Litigation

(By National Socialist Press.) Washington, D. C. July 15.—"The growing amount of litigation involving union labor will soon make it impossible for the organized workers to raise money to defend themselves. We will then have to quit hiring lawyers and stand strong in our defenseless position."

It is doubtful whether the committee will accept the Senator's suggestion. The president of the A. F. of L. sprung a sensation when he charged collusion between postoffice inspectors and the Burns detective agency. He said: "I have information which I shall submit to the committee within two weeks showing that a number of post-office inspectors have lent themselves to the Burns detective agency and have done such acts as are not warranted by law."

SCAB HERDING UNPOPULAR

Helena Boy Arrested by Militia Deputies Roundup Militia Men, Law Violated.

The brutality of the scab herding officers of Montana has been brought to light this week, and a boy of 16 years of age thrown in the guard house to satisfy the cowardly and boorish nature of a bully officer.

Arriving at the Fort, Fischl was thrown in the guard house, to remain there as long it suited the pleasure of Tom Travis, captain of the Helena company of scab herders. On the following day Fischl was taken out of the guard house and put to digging holes in the ground as punishment.

Attorney Joseph Scott read aloud the answer and he made Ford squirm uneasily in his chair when he laid

Police Detective James Hosick of Los Angeles who is under indictment

Sons of Herman could get around to

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rather a surprise to those present, and

(Continued on page 2.)



WAR — WHY?

Give me a gun  
That I may blaze away  
At him whom I ne'er met before  
this day:  
Yea, e'en at him whose face I scarce  
can see,  
He afar off, a thousand yards from  
me,  
Mad work? yes, 'tis for both of us  
poor fools—  
For me and him, both of us merely  
tools.

Give him a gun,  
That he may fire at me  
If chance he gets. For that—let  
fate decree!  
He's but a blot, a dot upon earth's  
crust,  
But now 'tis me or him must bite  
the dust.  
Quarrel? Not me; ne'er met the  
man before;  
We're simply fools and tools, I say  
once more.

Arm both of us,  
That each may shoot at each,  
At home—his home and mine—the  
parsons preach  
"All men are brothers." That I  
don't deny,  
But if 'tis so, then I would ask  
you—why  
We should be faced now, strangers  
friend and me.  
Having no quarrel? 'Cause 'tis  
fools we be,  
\* \* \* \* \*

Give me my sight!  
That's right!  
\* \* \* \* \*

Mate, give me thy hand!  
At last we understand;  
Guns, bayonets, swords, cannon and  
all hell's tools.  
These no men need when human  
reason rules  
Thy home is thine; sacred thy fath-  
erland,  
Mine doubly safe, when true to  
right we stand.  
Hell's agents only—Vice, Ambition,  
Greed—  
Thy foes and mine; from these we'll  
now be freed!

Arthur Laycock.

MILWAUKEE NOTES.

Gov. McGovern's veto of the reapportionment bill passed by the Wisconsin legislature is just one more proof that the capitalist politician, be he reformer or standpatter, hates and fears the Socialists more than he fears or hates any thing else in this world or the next.

This bill, in the first place, so juggled some of the assembly districts of Milwaukee County as to destroy all natural boundaries by limits of population. And this was always so done as to make some Socialist districts unsafe in the future.

It was in fact a case of Anti-Socialist gerrymandering. But after it had passed both houses of legislature, still the Anti-Socialists were not satisfied. They brought the greatest possible pressure to bear upon Gov. McGovern to veto the bill.

Gov. McGovern is a "Progressive," and one of the fairest and most sincere of his crowd. Yet so far is even the most fair-minded "Progressive" under the control of the gang with whom he trains, that the governor was driven to veto the bill.

And then the motive for the veto was clearly shown. The various hardships which the reapportionment caused were not remedied by the legislature. Only the senatorial districts of Milwaukee County were torn up. They were so readjusted that as one republican senator frankly said, "the Socialists were sure of but one district." That was what the veto was for, that was what the whole fuss was about, so to arrange the senatorial districts that only one Socialist senator can sit in the next Wisconsin legislature!

And then the bill, as amended passed both houses. It will no doubt get the governor's signature.

Now all this shows that when the Socialists want a square deal, the Progressives are no more to be relied upon than the most hide-bound Standpatters. And this is nothing surprising to those who know what economic determinism means.

