

SECOND EDITION

**CAPITALISM'S  
CONSPIRACY  
IN CALIFORNIA**

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**PARALLEL OF THE KIDNAPING  
OF LABOR LEADERS  
COLORADO—CALIFORNIA**

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*By* **FRANK E. WOLFE**

**PRICE 10 CENTS**

# Capitalism's Conspiracy in California

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## Parallel of the Kidnaping of Labor Leaders Colorado—California

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Outline of the Beginning at Los Angeles of the  
Great Struggle Between Labor and Capital  
on the Pacific Coast

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*By FRANK E. WOLFE*

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# FOREWORD

Workingmen who dare to raise their voices against the master class today stand in the shadow of the gallows. Capitalism clamors for their blood. The old days of terrorism are revived. Imprisonment and death await leaders of the working class who have the temerity to protest aloud against oppression.

Capitalist newspapers and periodicals all over America are, either stupidly or maliciously, publishing stories that are, not only damnably false and incendiary in their character, but calculated to incite to violence. Much that has been printed was inspired and written in Los Angeles by those most vitally interested in maintaining the utterly untenable dynamite theory in connection with the destruction of the Times building which was burned October 1, 1911.

No effort has been spared to prejudice the public against Union Labor and against the men in prison charged with a crime never committed.

A capitalist publication in Goldfield, Nevada, in advocating lynching half a dozen Socialists and Labor Union Leaders, whom the editor declared should be hanged to telegraph poles, said:

"Speaking dispassionately and without animus, it seems clear to us after many months reflection, that you can't make a mistake in hanging a Socialist. He is always better dead. He, breathing peace, breathing order, breathing good will, fairness to all, moderation is always the man with the dynamite. He is the troublemaker and the trouble breeder. To fully appreciate him you must live where he abounds.

"ALWAYS HANG A SOCIALIST. NOT BECAUSE HE IS A DEEP THINKER, BUT BECAUSE HE IS A BAD ACTOR."

There has been much of this sort of stuff in publications that pose as eminently respectable guardians of public morals and gentle advocates of law and order.

So far reaching has been the effects of the campaign of fraud and misrepresentation that there has been an insistent demand from all over the country for the truth about the situation in California. It is in response to this call that this pamphlet is hastily written.

F. E. W.

Colegrove, California, June, 1911

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BY FRANK E. WOLFE

Every anti-labor injunction, every suppression of the rights of free speech and a free press, every foul and unjust decision against labor by capitalist courts, every deportation of union men, every call for militia—all are confession. The capitalist's confession that opposing Socialism he cannot win by argument, but may by force. Confession that he cannot win by fair means, but may by foul. Confession that Fear—peace-destroying, death-dealing fear—is gnawing his heart like cancer. In madness, the man who fears destroys himself.

—HANFORD.

## Two Historic Kidnapings



AN analysis of the labor situation in California today and a comparison with the history of the struggle in Colorado in the terrible days of 1903-4 discloses a startling parallel. So perfect is the analogy, even in minor details, that one wonders how soon missing scenes will be supplied and the entire tragic play again unfolded before the world.

In comparing the persecution of the strikers of California with that carried out by the Colorado tyrants the reader of the following lines who is familiar with the history of the bull-pen days will be struck by the selection of Bert Connors in the Los Angeles case to enact the tragic role taken by Stephen Adams in the Moyer-Haywood-Pettibone outrage.

Following the parallel the reader will see that the case of Wm. D. Haywood is set opposite that of John J. McNamara.

For James McParland, the "infallible detective," there is William J. Burns, the "unfailing detective."

For the infamous Harry Orchard he will find Ortie McManigal.

For the Western Federation of Miners, the Structural Iron Workers.

For the Mine Owners Association, the Steel Trust.

For the Citizens Alliance, the Merchants and Manufacturers' Association.

For the servile capitalist press of Colorado the same reptile press of California.

For the soothsayers, the legal retainers, the host of gumshoe detectives, the camp followers of the overlords and autocrats of Colorado, California is filled with these jackals. Los Angeles swarms with the vermin.

For the pulpiteers who, by direct statement or oblique approach, tried, convicted and urged the crucifixion of the men kidnapped and illegally and forcibly taken from Colorado to Idaho, so California has its theological mob crying aloud for the blood of men who, by all law, man-made or moral, are innocent until proven guilty.

For the kidnaping scene in Denver, set the stage again for Indianapolis.

For the high-handed, unwarranted wholesale arrests in Colorado on the charge of CONSPIRING TO BREAK THE LAW witness the arrest of thirty-five strikers in Los Angeles on IDENTICALLY THE SAME CHARGE.

For the imprisonment of workers in Colorado before their trial, because of excessive bail placed on minor charges, behold metal workers of Los Angeles held in \$300 bail on a charge of picketing, a misdemeanor punishable by a maximum fine of \$50.

For the perjured confessions of Orchard to explosions that were proven to be the result of accidental gas leakage find a quick, strong echo in the confession of McManigal in the Oregon case.

After reading the parallel the question will arise in the mind: Who will be the Sherman Bell of the California struggle? Will the Steel Trust be powerful enough in this state to invoke martial law? Will the Merchants and Manufacturers' Association follow the footsteps of its illustrious Colorado contemporaries?

Socialist and labor press of America, after a fair and exhaustive investigation, turned the white light of publicity on the Colorado conspiracy. Public sentiment so quickly veered, when the truth prevailed, that the damnable plot to send the kidnaped men to the gallows was abandoned and they were triumphantly acquitted.

The outcome in California depends on the action of the workers.

## CALIFORNIA

1. Strike of Structural Iron Workers of Los Angeles was peacefully conducted and the employers were ready to yield but were prevented from doing so by the Steel Trust and Merchants and Manufacturers Association.

2. Series of minor explosions occurred throughout the country, they are believed to be obvious fakes apparently conducted by professional bomb finders and hired thugs for the purpose of prejudicing the public mind against the striking iron workers.

3. Explosion occurred in the Los Angeles Times building where 21 employees were killed and many were injured, among them a number of union men. Ortie McManigal was alleged to have made a confession concerning the explosion, implicating union leaders. Frantic attempts were immediately made to convince the world that the union men in Los Angeles were a desperate and lawless set and were responsible for a "dy-

## COLORADO

1. Strike of Miners of Colorado to force mine owners to comply with the eight hour law was peacefully conducted. Many employers were ready to capitulate but were prevented from doing so by the Mine Owners Association and the Citizens Alliance.

2. Series of explosions occurred throughout the state. The palpable plot to blow up worthless and abandoned mines was handled by hired thugs for the purpose of prejudicing the public mind against the striking miners.

3. Explosion occurred at the Independence depot platform where 13 miners were killed and many were injured. Harry Orchard confessed to the outrage and explained that the desire of those who employed him was to convince the world that the striking miners were a desperate and murderous set of men. A wire was traced from the wrecked platform to a tool house several hundred feet

namiting outrage." Evidence of the real character of the explosion was carefully suppressed. Statements that from the nature of the explosion it could be readily shown that it could not possibly have been caused by dynamite were carefully kept from the public. Investigation by union representatives was refused and those most interested were given the selection of an investigating committee. Capitalist newspapers of the country immediately took their cue and condemned the labor unions and strikers for the so-called outrage.

