

ELIZABETH GURLEY FLYNN ADDRESSING STRIKERS AT PATERSON, N. J., MAY, 1913

Sixty-two years ago this October, Montana's Garden City of Missoula, bursting with civic pride at its cultural growth and beauty, was the scene of the first in a series of "free speech fights" staged by the Industrial Workers of the World, the revolutionary labor organization whose members were half fearfully and half humorously called Wobblies. The result was not only total frustration—indeed, defeat—for Missoula's city authorities, but the development of civil disobedience techniques which the Wobblies were to perfect and use with disruptive success throughout the country until the 1930's. They were techniques which were to be used many times and in many places, including our own. And they were led by a tireless 19-year-old woman revolutionary named Elizabeth Gurley Flynn, who was to become, more than a half century later, chairman of the Communist Party in this country and who remained an irritant and high on anti-subversive lists until her death in 1964 at the age of 74. The events which plagued Missoula officials in the Fall of 1909 have present-day overtones. And so does the career of Elizabeth Gurley Flynn, whose youthful advocacies were much like those of women's liberation spokesmen today. Far from being a relic from the past, this episode, however minor in the history of the I.W.W., rings with dramatic immediacy.

—THE EDITOR



(Archives of Labor Hist. & Urban Affairs, Wayne State U.)

UNLIKE other free speech fights staged by the Industrial Workers of the World, the first one, which utterly subdued Missoula, Montana in October, 1909, has never been given the attention it deserves. Most historians recorded the event in a passing sentence—one even dates it 1908—but only one source supplies what can be considered a detailed account, and it, unfortunately, rests completely on the autobiography of the major Wobbly organizer in Missoula, Elizabeth Gurley Flynn.¹

Such historical neglect is understandable, of course, because other free speech fights in such cities as San Diego, California and Everett, Wash-

ington were apparently more influential and certainly more bloody. But although no bodies lay in the dirt streets after the I.W.W. defeated Missoula, the free speech fight there is still of considerable importance. Practically all tactical maneuvers employed in the future free speech fights in the West—speak on the street, be arrested, fill the jails, demand jury trials, refuse to leave, call in outside members—were first acted out in Missoula.

Preparations for the Montana fray began in the fall of 1908 when Vincent St. John, national I.W.W. officer in Chicago, sent John Archibald (Jack) Jones to Missoula with the traditional suitcase of literature, songbooks, and red cards. A 32-year-old ore miner who “had worked all over the Western country,”² Jones must have been encouraged to arouse the huge labor force in the lumber and logging industry around Missoula, as well as the hundreds of migrant laborers who came seasonally to pick the Bitterroot fruit crops. From the evidence at hand, it can be said that Jones attracted a small number of new I.W.W. members who, according to *Polk’s Directory*, held their meetings in the Union Hall at an unlisted time.³ But it finally must be assumed that Jones did not attract substantial numbers of local workers or transients during the first months of his sojourn in Missoula.

While Jack Jones was trying to bring the I.W.W. to life in Montana’s Garden City in the summer of 1909, his wife of twenty months and one miscarriage was setting out from Chicago to “see my country and to meet its people.”⁴ She was Elizabeth Gurley Flynn, and she did not stop until she arrived in Butte, Montana, where she received an enthusiastic reception from the Western Federation of Miners. After staying in Butte for an undetermined period, she moved on to Kalispell, where the I.W.W. was involved in a lumber strike. From Kalispell, she traveled to Spokane, where she spent the remainder of the summer “speaking three and four times a week in the I.W.W. hall to an ever-changing audience of migratory workers.”⁵ From Spokane, Elizabeth eventually came to Missoula, but no exact date for her arrival can be set. What can be projected, however, is an important

1. Philip S. Foner, *History of the Labor Movement in the United States, Volume IV: The Industrial Workers of the World, 1905-1917*, New York: International Publishers, 1965, pp. 175-177.