The Progressives or Insurgents stand for middle class, not working class, interests. And as soon as the workingman gets that firmly fixed in his mind, LaFollette and Roosevelt will get no more votes that rightfully belong to the workingmen's party, the Socialist party.

The Milwaukee capitalist papers recently gave another example of their shameless untruthfulness. They declare that Mayor Seldal in his New York speech "predicted defeat for the Socialist Party" at the next election.

Set Date Of McNamara's Trial.

(By National Socialist Press.)

Los Angeles, Cal., July 15—Oct. 19 will mark the opening of the trial of John J. and James B. McNamara on a charge of murder in connection with the fire and explosion in Los Angeles Times building, which ocured Oct. 1, 1910.

The fact that the date was not set as early as Sept. 1 is a point in favor of the defense as it was believed Judge Bordwell would favor the prosecution which favors an early date in order to hold the public sentiment which has been with them until the recent exposure of the brutality in the treatment of Mrs. Emma McNamara and the disclosure of the thug tactics of Burns and his brutal "operatives".

The McNamara brothers will stand trial in a court where the officials of that institution have been parties to the conspiracy against them. Assistant District Attorney J. W. Ford who is taking the lead in the case, owing to the incompetence and inefficiency of his chief, is accused of perjury in connection with the requisition papers. W. J. Burns, the detective who worked up the case against the men and who will be active in the prosecution is under a felony indictment in Indiana, charged with kidnapping John J. McNamara.

The fact that these men should not be permitted to conduct the prosecution was brought out strongly by Clarence Darrow who, in his first speech in the trial said: "The law has been twisted and perverted and by perjury, fraud and violence John J. McNamara has been brought into California where he has been indicted on charges other than those mentioned in the falsely acquired requisition and the whole illegal procedure is abhorrent to all sense of justice".

In his flagellation of the district attorney and his assistants Darrow did not mince words, the men who conspired with Burns to violate the extradition laws were given a foretaste of what was coming to them when the trial should actually open. In attempting to defend his action in connection with the kidnaping Ford made the statement that the governor of

Indiana wanted the men spirited out of the state. This is the first intimation that Gov. Marshall was a party to the Burns plot.

Judge Walter Bordwell who will preside in the case refused to set aside the indictments or allow the grand jury to be subpoenaed into court to show that they were not biased and prejudiced against the men and against all labor organizations. The defense declares that they have proven that several members of the jury were officials or members of labor hating organizations and that at least one of the men was in the employ of H. G. Otis at the time or for a long time before the gas explosion and fire destroyed the old death trap. Harriman, Darrow and other lawyers for the defence put the judge in a narrow corner and forced him to file the record with error in his decisions in the preliminary steps.

Los Angeles Socialists and labor union men made it so warm for the city council in their consideration of the proposition to turn over more of the city's money to Burns that it was decided to return something over \$9,000 to the city treasury. Mayor George Alexander wanted to pay that amount to Burns saying that the detective had spent more than that in his pursuit of the alleged dynamiters.

The Steel Trust, it was pointed out, is simply able to carry on its own cases and should be made to bear the burden of the expenses of the operatives who seek to destroy labor unions.

Four hundred workmen have been arrested and most of them confined in jail, despite the fact only four of them have been found guilty of violating the anti-picket ordinance now on the books at the request of labor hating M. and M. Now Otis Hearst and other publishers are picketing another capitalist newspaper and the Socialists are taunting the authorities with their neglect to enforce their beloved ordinance. It is explained that the law only applies to the working class and not to the capitalists who publish newspapers

STRIKERS NOT SLUGGED IN MILWAUKEE.

The slugging of strikers is promptly and duly punished by the Socialist administration of Milwaukee. Just recently the district attorney prosecuted effectively a non-union man for assaulting a union picket of the local cigar maker's union.

In every respect the Socialists serve the working class. On their behalf the city council appropriated \$10,000 for the use of the anti-tuberculosis commission, and passed an ordinance prohibiting the use of the common drinking cup in public places. The city needs a municipal electric lighting plant, and the Socialists voted an appropriation of \$3,000 for preliminary work. This lighting plant would have been finished long ago, were it not for the numerous injunctions issued against the city administration by capitalist judges. Who are the genuine friends of the public schools? Socialists: and they voted for an issue of \$47,000 of school bonds.