4. Detectives arrested John J. McNamara in Indianapolis at midnight and without due process of law (according to indictments against arresting officers) forcibly kidnaped the union official, rushed him to the train and hurried him from the state. Detective Wm. J. Burns, Asst. Dist. Atty. Joseph W. Ford of Los Angeles and Walter Drew, attorney for the Erectors Association were arrested in Indianapolis on a charge of kidnaping. Each was held under \$10,000 bail. (Kidnaping is a felony).

5. Ortie McManigal when he was placed in Los Angeles jail refused to see a lawyer and only conferred with District Attorney Fredericks. He asked for Detective Burns.

6. Ortie McManigal made a long and circumstantial confession, according to statement of the authorities, who allege he implicated J. J. McNamara and J. B. McNamara and union officials in a number of explosions. The defense of the workers claim they will show that the alleged confession is a series of falsehoods interwoven with names, places, facts and incidents which are calculated to give a semblance of truth to the whole monstrous conspiracy against the lives of the accused men.

7. Gas explosions destroyed buildings in Los Angeles from time to time. Adjusters for various insurance companies investigated the ex-

went directly from the tool house to the home of the agents of the mine owners. The dogs repeated their trailing performance and the "investigation" was abandoned. Capitalist newspapers of the country immediately took their cue and condemned the strikers for the outrage. Representatives of the Western Federation were forbidden to go near the scene of the explosion to investigate, though they were charged with having placed dynamite beneath the platform. An abundance of evidence was produced to show the mine owners' hirelings caused the explosion. Evidence indicating the true cause and source of the explosion was suppressed.

4. Detectives arrested Moyer, Haywood and Pettibone at midnight, and without due process of law forcibly kidnaped these union officials, rushed them to the train, and hurried them from Denver out of the state and into Idaho. All attempts to punish Detective McParland for the infamous kidnaping, were of no avail. The kidnaping of these workmen was eventually made by the courts to appear legal, though in the operation of the law invoked against private individuals the act has always been held as a felony.

5. Harry Orchard, when he was incarcerated in the Boise penitentiary, refused to see lawyers and only conferred with the District Attorney and Detective McParland.

6. Harry Orchard made a long and detailed confession in which he implicated Moyer, Haywood and Pettibone in a number of explosions. The defense showed that the alleged confession was a mass of falsehoods. His fantastic story covered a period of several years and contained a series of weird, suppositious adventures which were most ingeniously interwoven with names, places and incidents calculated to give semblance of truth to the whole monstrous conspiracy against the lives of the accused men.

7. Gas explosion destroyed the building in San Francisco which Orchard declared he blew up with dynamite. Insurance indemnity was

plosion in Los Angeles Times building. \* \* \* \* \*

McManigal's story concerning an explosion which destroyed a house in Oregon, in which he said dynamite was used was proved to be absolutely false. Convincing evidence is available to show that Los Angeles Times building WAS NOT DESTROYED BY DYNAMITE.

8. Detective Burns and his assistants claim to have a strong case against the kidnaped union official. McManigal's confession and "evidence" is considered the strongest weapon of the prosecution. No effort will be spared to make the dynamiting charge hold good. Unlimited money, it is believed will be provided by the Steel Trust and the Merchants and Manufacturers Association in the hope of convicting the imprisoned labor leader.

9. Capitalist newspapers of Los Angeles and elsewhere printed a series of fake confessions, identifications and hysterical stories of "evidence unearthed" to convict the men in prison.

10. At Los Angeles, in April, 1911, 35 unoffending metal workers who had been on strike ten months without breaking the law, were arrested at the instigation of Mayor Geo. Alexander and City Prosecutor Guy Eddy on a charge of CONSPIRING TO BREAK THE ANTI-PICKETING LAW. "Evidence" against the men under arrest was given by the strike breakers, spies and policemen. Attorneys for the defense showed that a note book brought in by an officer, had been altered to fit the testimony, bail was placed at \$300 each when the maximum fine for picketing was \$50. This excessive bail forced some of the men into prison thus punishing them before the trial. Every attempt was made to get members of and sympathizers with the Merchants and Manufacturers Association on the jury. The whole procedure proved a farce and the jury disagreed. The cases against all of these men were subsequently dismissed.

collected on the building and the gas company was sued and paid judgment for damages caused by the accident. Insurance and Gas companies tried to reopen the case on the strength of the Orchard confession, they asked for a return of the money paid on the claims based on the gas hypothesis. Orchard's story was proven absolutely false. GAS DESTROYED THE SAN FRANCISCO BUILDING.

8. Detective McParland and his crew worked out a most elaborate case against the kidnaped union men. Orchard's confession was the strongest bulwark of the prosecution. No effort was spared in the conspiracy to convict the men on the dynamiting charge. Unlimited money was provided by the Mine Owners' Association and Citizens Alliance in the hope of convicting and destroying the lives of the accused labor leaders.

9. Capitalist newspapers of Denver and elsewhere printed a series of fake confessions, identifications and wild stories of "evidence" to convict the men under arrest.

10. At Telluride, in November, 1903, scores of peaceful working men, who had been on strike several months without committing any overt act, were arrested on a charge of "CONSPIRING TO BREAK THE LAW." "Evidence" against these men was given by strike breakers, paid spies and the police. Whenever the accused men were allowed to make any defense they experienced little difficulty in showing that the charges against them were a mere frameup. So palpable was the perjury of witnesses in many instances even the prejudiced courts of Colorado threw the cases out. In other instances, where prominent leaders were involved, convictions were forced through. Alleged records were compiled and made to fit the testimony. Bail was placed so high many were punished by being imprisoned before trial. Juries of Citizens Alliance members were carefully selected and the trials were mere farces.

11. Preachers in Los Angeles, by their characteristic inversion of thought assumed the men guilty and called on the accused to prove their innocence. One preacher spent an entire evening in fulsome praise of Burns as the "unfailing detective." A magazine story was reviewed at length to show the marvellous skill of Burns. The kidnaping incident was not touched upon, but the case was uppermost in every mind. The sermon was calculated to convince hearers of the infallibility of Burns therefore leading to the natural deduction that the McNamara brothers must of necessity be guilty of any crime charged by the detective.

12. Public officials of Los Angeles joined in the persecution of the strikers, working men were arrested by the hundreds on the strength of an anti-picketing ordinance, adopted by the so-called good government council and signed by Mayor Alexander in a few minutes after its passage. Four hundred arrests resulted in only four convictions yet 35 striking metal workers were arrested on a felony charge in that they were accused of conspiring to commit the misdemeanor of picketing. The trial disclosed a frame up and the jury disagreed after action that lasted three weeks during which the prosecution failed to prove any conspiracy. The Merchants and Manufacturers Association showed its determination to drive union labor from the city.

13. Roosevelt butted into the McNamara case with suggestions and insinuations indicating that the influence of those in the seats of the mighty will again be exerted to turn public sentiment against the kidnaped man. Expressions of belief of guilt come from officials who are seeking favors of capitalism.