2. Elizabeth Gurley Flynn, *I Speak My Own Piece*, New York: Masses and Mainstream, 1955, p. 92.

3. R. L. Polk and Co., *Missoula and Hamilton City Directory and Missoula, Ravalli and Sanders Counties Directories, 1909*, Missoula, Montana: Missoulian Print, 1909, pp. 11-12.

4. Flynn, *op cit.*, p. 87.

5. *Ibid.*, p. 90.

reunion with her husband, Jack Jones, "by whom she was again six months pregnant."⁶

Before serious street speaking began, Jones and his wife established their headquarters in the basement of the Harnois Theater next to the Chamber of Commerce Building at 207 East Main. By occupying the basement of this new building just a block away from the Union Hall, the Wobblies demonstrated that their cause was incompatible with the leadership of the local unions, especially the local A.F. of L. which prohibited its members from joining in the free speech fight. They also created the situational irony of the I.W.W. in the basement of the city's foremost theater, from which they fought the city court in the basement of the city's leading hotel.

AFTER renting the theater, street meetings started on the corner of Higgins and Front streets, and, according to Elizabeth, they "drew large crowds, mainly migratory workers who flocked in and out of town." In their speeches, the Wobbly nucleus of Flynn, Jones, and Frank Little attacked, more than any other source of malaise, three employment agencies—O.K. Employment Office at 327 Higgins, Lyons Employment Office at 517 Higgins, Western Employment Agency at 122 Higgins—and their practice of "fleecing workers [probably loggers] by collecting fees in advance and then sending them to non-existent jobs to be fired after their first wages, out of which they had to pay a fee for the job."⁷

Such vociferous attacks on local businesses, all located within earshot of the 19-year-old Elizabeth and her cohorts, eventually led both storekeepers and employers to pressure the City Council into passing an ordinance making street speaking illegal. Ostensibly, this was done because the Wobblies attracted large crowds which blocked sidewalks and congested traffic in the business district.

It should be noted, however, that only Elizabeth Flynn's autobiography records this action by the City Council. The minutes for October, 1909, do not include a special meeting or the passing of

any ordinance against street speaking. Furthermore, Ordinance 96, which became city law on May 1, 1899, already prohibited street speaking, as a reading of Section 5 readily points out:

Any person who shall, within the limits of the City, make countenance or cause to be made, or who shall assist in making or causing to be made, any improper or unusual noise, riot, or disturbance, or who shall commit any breach of the peace, or who shall commit an assault and battery upon the person of another, or who shall use profane, obscene or offensive language, or in any way disturb the peace or quiet of any street, neighborhood, family or person by loud or unusual noises, vocal or instrumental, or shall make false alarms by crying fire, shall be guilty of a misdemeanor.

Even Elizabeth herself admits in her correspondence that speakers were charged in Municipal Court with disturbing the peace. All evidence, then, indicates that *no new ordinance was passed*; instead, Missoula proceeded under its established code.

ACCORDING to available records, street speaking continued without incident until Monday, September 27, 1909, when "some soldiers from Fort Missoula . . . complained that they had been attacked in an anarchistic manner by a woman orator. The soldiers threatened to 'clean out the whole bunch,' and to save further trouble the officers requested both the woman and her crowd of sympathizers to desist."⁸

Apparently, Elizabeth had been speaking on the corner for some time, competing with the local Salvation Army and with a fanatic who also aired his convictions on the corner of Higgins and Front. To continue, an *Anaconda Standard* reporter wrote that "Missoula officers have always been lenient and liberal with street speakers who have labored in this field in the past and did not raise any objections to the present bunch until the serious trouble mentioned above was threatened. Then their efforts were as much for the protection of the speakers themselves as any other cause." Thus, the presence of Fort Missoula, four miles south of the city and garrisoned with approximately 270 men, apparently provided sufficient flint and steel to ignite the free speech controversy.