Likewise are our public servants active in the county administration. Supervisor Hensing (Socialist) lately introduced a resolution in the county board instructing the district attorney to prosecute former county clerks for embezzlement of public money. Supervisor Heath (Socialist) introduced a resolution calling on the district attorney to give an opinion as to the legality of the county board giving financial aid to impoverished families unable to provide for their children, in stead as heretofore depriving the parents of their children by sending them to the Home of Dependent Children a place naturady void of loving care. This resolution is a slap on the wrist of those liars or ignoramuses who constantly cry that the Socialists want to disrupt the family.

Socialists will make the county prison a place of correction instead of punishment. The county board has accordingly bought a large farm where offenders will be out in the open air raising vegetables etc., for their own consumption. The prisoners will be segregated according to their degree. So everything is moving in Milwaukee towards a better and more pleasant city for all concerned.

Oscar Rademaker.

the deputy sheriffs got horses and pursued the fleeing militiaman-who had seen the errors of his ways and desired to evade military service. The militiaman was captured, taken back to Miles City, turned over to his company officers and is now doing his stunts at Fort Harrison.

One militiaman who is a business man in a city in eastern Montana, asked to be excused from attending the encampment, on the grounds that his partner was sick and if he came to Helena, it would be necessary for him to close up his establishment. No excuse was taken and the business man had to come to Helena to practise for hell, as General Grant called it.

The militiamen at the encampment are having no picnic, they are routed out of bed at 5.15 o'clock in the morning and have to drill all day long, until 5.45 o'clock, P. M., in other words the scab protectors have to hit the ball for twelve and a half hours for \$1.50 a day and a plate of pork and beans.

It is said that there are two companies whose members will stack arms if ever called on to do strike duty, a large number of I. W. W. being in

their ranks, in order to learn their military tactics.

The Donohue militia law contains a clause that no militia man shall do voluntary military duty in the state and can only do military duty when called upon by the governor. Yet on the Fourth of July in the city of Glendive, Major Doc. Donohue had his company do police duty, and up to date we have failed to learn of Governor Norris ordering the militia to do police duty in the state on July fourth.

It appears that a lot of the pin-headed, gold braided swash-bucklers in Montana have a great desire to parade in public, bull-dozing and commanding kids, even if they violate the laws, imagining that in this way they are getting the eye of the general public and gaining the admiration of the ladies.

But, who likes a scab herder any how?

Have you signed the petition for the referendum on the Donohue Militia law?

It is needless to say that Comrade Seidel said nothing of the sort, either in New York or anywhere. But on the basis of this barefaced falsehood the capitalist papers build up big scare heads on their front pages, and funny paragraphs to ridicule the Socialists. All this with the intention of disheartening the Socialist sympathizer who reads only the daily papers. Another proof that Milwaukee needs a Socialist daily.

E. H. Thomas.

Boiler Explosions Endangers Life.

A large number of boiler explosions are taking place on the railroads all over the country, indeed, the increase in boiler explosions within the past six months is very alarming, and shows a condition of affairs that is very dangerous not only to the life and limb of railroad workers but to the traveling public as well, some months there have been an average of one boiler explosion a week, west of the Missouri river.

One boiler explosion in Montana recently, resulted in the death of three men, who were blown out of the cab of the engine, the fireman being thrown over the top of thirteen box cars. The newspapers are not publishing anything about these explosions.

The causes of the boiler explosions are in most instances owing to the railroads cutting down the expenses on repairs to locomotives.

For more than a year railroads have been trying to make great showings in profits and dividends, and to this end, operating expenses have been reduced to the lowest possible figure. The employees in the repair shops have worked short time to the extent of 5 per cent, and large numbers have been laid off, and in some instances the repair shops have been closed for months at a time, and the work of keeping the engines in repairs entirely neglected, this has resulted in a large number of boiler explosions, which are accompanied with two or three lives being lost and a number of men injured.

During the last session of the legislature a safety appliance bill was introduced, giving the State Railroad Commissioners power to order out of service any locomotive that was in bad condition, or, that leaked steam so bad, that the engine crew were

prevented from seeing ahead of the engine.

This bill passed the House, but was defeated in the Senate. Senator Jerry McCarthy of Gallatin attending to the railroad companies interests.

The bill was drafted by the representatives of railroad unions, headed by Frank Fisher, a locomotive engineer from Livingston. Senator McCarthy went to the representatives of the unions and informed them that if the railroad men would concede to have an amendment made to the bill making the railroad men liable for damages that might arise in certain cases, he would have the bill reconsidered and passed. The railroad men did not care to place themselves in a position to be held liable for accidents and refused the kind services of Senator McCarthy.