14. The man kidnaped from Indianapolis will be held in prison as long as possible, the trial, according to statements already made will be based largely on McManigal's confession. A jury will be selected from

11. Preachers in Denver and in Boise praised McParland for his "unerring work" in "tracing criminals." They lauded the detective to the skies and did their part for their masters in still further prejudicing the public mind against the victims of the plot. Pulpiteers throughout the country used their power to convince their hearers of the guilt of Moyer, Haywood and Pettibone. They told of magazine stories about the brilliant career of McParland, thus showing the strong assumption of guilt. They convinced many that the men had committed the crime of which they were accused by the detectives.

12. Public officials of Victor, Colorado, and other cities in the state joined in the persecution of the strikers, and working men were arrested by the hundreds and thrown into jails and filthy bull pens. Unspeakable brutalities were perpetrated. Workers were dragged from their homes and deported. Women were mistreated, property destroyed and the co-operative stores of the union men were wrecked. Peaceful citizens, strikers and sympathizers were unlawfully deported and members of the Citizens Alliance adopted and wore big badges bearing the words "They can't come back." Among the men who took this unlawful action were merchants whose prosperity depended upon the workers getting a living wages. They were misled and blinded by the mine owning capitalists whose greed and avarice had driven them mad.

13. Roosevelt sent Taft into Idaho to assist in the prosecution of the men kidnaped from Colorado. As President of the United States, while the men were on trial, Roosevelt denounced them as "undesirable citizens," thereby implying he hoped the jury would eliminate them via the gallows.

14. Working men kidnaped from Denver were held in prison nearly two years. The trial with "evidence" based on Orchard's confession proved a ghastly farce. The jury acquitted the falsely accused labor leaders.

men whose entire knowledge of the class struggle and whose opinions on labor troubles are based on what they have read in capitalistic publications. Newspapers will censor the news of the trial eliminating what is favorable to the accused men and some will do all in their power to hurry them to the gallows.

15. Bert Connors was arrested and incarcerated in the city jail in Los Angeles, the scene of more brutal third degree atrocities than any other prison in Southern California. The Otis newspapers were ready with their photographs and diagrams and the arrests were timed to suit these morning journals which are so bitterly fighting the working class. Connors was reported to have made a confession regarding the alleged attempt to dynamite the Hall of Records. After Connors and the two other Union men were indicted and held under \$25,000 bail he succeeded in getting a statement out of the prison to the effect he had never made a confession though every effort was made to force him to do so.

16. Persecution of organized labor in California is resulting in the working class drawing together with an inspiring and marvelous solidarity. Union men are joining with Socialists, each group realizing their power when solidified for action. Workers of California have determined to stand by the movement that has started there and which will sweep the state. The first step is to elect the worker's candidates in Los Angeles, this will give an administration for all the people instead of for the exploiting class and will go far towards restoring public confidence and industrial peace in Los Angeles. This plan of action has been agreed upon and the strength of the allied forces is growing hourly. Many citizens heretofore attached to the "Good Government" regime have declared their intention of bringing warfare to an end by electing a workers ticket. The solution will come when we have **CALIFORNIA FOR THE WORKERS.**

Capitalist newspapers, true to their conspiracy of silence, smothered the reports on the acquittal of the men whom they had done all in their power to destroy. These newspapers were, in many instances, owned by the men whose material interests were with the exploiting class and who sought favor of mine owners and other large capitalists.

15. Stephen Adams was arrested, placed in the penitentiary at Boise and stories were given out that he had made a confession supporting in detail the statement of Orchard. Later, through a letter smuggled out of the prison by his wife, Adams denied he had voluntarily made any confession but that he had been forced to sign a "confession" framed up by the detectives. The story of the torture of Adams under the third degree was one of the most shameful details of Capitalism's conspiracy in Colorado. The Adams frameup was sprung at a time calculated to bolster up a tottering case and keep public sentiment against the miners organization.

16. Persecution of organized labor in Colorado resulted in the working class drawing together with wonderful solidarity. Union men have joined hands with the Socialists for political action and started an inspiring and irresistible movement that will sweep the state. An entire Socialist administration has been triumphantly elected in Victor. Men who wore the "Can't Come Back" buttons are either broke and have left the state or have become intelligent enough to see where their own economic interests lie. The state of Colorado, through its legislature, paid the Western Federation of Miners sixty-three thousand dollars in cash to partially reimburse strikers who had been deported and their property destroyed by the unlawful acts of officials. Workers in Victor are solidly unionized; they have their eight hour day; they are in a great majority Socialists and therefore peaceful and progressive. Victor enjoys greater prosperity than ever before. The whole movement is toward **COLORADO FOR THE WORKERS.**

# Los Angeles the Storm Center



**C**APITALISM'S conspiracy in California has centered in Los Angeles and taken on well defined form. Southern California has been chosen for the first battleground in the titanic struggle.

The war of the classes begins in deadly earnest here, the plans are well perfected and the forces are being marshalled for action.

Capitalism intends to crush out organized labor in America. Briefly stated, the method will be to strike the first blow at what has been considered the weakest spot on the Pacific Coast—Los Angeles. To destroy the lines of organized labor here, then march on to Portland. With labor beaten down in Los Angeles, Portland is expected to fall; then labor in other Oregon cities will be crushed.

Following these victories a concerted move will be made against San Francisco—the objective point on the coast. Sacramento, San Bernardino, San Diego and other California cities will have been attacked and crushed by that time.

Concentrating the fight at San Francisco, all the powers of untold millions of wealth will be thrown into the final struggle.

To win in San Francisco will mean that militant capitalism can turn eastward and sweep organized labor before it. Colorado will, in that event, be the scene of another terrible conflict. Washington, Arizona, Montana, Utah, Nevada and New Mexico will each fight and lose.

The mining districts conquered, the manufacturing centers will be attacked. Industrial battles will be waged throughout the entire country. Strikes and lockouts will be precipitated at every point and the United States flooded with disemployed labor.

Wall Street's power to start a financial panic will, if necessary, be invoked and bankers, manufacturers, wholesalers and merchants will find themselves still more at the mercy of the money kings.

Many states will virtually be in a state of civil war as was Colorado of 1907. Martial law will be declared on any pretext, and starving men, in desperation, will be forced to act as strikebreakers—one craft preying upon another until strikes are broken, and the workers, whipped, beaten and cowed, will slink back to their masters.

Capitalism looks for uprisings and riots. It is prepared for bloodshed. Streets of cities, it anticipates, will run red with the blood of the working class. For it will be workers wearing the uniform of the

militia that will shoot down their brothers at the command of the exploiters.

Capitalism will strike fearlessly and recklessly through its hired and trained murderers. Criminals in the guise of detectives will be hired to commit dynamite outrages to turn the people against organized labor. Innocent men will be thrown into prison and, if need be, will be sent to the gallows on perjured testimony.

Scenes that disgraced Colorado in the bull-pen days may, if the masters so decree, be enacted in every state.

Is this an exaggeration? Do we overstate the danger? These things may happen and they threaten the people of every state in the Union if capitalism's conspiracy is carried through.