After being saved from the irate soldiers by Jacob A. Vealey, Chief of Police, a retired Northern Pacific engineer, and by his expanding police force of retired railroad men, both Elizabeth Flynn and the other Wobblies persisted. At approximately 5:00 o'clock on Tuesday afternoon, September 28,

6. The obvious question arises here of how Flynn could be six months pregnant by Jack Jones when Jones, according to the autobiography, had been in Missoula since the fall of 1908. Several possible answers to this contradiction exist. First, there is the possibility that Flynn has dated Jones' arrival in Missoula incorrectly and that Jones was sent in the fall of 1909 and not 1908. The second possibility is that Jones did not stay in the city, but returned to spend the winter of 1908 in Chicago, returning to Missoula sometime in the spring after organizing and speaking in Canada. Whatever the case, the pre-Missoula movements of Flynn and Jones are not of great importance to this paper. An interesting study might be done, however, to resolve this apparent impossibility which Flynn has built into her autobiography, written some forty years after the event.

7. Foner, *op cit.*, p. 176.

8. *The Anaconda Standard*, October 2, 1909, p. 12.



MAIN STREET OF "THE GARDEN CITY," CIRCA 1909

(U. of Montana Library)

street speakers mounted the platform of boxes and barrels on the usual corner. "Two were arrested the first night," according to Elizabeth, but their identity is unknown. Presumably, they were two of the four men who formed the I.W.W. nucleus in the city.

On Wednesday, September 29, speaking continued in spite of the arrests made the previous night; again two more orators were imprisoned. The trial of these First Four men was set for Thursday afternoon in the Municipal Court of Police Magistrate Harry M. Small. The four to be tried were Jack A. Jones, the original organizer and Elizabeth's husband; Frank Little, the famous half-breed organizer from Butte who was to be lynched in that same city eight years later; H. I. Tucker, who is recorded in the autobiography as "employed by the U.S. Forestry Department, which had an office building overlooking the corner. He rushed downstairs when he saw a young logger dragged off the platform for attempting to read the Declaration of Independence. Tucker took over, jumped on the platform and continued to read until

he was arrested;"⁹ and George Applebee, who remains unidentified.

While these four were in the city jail located beneath the fire hall stables in the city hall building, Elizabeth Flynn was still free, organizing, recruiting, but not speaking; her last appearance on the soapbox was the first Monday night when she was threatened by the soldiers. In light of her previous miscarriage and her present condition, Jones probably told her to stay off the platform. This, of course, did not prevent her from "mingling among the crowd of men nightly with her little bundle of industrial papers for sale."¹⁰

On Thursday, September 30, 1909, the case of the First Four came to the court of Judge Small, located on the second floor of the City Hall. The Wobblies were charged with "holding meetings on public streets in violation of city ordinances. It is alleged that the men, assisted by one woman, occupied prominent positions on platforms con-

9. Flynn, *op cit.*, p. 93 — A few years later this young man, an aviator of World War I, lost his life in San Francisco Bay, while distributing 'Hands Off Russia' leaflets from the air over the city.

10. *The Anaconda Standard*, October 2, 1909, p. 12.

structed of boxes and barrels from which they addressed the general public and they are said to have hurled uncomplimentary remarks at passers-by who failed to respond to their entreaties to stop and listen to their pleas for public recognition. The members of the local Salvation Army and of Uncle Sam's army were assailed in most bitter terms . . ."

In providing their own defense against the City, the Wobblies pointed out that the Salvation Army made far more noise than they did, but Small ruled out that evidence as irrelevant, and they were all "found guilty of disturbing the peace and were sentenced to 15 days in the county jail . . . [or payment of a \$10 fine]. In pronouncing sentence, Judge Small gave the men the option of a suspension of punishment if the men would promise to refrain from making public speeches. Without exception they spurned the generosity of the court and were remanded to jail."¹¹

EVEN though she was defeated in the courtroom, Elizabeth Flynn still persevered in the street. By 5:00 that same afternoon she had four more men—Clifford Hughes, Louis Miller, Peter Brown and John Clifford—speaking on the platform while she again distributed her literature. One by one, after the opening "Fellow workers and friends," the speakers were arrested and booked in the city jail.