McCarthy is a coal mine owner and operator and perhaps his great solicitude for the railway corporations' interest may arise from rebates in coal shipments, but be that as it may, McCarthy stood by the Hill-Morgan interests. Jerry McCarthy is spoken of as being the next democrat candidate for Congress from Montana. But, it will be Jerry on the th' cars, after the next election, instead of Jerry going to Congress.

Jose de La Campa, Brit Russell and J. F. Bartlum, cigar makers who were active in behalf of the members during the protracted lockout and strike in the city of Tampa, Florida, are now serving a year's sentence in the convict camp. An appeal had been taken to the district court, which affirmed the findings of the lower court. This latter decision precipitated a general strike for a few days as a protest, and the strikers were persuaded that the case would be advanced rapidly to a decision in the higher court and given to understand that a stay of execution would be had in the meantime. But they were only promises.

Have you signed the petition for the referendum on the Donohue militia law?

Let every union send in a protest to Senators Dixon and Myers at once.

When a thief admits his guilt he gets from one to ten years. When a capitalist steals a million or two he shows 'unreasonably' good judgment and gets highly complimented.

Boost the referendum on the militia law.

Have you signed the petition for the referendum on the Donohue militia law?

Scab Herding Unpopular.

(Continued from first page.)

law, when he enlisted Louis Fischl against the wishes of the boy's parents.

Yet this political scullion of Galen's who violates the law has the indecency and knavishness and the brutishness of a Cossack to give a boy a dishonorable discharge, after he has cajoled the boy into joining the militia.

Scab herder Travis has not man, good enough to order the arrest of Mr. Parchen, or any representative of the Parchen Drug company. The boy claims he would have lost his job if he went to the encampment, and the Donohue Militia law expressly states, that any corporation victimizing or preventing any militia from being employed is subject to a fine of from \$25 to \$500, or from 10 days to six months in jail.

With the Donohue militia law in force we find the braggadoceo scab herding bosses lacking back bone enough to cause the arrest of the representatives of a corporation, but, let their petty, brass button, gold braid spite out on a kid.

Parchen Drug co., is a very influential firm in the state, and has a large pull, and it would not do to arrest Mr. Parchen. It looks as if Travis like other military bullies, is too great a coward to cause the arrest of any official of the Parchen Drug company.

SHERIFF ROUNDS UP.

The officers of the militia have had pretty strenuous times in getting their commands to Helena, scab herding is becoming unpopular in Montana, and the boys are getting wise to the fact that it is to protect the interests of Morgan and Rockefeller that they are being trained, and not to protect their homes, or the liberties they enjoy.

Company E, of Miles City, had a number of members that wished to evade attendance at the encampment. The sheriff's office in Custer county had to be put into service to force the men to join their companies. A member of company E, when he saw the deputy sheriff coming, mounted a horse and rode as fast as horseflesh could carry him for the foot hills,

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Comrades and Brother:—

We desire to call your attention to the printing office of the Montana News. We do all kinds of printing for labor organizations, Constitutions, By-Laws, Letter Heads, Envelopes Working Cards, all stationary and printed material used by unions.

The Montana News is the only paper in the Rocky Mountain states that advocates the right of labor at all times and in all places. Regardless of what the greivences may be we stand by the strikers in the struggle of the union against the corporations. In more than one instance we have turned public opinion in favor of the strikers, and in more than one city and camp have we made the union label respected. The Montana News is supported exclusively by the workers and the profits from job work of the labor organizations of Montana, Wyoming, Idaho and Utah.

Perhaps your union has not required the assistance of any paper in times of trouble, but rest assured, should you organization ever become involved in a strike; the Montana News will be found on your side and ready to give all the assistance that press and pen can do to win the strike. A labor press should be built up, and we need your assistance will you send us your order for the printing of your union? Why support print shops whose paper attack you or treat your cause with silence and indifference when you are involved in a strike?

The capitalists know the power of the press and control the papers accordingly.

Should your union require anything in the line of printing give us a chance to bid on same. Ask us for our prices. We may charge higher than scab shops, but we pay all express charges on packages sent out. Remember we are the headquarters for Union Printing in the Northwest and the shop that has made the Union Label respected.

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MONTANA NEWS