Let us quote from Upton Sinclair's letter to Lincoln Steffens—the letter Eastern magazines refused to publish:

"A revolution has happened!" you tell us; "we have no longer a government of the people, by the people, for the people,—we have "a government of the people, by the rascals, for the rich." And if we find that revolution which has overthrown the law, and which defies the law, cannot be put down and overcome by means of the law—what are we going to do then? Are we going to sit still and content ourselves by saying it is too bad? Are we going to bear it—to bear it forever? CAN we bear it forever? And if we cannot bear it forever what are we going to do when we can bear it no longer?

"A revolution is a serious thing, Mr. Steffens. A man should not talk about a 'revolution' except with a thorough realization of what that word implies. A revolution means that the social contract has been broken, that rights have been violated and justice defied—that, in a word, the game of life has not been fairly played, that those who have lost may possibly have had the right to win. And the game of life is a pretty stern game for many of us \* \* \* \* \*

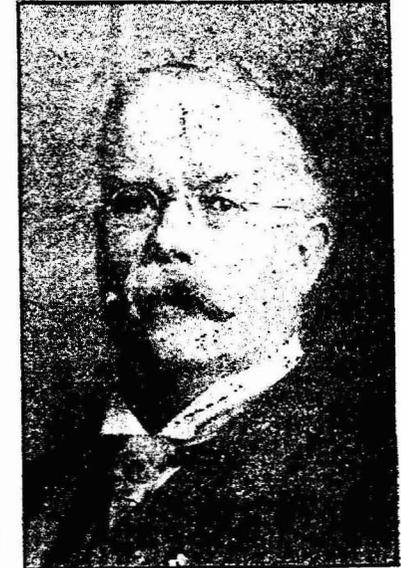
\* \* \* \* \* But there are some in our country which the system touches far more intimately and directly—some to whom the difference between today and tomorrow is simply a difference between life and death. I happened yesterday to be reading a letter from a man who, I think, knows that system, which is our new government, in this personal way. I will quote a few words from his letter.

"I have been arrested, put in jail, prosecuted and persecuted. I have had my customers driven away; I have been boycotted to the extent that men who dared to trade with me have lost their jobs; I have had my home broken into at

night; been beaten with guns and abused by vile and foul-mouthed thugs; been torn, partly dressed and bleeding, from the side of my wife who was driven from her bedroom and roughly handled; and finally I have been shipped out and told that if I returned to my home I would be hung. Not satisfied with this they have twice deported my brother,



William J. Burns, the "unfailing" detective, who worked up the case against James B. and John J. McNamara and assisted the prosecution after John J. McNamara had been kidnaped and illegally taken from Indianapolis to Los Angeles. Burns was indicted in Indiana on a charge of kidnaping the secretary of the Structural Iron Workers Union.



James McParland, the "infallible" detective, who worked up the case against Moyer, Haywood and Pettibone and assisted the prosecution after the men were kidnaped from Denver and taken to Boise. McParland's case failed miserably and the men were acquitted after the exposure of the detective's method and the falsity of the Orchard confession.

who was conducting the business in which we were both earning our living so that it became necessary for an adjuster to take charge of our store."

All this was, needless to say, in Colorado; the writer is Mr. A. H. Floaten, a storekeeper of Telluride, but now of Richmond county, Wisconsin, where he was working in a

hayfield when he wrote. He goes on to add that the charge upon which he was deported was that of selling goods to members of the Western Federation of Miners. "As for my brother and myself," he states, "I defy any and all persons to show a single instance where either of us have ever violated any law or even been suspected of any crime, or have ever wronged any person."

Here is your "revolution," Mr. Steffens, in full swing. One of the questions which I have for some months found myself longing to ask you is how clearly you recognized in the Colorado civil war the natural and inevitable consequence of a continuation of your "government of the people, by the rascals, for the rich?" Here is an unequivocal declaration, by a vote of two to one, by the people in one of the states of this free country, in favor of a constitutional amendment permitting an eight hour law; here are the representatives of both the majority parties pledging themselves to enact it, and then openly and shamelessly selling themselves out to the predatory corporations of the state. The people then resort to a strike to secure their rights; and when they are seen to be winning the militia is summoned, criminals are hired to commit a dynamite outrage and afford the necessary pretext, and then every tradition of American liberty and every safeguard of free institutions is overthrown, and the strike crushed and the strikers organization exterminated with a ruthlessness and recklessness which no police official in Russia could have surpassed. And then the party of "law and order"—that is the "System" sat enthroned in Colorado and the guileless reader of newspaper dispatches believed that an "election" took place in that state last November! The "System" suspended the habeas corpus act, censored newspapers and telegrams, opened mails, entered houses without warrant and drove women from their beds at dead of night, deported men, defied and threatened judges, shut down mines in spite of their owners' will—and finally haled a score or two of elected officials before it and put ropes around their necks and compelled them to resign. And then the "rebellion"—that is the agitation for an eight-hour law, attempted to reassert itself in the form of ballots and by means of a threat of deposition it compelled the newly elected governor to accede to everything to its will—and in particular to retain in office the infamous militia official who was its agent in these crimes!

\* \* \* \* \*

\* \* \* We are sorry to see American institutions

overthrown in an American state; but we do not live in Colorado and we are quite sure there is no danger of our being turned out of our homes. And yet we know that the system exists in our own city and state, and sits just as surely entrenched there as in Colorado. And we know also that it exists for a purpose—that it exists to rule—it exists



Ortie McManigal, who made a confession after the kidnaping of John J. McNamara in which he was reported to have implicated the Union officials in a number of explosions. The indictments against McNamara were based on testimony of the confessor. Parts of McManigal's story are already shown to be falsehoods.



Harry Orchard, who made a confession after the kidnaping of Moyer, Haywood and Pettibone, in which he implicated the Union officials in a number of explosions. The indictments, which afterwards fell flat, were based on testimony of this professional confessor. Orchard's story was shown to be a tissue of falsehood.

to rule us. How does it rule us? How does it rule the people of Colorado? Why, simply that they should go into the mines and factories and work, not eight hours a day as they wished to, but twelve hours a day, the time the "System" bade them to. And what is it that it wants everywhere else—IN CALIFORNIA, in Maine and in Texas? What save that those who have labor to sell shall sell it at the price that

the "System" asks? If this be so is not the only difference between us and the people of Colorado that they went on strike against the "System," whereas we are not on strike—WE PAY?

## The Blood of the Workers

The state of civil war that existed in Colorado, if the plot of capitalism, or the "System" as Mr. Steffens puts it, is carried out to a successful issue, will exist in many states. The revolt that Theodore Roosevelt speaks of, when the "Have-nots shall rise against the Have-alls" will be throttled in its cradle.

Workers will be crushed back to the earth; wages will be lowered everywhere to a mere subsistence for those employed; for the unemployed—who knows what will be their fate? Possibly the expropriated and unemployed will gather in groups, where the uniformed killers are less watchful, and march toward administrative palaces. Then the machine gun will be brought into play. First the mounted police—the American cossacks now organized in every city—(Los Angeles has a highly skilled corps of these outriders)—then the bayonets of the militia, next, where groups are gathered the gatling and the maxims will sweep these starving workers down in ghastly winrows.