Sometime during the afternoon, after the trial was over and before the next four men were arrested, Elizabeth Flynn wrote a telegram to the I.W.W. headquarters in Spokane and to the Western Federation of Miners in Butte, describing what had happened to Jones, Little, Tucker, and Applebee, describing the Missoula city jail, and asking for all available assistance.¹² Thus, what appeared to be a small town struggle against a few outspoken transients and a girl began to enlarge.

Spokane responded immediately. After receiving Elizabeth's telegram, the Industrial Worker, Spokane's I.W.W. mouthpiece, published the fol-

11. *The Butte Miner*, October 1, 1909, p. 3.

12. It should be understood here that Elizabeth's choice to notify both Spokane and Butte was not based on mere caprice. She had, it will be remembered, just finished speaking in both places on her way West, and from her reception in Butte and her time spent in Spokane, she was undoubtedly a popular and commanding voice in the I.W.W. forces. In addition, "The I.W.W. storm center for the West [in 1909] appears to be Spokane, Washington," according to the *Industrial Union Bulletin* from February of that year, (Foner, *op cit.*, p. 177) and for sheer numbers, Spokane, a busy crossroads for migrant labor, was also the place to appeal for help. Moreover, the fine rail connections for "side-door pullman" between all three cities made them logical points for reinforcements. And finally, the fact that reporters for Butte and Anaconda papers were both in Missoula made those two Montana cities obvious sources for sympathy and voices.

lowing article on its front page on September 30, 1909:

FREE SPEECH BATTLE
FIGHT OR BE CHOKED

Elizabeth Gurley Flynn is a 19-year old girl. She has been speaking in Missoula, Mont., as organizer for the Industrial Workers of the World. Industrial Union No. 40, I.W.W. of Missoula has been telling the lumber workers that they must unite in one union to fight the bosses. Her husband and fellow worker Little are now in jail for speaking on the street. It may be necessary to fill the Missoula jail and it is up to you, I.W.W. men, to go to Missoula and, if necessary, be arrested for the crime of speaking on the street. The Unions of the I.W.W. invite every free born "American," and every man who hates tyrannical oppression of the police, to go to Missoula and help the workers there win out.

Are you game?

Are you afraid?

Do you love the police?

Have you been robbed, skinned, grafted on?

If so, then go to Missoula and defy the Police, the courts and the people who live off the wages of prostitution.

NOTICE—WE WOULD SUGGEST TO THE MISSOULA POLICE, THAT NO I.W.W. MEN BE SHOT NOR CLUBBED. THAT NO I.W.W. WOMEN BE RAPED OR INSULTED.

This struggling Union No. 40, I.W.W. calls on all revolutionists to help.

This, of course, is the first notice of its kind in the history of syndicalism in the West. Missoula, from this point on, became a tactical proving ground for later I.W.W. free speech fights in western cities from California to Washington.

On Friday morning, October 1, 1909, the last four men—Clifford, Hughes, Miller, and Brown—were released "after spending the night in the city jail."¹³ The First Four were still imprisoned in the county jail where prisoners accused of serious offenses were detained. The release of the latter four is significant in that it demonstrates the police policy toward the remaining Wobblies—treat them like ordinary drunks by keeping them overnight and by not preferring formal charges against them. In contrast, the continued imprisonment of the First Four is significant in that it demonstrates the established police policy of arresting ring-leaders. In both tactics, Missoula authorities proved they had not foreseen any part of Elizabeth Flynn's developing strategy.