Blood will make streams in the streets. Shattered bones, riddled human flesh, blood and brains will spatter the walls and curbs, bowels will be ripped out, eyes torn from faces and men will shoot and curse and stab and die and go blaspheming before their Maker.

But the capitalists who have wrought this sickening scene will be far away from such strife—perhaps at Burlingame, Newport, Narragansett, Bar Harbor, or possibly cruising in their yachts in the Mediterranean.

The men who kill, and the killers, will be, as always, of the working class.

Count the dead! Pile them in long rows, their blanched faces toward the sky. Fold their work bruised hands over their emaciated breasts.

Call the roll of the slain! Let us see how many "prominent citizens" are there.

First count the bankers? None there!  
The merchant princes? None there!  
Then give us the big manufacturers? None there!  
The priests and preachers? None there!  
The bishops and church dignitaries? None there!  
Senators and statesmen? None there!



John J. McNamara, secretary-treasurer of the International Association of Bridge and Structural Iron Workers, who was arrested at Indianapolis and, according to charges pending, kidnaped illegally taken from the state, and confined in Los Angeles county jail. He was indicted on testimony given by Ortie McManigal in his confession to the district attorney and detectives.



William D. Haywood, secretary-treasurer of the Western Federation of Miners, who was arrested and hurriedly kidnaped at Denver and taken to Boise, Idaho. He was indicted on testimony given by Harry Orchard after the latter had confessed to the District Attorney and detectives. After two years imprisonment on false charges Haywood was acquitted by a jury.

Trust magnates and captains of industry? None there!  
**WHO ARE THESE DEAD? WORKING MEN  
AND WOMEN—AYE, THE CHILDREN'S BLOOD IS  
HERE!**

Those in the uniform of the police? Workingmen  
trained to kill!

That soldier lad there, his light curly hair matted with blood—turn his white face away, those blue eyes hurt—surely he is of the wealthy class?

No, he is the son of a disemployed carpenter; his sisters starved—his father was shot to death in the streets by the militia last night! He was a Boy Scout and joined the militia last month!

Thus will the battle be won when the workers try to arise.

Then, with organized labor crushed, the political power of the state and nation in the hands of capitalism will throw open the doors for mass immigration of Asiatics. Hundreds of thousands of half-starved Hindus, themselves victims of capitalist greed, await an opportunity to join this flood. Already cities in the northern Pacific coast states are being overrun with these "ragheads." Japanese and Chinese coolie labor from the east and Mexican labor from the south will be used to crush down and subdue the workers of California.

When this stage shall have been reached the wave will roll back eastward. Disemployed and expropriated Americans will start—for the first time in the history of the Caucasian race—on a march toward the east. Throughout countless centuries the white man has ever moved westward until now he stands, on the Pacific Coast, facing the Orient.

Here white meets yellow and the white can move no farther west.

Will the Caucasian wave be thrown back?

Does the eastward march begin here?

Is not this a supreme crisis in the history of the race?

Stupid capitalism, blinded by greed does not see this.

These problems are not met or solved by the exploiters.

Capitalism can do nothing but make profits. That is all. It is a profit-making machine. Myriad human lives are as naught to this system.

Crush organized labor in California. Stop the onward march of Socialism. Destroy all hope of industrial and economic freedom. Lower wages. Increase profits. That is the program.

Human life? Americanism? Mere meaningless phrases!

**PROFITS!** That is all that counts.

## The Boy Murder Movement

Working toward the end that there may be plenty of food for powder in the coming war of the classes the militarists of California are exerting themselves to build up the state soldiery. The infamous



Bert Connors, who was arrested and placed in Los Angeles city jail after a long siege of "sweating." Elaborate stories were printed of a confession made by Connors and some statements were made that he had supported McManigal's story. When he got the opportunity Connors emphatically denied he had made any confession, but said every effort had been made to get him to make a statement.



Steve Adams, who was kidnaped in Oregon, placed in the Boise penitentiary where the "third degree" was given him. Under this torture he was forced to sign a confession supporting Orchard's story which he took the first occasion to repudiate. His wife smuggled out of the prison a letter in which Adams declared the confession was signed by him under duress.

Boy Scout movement was given a great impetus in the state by the the Hearst papers. The result will be far-reaching and the baneful effects will be felt long after the yellow newspapers have ceased to exploit the scout fad.

During the recent session of the state legislature, Adj. Gen. Forbes introduced a bill, through Assemblyman Crosby, that was

calculated to turn every high school in the state into an armed military camp. The proposed law provided for Krag-Jorgensen rifles and ammunition, Springfield rifles, ammunition and bayonets, military instructors and other provisions and munitions of war. The bill was buried in the committee, on the assembly side—The Socialist legislative committee saw to that, to the great displeasure of the adjutant general.

Operating under another so-called educational law, the putative father of which was Senator Larkins of Visalia, the militarists are seeking to do just what the Crosby bill would have done—make soldiers out of high school boys.

Every effort is being made to recruit the state militia to its full strength. Los Angeles papers have, since the McNamara arrests, sent up an agonizing appeal for 90 additional men to join a field battery so that a full complement of murderous, rapid-fire guns may be available for immediate use in case of trouble.

The need of more soldiers at coast military ports is constantly urged. A plea for a strong military post at San Pedro is a part of nearly every day's issue of the capitalist dailies.

Boy scouts are trained today to enter the militia tomorrow. Boys are enlisted in the militia today who will be ordered to shoot down their father or brothers when the struggle begins. Regulars to the number of 20,000 are massed along the Mexican border. Some of them are on California soil now and all can be thrown into California cities in a few hours notice. The scene is set. Nothing is lacking when the hour strikes.

That the Portland end of the capitalist conspiracy is working in good order no one can doubt. "The Coast Employers' Association is forming a compact political machine that already has more influence and length of arm than any railroad lobby or oil trust or Guggenheim crew that has ever menaced a free government." So reads a dispatch from Portland to the Los Angeles Record of a recent date. The story tells how the machine has been put in good working order there and has already carried out a political fight that showed how well is organized the new labor hating association. The dispatch states that the war will be carried throughout every portion of the west. The beast is already showing its claws in Portland.

### THE McNAMARA ARRESTS.

J. B. McNamara was arrested, in company with Ortie McManigal in Detroit, Mich., April 12, 1911. The arrests were made by Guy Biddinger, William Reed, Detective McLaren and Raymond Burns. The men were accused by the detectives of being safe-blowers. McNamara at first thought a joke was being perpetrated until one of the detectives drew a revolver and threatened to blow the

prisoner's head off. They were taken to the railroad station and tickets for Chicago were purchased by the detectives. McNamara insisted on being shown a warrant and refused to go out of the state unless a requisition was obtained. The detectives at first were inclined to carry out their kidnaping game, but McNamara appealed to the passengers at the station imploring them to go and get an



John D. Fredericks, District Attorney of Los Angeles, who has charge of the prosecution of the McNamara cases.



W. E. Borah of Idaho, who had charge of the prosecution of the Moyer-Haywood-Pettibone cases at Boise, Idaho.

officer, saying he was being illegally taken away. After abusing him for his stand in the matter the detectives finally took McNamara to the police station where he was thrown in a cell. Ortie McManigal was put in the same cell and he continued to plead with McNamara to make no further objection and go on to Chicago. This McNamara finally consented to do and the officers took the men on the night train. In Chicago the men were held prisoners in a private house ten days. McManigal was given considerable liberty and was seen walking freely on the streets with detectives. McNamara was closely confined, despite his protest. He told the detectives he believed they were trying to manufacture evidence against him and that they were framing some crooked deal.

On April 22, ten days later, John J. McNamara, secretary of the International Association of Bridge and Structural Iron Workers, was arrested in his offices, rooms 422-424 Central Life Insurance building, Indianapolis. The hasty and illegal procedure, following the arrest of J. J. McNamara, has become a matter of record. Detective William J. Burns, arresting officer; Joseph W. Ford, assistant district attorney of Los Angeles, and Walter Drew, attorney for the Erectors' Association (Steel Trust), were arrested on a charge of kidnaping. The men gave bail, each in the amount of \$10,000. Ford and Burns went to Los Angeles and, while under the indictment on a felony charge, proceeded with their work of weaving a net around the accused workers.

Job Harriman and Clarence Darrow were chosen as chief counsel for the defense and allied with them are other attorneys of ability. The answer to the nineteen indictments under which the men are held will be made on July 5, 1911. At that hour will begin the first real battle of the great struggle between capitalism and labor on the Pacific Coast.

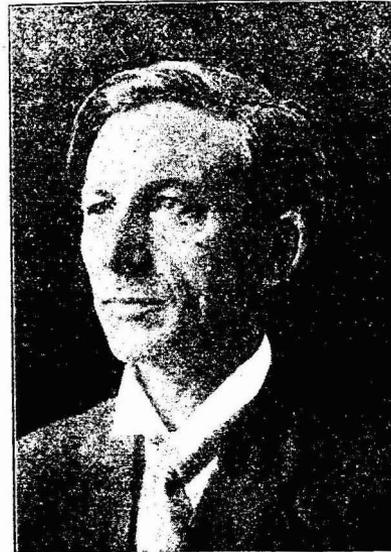
Los Angeles Times building was destroyed by fire at 1 o'clock in the morning, October 1, 1910. Twenty-one employes were killed. Several of those among the dead were union men; many of those injured, and a number who escaped were union men.

The fire was accompanied and followed by a terrific upward and outward, expansive explosion that lifted floors weighing many tons. The men beneath the spot where the force of the explosion centered were not injured by the shock and most of them escaped from the fire.

The explosion and fire occurred at a time when neither Harrison Gray Otis, owner and publisher, nor any of his immediate staff or assistants were present. None of those killed was an enemy of union labor and a large number of the employes on the newspaper were members of trade unions. Otis himself was at the time absent in Mexico, where he was conferring with Diaz for the further enslavement of the Mexican people and framing additional land exploitation schemes. The newspapers were full of the reports of his whereabouts.

Otis has been the leader in the bitterest war against organized labor that has ever been waged in America. For over twenty years he has led the most venomous attacks, not only against union labor, but against labor in general. He has advocated the "open shop," but he is in this, as in everything else, insincere. He meant open to non-union labor only and he constantly advised employers, through his Merchants and Manufacturers' Association, to allow no union men on their premises.

Within an hour after the disaster occurred Otis' representatives announced that the explosion was caused by union labor men and was an act of revenge because of the attitude of the Times towards the unions. The Associated Press carried this statement broadcast and it was re-echoed by Los Angeles newspapers and capitalistic sheets all over the country. From that hour the theory of murderous intent



Job Harriman who, with Clarence Darrow, will have charge of the defense of the McNamara brothers. Harriman has conducted a large number of cases for working men arrested under the infamous anti-picket law.



Clarence Darrow, who had charge of the defense of Moyer, Haywood and Pettibone at Boise, and who, with Job Harriman, will conduct the defense of the McNamara brothers now confined against James B. and John J. McNamara in Los Angeles jail.

has been tenaciously clung to despite the mass of evidence to the contrary. Notwithstanding all that was done to misrepresent the case and prejudice the public mind, Californians were not convinced. From the feelings of indignation and horror following the first days after the holocaust a portion of the public gradually sobered down and came to a conclusion there was no real foundation for the claim the explosion was deliberately planned. An abundance of evidence was immediately forthcoming that the explosion was really caused by gas, but this evidence was "smothered" and the edict went forth that

any newspaper that mentioned the gas theory would be boycotted by the Merchants and Manufacturers' Association. One local evening paper was fearless enough, however, to publish some of the stories that substantiated the gas theory and the boycott was instantly applied. Thousands of dollars worth of advertising was taken away from the newspaper, but the working class of Los Angeles instantly rallied to its support. The circulation quickly ran up an additional 15,000 and the paper is still prospering. A truce was called in the boycotting. The newspaper still stands its grounds and is being given a wonderful support by the workers of Los Angeles.

Immediately following the explosion Mayor George Alexander appointed a committee to examine the ruins of the wrecked newspaper plant and determine, if possible, the cause of the explosion. The committee was carefully selected and Otis is believed to have gone over the list of names and chosen those satisfactory to the class he represents. Before the smoke had cleared away from the smoldering ruins this committee was at work on its "investigation." Notwithstanding the fact the debris still covered the basement the floors and walls, the committee—no member of which was an expert on explosives—rendered in little over a week a report based on a dynamite theory.

For many weeks after this alleged investigation the condition of the ruins was such that no competent conclusion could be reached regarding the cause of the explosion.

An examination of the basement, walls, and floors could not be made at that time. The committee made no adequate investigation regarding the character of construction of the old fire trap. In fact in the investigating committee was composed of theorists and not particularly astute theorists at that. But they knew what was expected of them.

Looking down upon the pile of debris that covered the scene of the wreckage, stopping their ears against the overwhelming evidence of gas and other dangerous inflammables, this committee returned its snap-shot decision that the explosion was caused by a high power agency such as nitro-glycerine or nitro-glycerine products.

Then came a coroner's jury—carefully selected from the ranks of Big Business. A list of the jurors reads like the membership roll of the Merchants and Manufacturers' Association.

So overwhelming was the evidence that gas caused the explosion that the jury must have been convinced had it carried its investigation to a reasonable conclusion. For some reason—perhaps easily guessed—the coroner's jury was suddenly adjourned and did not carry on further probing. Several months later—possibly after the Times-Mirror Company had adjusted its fire insurance—the coroner's jury returned a verdict satisfactory to Otis.

A grand jury was called and "substantial citizens" formed the body. The grand jury examined about 200 witnesses and the evidence was carefully concealed. There are as many more important witnesses who were not called before the grand jury. Harriman and Darrow will bring the truth to light when these witnesses are put on the stand. Among them are many men who will swear to the presence of gas, escaping in large quantities, previous to the explosion.