On Friday evening, presumably before the dinner hour in the jails, the same four men who had been arrested Thursday night and liberated Friday morning again mounted the platform at the

13. *The Daily Missoulian*, October 2, 1909, p. 12.

corner of Front and Higgins. After again drawing a noisy crowd, they were arrested and walked the block and a half to the city jail, escorted by the police who were now committed to a consistent policy.

The large crowd which had gathered continued to mill around at the intersection, and officers were barely able to clear a passageway on either street or sidewalk. Mayor Andrew Logan, a blacksmith and owner of City Carriage and Wagon Shop, must have either been on the scene or he was called to it, because *The Anaconda Standard* reports that Mayor Logan ordered Fire Chief Albert H. May to hitch a team to the hose wagon and roll it down to the corner so that it would cover the intersection. Before sympathizers realized it, they were surrounded.

Chief of Police Vealey called out due warning that those who did not disperse immediately would be washed. After an appropriate interval, the streams of freezing water were turned on; it took but a few seconds to disperse the mob. Meanwhile, the arrested quartette spent the night underneath the firehouse.

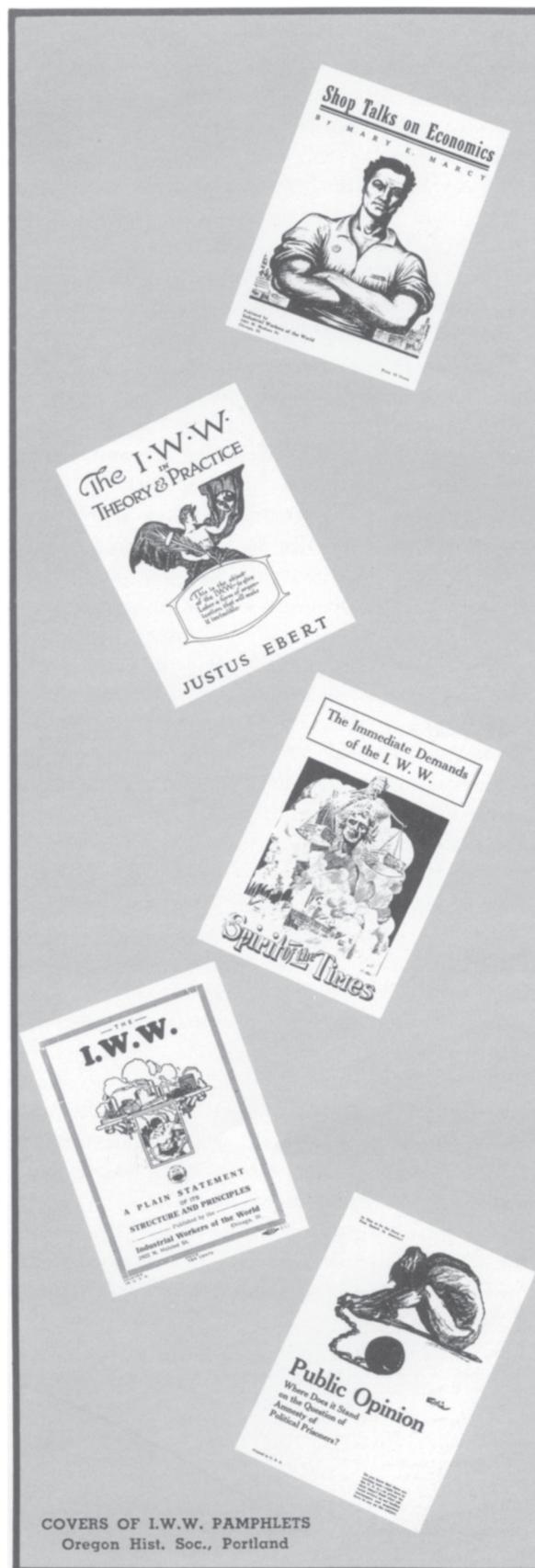
On Saturday morning, October 2, 1909, "Jack Clifford, Cliff Hughes, Louis Miller and Peter Brown . . . refused to plead in police court when arraigned . . . and demanded a jury trial."¹⁴ Following due process, the jury was impaneled late Saturday night, and consisted of the following citizens, according to the City Council minutes in the case of *City vs Clifford*: B. F. Thraikill, a broker and commission merchant; M. C. Chapman, a carpenter; Ed Olson, a laborer; Claude Humphrey, unidentified; and F. M. Truesdale, treasurer for the Missoula Investment Co.