Men who went before the coroner's jury but were not called before the grand jury will tell of half-suffocating from gas while they sat at their work in the Times building just before the explosion. Not a word of this sort of evidence was allowed to get to the public.

Union Labor, accused of causing the explosion, was not allowed a representative on the investigating committee, the coroner's jury or the grand jury. A committee appointed by the Unions was not allowed to go near the wrecked building. Experts in explosives were, as far as possible, kept away from the scene. There was plenty of opportunity later on for experts to determine an all important fact, however, and that will have much to do with finally establishing the truth. Every expert in explosives who has examined the scene has declared dynamite could not have caused the upward and outward explosion that destroyed the Times building.

The walls and floor of the basement are intact to this hour. They are open to the inspection of the passerby today. The presses directly beneath the spot where the explosion occurred were not damaged and were taken out virtually intact after the debris was removed.

A dynamite charge sufficient to have lifted the floors with their tons of metal and machinery and the roofs of the building would have shattered all beneath it—floors, basement, presses and everything. In the earth beneath a hole would have been made sufficient to have buried the whole mass of wreckage. No such hole exists and the floor of the basement below the point agreed on as the center of the explosion remains intact to this hour. The foregoing is the assertion of experts who have gone carefully over the scene and taken their own evidence on the case.

The amount of gas used by the TIMES was enormous. There were 29 linotype machines and a large stereotype plant in operation—The whole probably consuming 15,000 cubic feet of gas a month. At the time of the explosion the gas pressure was on full force and the fumes from the leakage was almost unbearable.

At least one of the workers had gone home too ill to further continue his task in the building where the gas fumes were almost unendurable. This was a telegraph operator, a man of intelligence and one who bears the highest reputation for honesty and integrity. He gave his testimony before the coroner's jury and insisted on telling the story to the grand jury. For this act, presumably at the instiga-

tion of the Times through its Merchants and Manufacturers' Association, the Western Union Telegraph company officials discharged and doubtless blacklisted the operator. Another telegrapher who remained at his desk narrowly escaped death. He corroborated his comrade's statement in every detail. He was not heard by the grand jury.

It should be noted here that gas will explode with its most terrific force when the mixture with the atmosphere may still be breathed for hours without asphyxiating or, in some cases, seriously injuring a human being. There is multitudinous evidence that the whole ramshackle building was permeated with gas at the time of the explosion. When the mixture arrived at a point where it was most dangerous all that was needed was to reach an open flame.

One expert who is familiar with every step in the constant additions to the old rookery, after an exhaustive research declared that the Times building, destroyed by fire, was utterly unsuited for the purpose of a publishing plant; that it was also overloaded on every floor except the basement; that the plumbing was old and in bad state of repair; that the possibility of leaks on every floor amounted to a certainty; and that it was an easy thing and a natural thing, at the psychological moment, for a disaster,—such as did occur on October 1, 1910—to happen.

This same investigator adds:

"But don't imagine for one moment that when 'The Crime of the Century' comes up for judicial determination that the tremendous power to suppress 'the truth, the whole truth, and nothing but the truth,' exercised by the M. & M. Association, H. G. Otis, the Steel Trust, the National Erectors' Association, the American Manufacturers' Association and the 'big interests' of every kind and nature will prevent the true facts from being developed. The case will then be just where the liberty-loving, justice-seeking American people want it, and not all the wealth of the allied infamies can hinder the triumphal march of justice."

The Western Insurance News, a journal published in Los Angeles, and one that has the best reputation, on May 4, said:

"Two minutes after the Times building was on fire on that memorable night the verdict went forth that the act was the work of Union Laborites and from that time to the present moment the faction that has persistently kept this theory before the public and provided the money to still further prosecute their theory have absolute control of the whole city and county administration.

"What would be the consequence if the dynamite theory is not proven? The Times-Mirror Company and the Los Angeles Gas Company would be sued for damages by the widows and orphans of the victims of that terrible catastrophe, the public would de-

mand an investigation into the actions of the city administration. Public sentiment would be against the Los Angeles Times and Harrison Gray Otis would have to shut up shop.

"Millions of dollars will be spent to prove the McNamaras are guilty of blowing up the Times building.

"The most damnable feature of the whole business is that Union Labor has been prejudged and thousands of dollars of the city's funds (taxes paid by the Union men) are being used to prosecute this unholy warfare of capital against labor.

"From the very moment investigation proceedings were started it took the form of an inquisition along the lines adopted in the darker ages. The majority of the great dailies of this city contributed the major part of the agitation against labor—they were compelled to bow the knee to Big Business for the advertising consideration they obtain.

"Men are arrested and these dailies review and comment on the character of the prisoners, they are tried and condemned before they are brought in the courts for trial. Public sentiment is aroused by inflammatory headlines, and at no time is the public asked to suspend judgment and extend to the Union Laborer that American principle—that a man is innocent until proven guilty. The champions of industrial freedom have never shown a disposition to deal fairly or honorably in their fight against organized labor. Millions of dollars have been spent by these people to crush and subdue the working men. Crime after crime has been perpetrated by the money powers in order to create sentiment against Unionism—the arrest of the McNamaras is only a repetition of former tactics, whereby the Union working man is made to suffer and the real criminal goes unpunished.

"Let us hope that at the next session of the California Legislature a bill will be introduced making it a criminal offense to publish articles prejudging prisoners or commenting on evidence before a man is brought up for trial. Such a law is in effect in British territory and possessions."

Just a line to those who may be skeptical about capitalism's intent regarding the mass immigration of orientals. Let us take the words of J. A. Graves, millionaire banker, president of the Los Angeles Merchants and Manufacturers' Association. In an article written by Graves for the West Coast magazine, he says: "I cannot help reflecting on the utter absurdity of closing our doors to the Chinese. The exclusion act should be amended at once allowing 100,000 Chinamen a year for several years to be admitted to the country \* \* \* \* \* Chinamen would relieve the situation, add largely to the state's production, and correspondingly to the land owners' income. This question of an adequate supply of labor must be solved, and quickly. The decent, law-abiding citizens of the state are not, I hope, going to allow the question to be decided by a few beer-brutalized foreign labor union bosses."

# Legislators Stacked the Cards

John J. McNamara narrowly escaped one of the pitfalls set for workingmen who fall into the clutches of capitalist's courts because the law aimed at such cases had not yet become operative when the arraignment was conducted in a Los Angeles court room.

As an evidence of the deep laid plot and well defined policy of the legal and legislative retainers of the capitalists one needs but go over the records of the thirty-ninth legislature which was in session at Sacramento last winter.

Before the legislature convened the Merchants and Manufacturers Association attorneys and others interested in the oppression of labor came to the conclusion the laws were not severe enough and that men arrested for transgressions against the laws for the preservation of the system of exploitation were constantly being acquitted by juries.

About two dozen amendments to the penal code were drawn up in Los Angeles by attorneys of the interests. These were taken to Sacramento where they were distributed around among senators either too stupid to know what they were doing or unscrupulous enough to become tools of the Southern California labor-haters.

There were other bills of a similar nature, however, introduced by legislators from other parts of the state. The real author of the Boynton Senate bills relating to grand juries is not known to those outside the ring. This bill, however, provided an amendment to the penal code which bears upon delivery to the defense of transcripts of evidence given before grand juries and upon which indictments have been found. The amendment has so perverted the intent of the law and so stripped it of justice that it gives the accused small chance of preparing any defense. Under the new arrangement of the law the prosecutors can hold the evidence until five days after the grand jury has adjourned or until five days before the trial.

Undoubtedly this law was aimed to embarrass the defense in cases similar to that of the McNamara brothers. The Burns trap

was sprung too quickly and the law had not yet become effective when the McNamara brothers were arraigned. As a consequence the district attorney was forced to deliver the transcript of evidence (1500 folios) to the defense at the time of the arraignment. After that time it took a large corps of stenographers several days to arrange this evidence for the counsel for the defense.

Under the new workings of the law this evidence could have been withheld until FIVE DAYS BEFORE TRIAL. The simple methods would have been to have kept the grand jury in session until five days before the trial and then dump that whole mass of testimony upon the defense—giving them no opportunity to prepare the case. That was the plot that failed in this case.

Capitalism's claws were quickly shown, however, for within a few days after the law went into effect—a week after the McNamara arraignment—the case of Bert Connors, Ira Bender and A. B. Maple, charged with complicity in an alleged plot to blow up the Hall of Records came along to show how the frameup would work. The men were arraigned and when the defense asked for a transcript of the testimony they were coolly told the law did not call for a delivery of the testimony until five days before trial. Attorney Job Harriman raised the point that the law did not apply in this case as the grand jury was in session and the alleged crime committed before the law was enacted.

Thus does one of the score of measures that were aimed at labor work most effectively when it comes to dealing out injustice to the working class. Among the other amendments to the penal code that were aimed at labor was a proposition to make it possible for nine jurors out of twelve to return a verdict. This infamous measure passed the Senate and it was with the greatest difficulty the "friends of labor" in the Assembly could be persuaded that the measure was a bad one. It was finally killed. This proposition was originated in Los Angeles where the M. & M. had found it impossible to get convictions under the notorious anti-picket laws.

It is on record that every member of the legislature, in Senate and Assembly, sent from Los Angeles and Southern California favored all the amendments calculated to bear most heavily on the workers who are unfortunate enough to be the victims of capitalism's

plots. Every effort was made to tamper with the laws governing the grand jury in order that the laws could be made most severe.

The defeat of the anti-injunction bill, which was chloroformed in the assembly after a most bitter fight won its passage in the Senate, was one of the hardest blows struck at labor during the session. Other labor measures were fought insidiously but the anti-injunction bill was openly combatted and it is said Emperor Pierpont even took a hand in it. President Taft's name was frequently used in connection with the assassination of this measure because it became entangled with an alien land bill to which the fat one was much opposed. Telegrams passed between Taft and Governor Hiram Johnson concerning the anti-Japanese measure and it is thought the other bill became involved. It was most convenient for Gov. Johnson that the anti-injunction bill was defeated because he would have been under the unpleasant necessity of vetoing the measure or standing as an enemy of California capitalism which fought this legislation with great bitterness.

Other restrictive measures passed in the way of amendments to the penal code will be brought to bear during the trial of the McNamaras. All this brings to mind the fact that Capitalism's conspiracy in California is along the lines of well-defined plans to crush labor on the Pacific coast and then take up its eastward march.

Otis has received his insurance. For the old ramshackle death-trap and his archaic machinery he collected \$225,337.26.

This money was paid by the insurance companies or the representation that FIRE destroyed the plant.

As for the explosion, insurance men declare it was an incident to the disaster.

Otis and his henchmen made affidavits concerning the fire. THE EXPLOSION WAS ESTIMATED BY THE TIMES PEOPLE TO HAVE DONE DAMAGE TO THE EXTENT OF ONLY \$6,230.

Directly above the agreed center of the explosion was the linotype room, yet the damage to the linotype machines was placed at only \$580; furniture damage, \$1,500; other machinery, \$500.

Having convinced the world that DYNAMITE destroyed the plant, and the insurance companies that FIRE destroyed it, Otis was well content with himself and his achievements. Then came the Steel Trust and Burns with their McManigal and their "case" against McNamara to destroy the peace and honor of the latter days of the "hero" of the Rubicon.

## Law and Constitution Ignored



IN a dispatch sent out from Washington by the National Socialist Press during the hearing on Congressman Victor Berger's resolution the statement was made that Detective W. J. Burns, Roosevelt's "honest man," was proven to be a deliberate liar by Attorney Leo Rappaport, of the Structural Ironworkers' Union, at the hearing on Representative Berger's resolution for a congressional probe of the McNamara kidnaping case, held before the House Committee on Rules.

Rappaport submitted a certified copy of the requisition papers which showed that Assistant District Attorney Ford, of Los Angeles, swore that McNamara was under arrest at Indianapolis April 15th. Ford's affidavit contained a telegram from Burns, in which the detective stated that he had McNamara under arrest at that date.

The undisputed fact is that McNamara was not arrested until April 23d, one week later.

Representative Berger, author of the resolution, President Ryan and Attorney Rappaport of the Ironworkers' Union addressed the committee. A letter from President Gompers of the American Federation of Labor was read by Chairman Henry of the committee.

In opening the hearing, Berger said that he did not want the committee to consider the guilt or innocence of McNamara. The courts are to settle that question, he said.

"I am primarily concerned," said Berger, "with a series of flagrant and outrageous breaches of the law by civil officials in which a citizen's constitutional safeguards have been violated, and I am further concerned with the power of the national legislature to assert its right to intervene in such a case."

He then told the committee how McNamara had been forcibly taken away from his office, denied counsel and in the dark of the night hurried out of the city in an automobile filled with private detectives. The seizure of McNamara's private papers and the ransacking of the office were also denounced by the socialist member of Congress.

In support of his charges, Berger quoted a number of decisions pertinent to the case. One of these was the dissenting opinion of Justice McKenna in the case of Moyer, Haywood and Pettibone. Berger urged an investigation so that Congress may enact stringent laws to prevent a repetition of the Indiana outrage.

President Gompers, who was in New York at the time of the hearing, said in his letter that the President of the United States would give more consideration to a fugitive from justice wanted by a foreign potentate than was given to McNamara by the Indiana officials.

The arrest of McNamara, he said, was a high-handed outrage repugnant to our common conception of human justice. He urged the adoption of the Berger resolution.

The story of the kidnaping and the looting of the Ironworkers' office at Indianapolis was told by an eye-witness, President Ryan. He said that the executive board of the union was forcibly detained in the office for nearly three hours.

That the detectives stole \$422 from the safe which they blew up early that Sunday morning, was the sensational charge of Ryan.

Rappaport also gave a detailed account of the lawlessness of the agents of the Erectors' Association on that day and evening. Every effort that he had then made to get these detectives to observe the laws governing arrest and search proved fruitless, he said.

That the Indianapolis newspapers had the story of McNamara's arrest in type hours before it took place, was another sensational charge made by the union's attorney. The whole affair was pre-arranged for the widest publicity, he said.