In what must have been an unusual Saturday night trial, the Wobblies again handled their own case, maintaining that "the disturbance was caused by the police when the arrests were made, as the crowd took the chance to 'holler' and cheer, but the prosecution claimed that the crowd would not have been present were it not for the fact that a meeting of the Industrial Workers of the World was expected to be held. The jury evidently saw the case as claimed by the prosecution."¹⁵

After he rendered the verdict, Judge Small "delivered an address full of good advice for the offending I.W.W. men, and suggested that the longer they maintained an attitude that could be construed as antagonistic to the laws of the city, they

14. *The Butte Miner*, October 3, 1909, p. 1.

15. *The Daily Missoulian*, October 3, 1909, p. 10.



COVERS OF I.W.W. PAMPHLETS
Oregon Hist. Soc., Portland

would be subject to punishment. He fined them each \$1.00 and costs, and in addition gave them a sentence of 15 days in the county jail.”¹⁶

In pursuing traditional justice, Small could not have known that he was following exactly the plans of Elizabeth Flynn. Now there were eight boarders in the county jail. While the trial was proceeding in Municipal Court, there was “a little demonstration on the part of the I.W.W. who are now [sic, a misprint for *not*] at liberty to hold their open air meetings, although Mrs. J. A. Jones [Elizabeth Flynn] the reputed leader of the workers appeared at the usual meeting place and was soon surrounded by a few of the faithful. Hundreds of persons gathered in the vicinity of Higgins Avenue and Front Street looking for excitement tonight, and several incipient riots took place before the mob was finally scattered.”¹⁷

According to Elizabeth, no fire hoses were hauled out to disperse the mob on Saturday night because “the townspeople protested vigorously against this after several people were hurt” on Friday. In place of the usual street meeting, Elizabeth retired to the I.W.W. hall in the Harnois Theater and held a rally.

Sunday, October 3, 1909, began with an editorial in *The Daily Missoulian* which criticized the local police and sheriff for not ridding the city of the “secretaries” which were playing fast and loose with the city’s moral image down by the tracks. Carefully juxtaposed to this editorial in another opinion column the following statement appeared: “The campaign against street orators should be extended to embrace the ‘secretaries.’ They are worse.”

From this kind of identification, the serious underlying disparity between Missoula and the Wobblies can be understood. For the Wobbly, the right to speak on the streets meant the right to organize, and hence, the right to power. In contrast, Missoula’s prohibition of street speaking was not a prohibition of the right to organize. It was much easier than that. It was simply a prohibition of the right to deface the city’s image as “an ideal spot [where] from the cot of the laboring man to the mansion of the millionaire there is a spirit of cosy content, [and where] everyone takes pride in making the city beautiful.”¹⁸

16. *The Butte Miner*, October 3, 1909, p. 1.

17. *Ibid.*

18. Anonymous, *Missoula—The Garden City*, 1909, pp. 3-5 and passim. Note: Even though pamphlets are notoriously poor sources of reliable information, they still are perhaps the best place to find the city’s idealized image of itself, the image to be publicized and the image the Wobblies threatened.

Missoula, Gate of the Golden West, Missoula, the Gem of the Mountains, thriving economic nexus for Western Montana, city of 13 churches, a literary society, banks with assets in the millions, a new courthouse, a new bridge, a new theater, obviously could not allow its image to be sullied by this bunch of imported rabble rousers led by a pregnant girl who wanted to use the public street for the sake of her union. There is no evidence that this disparity between the Missoula mentality and the Wobbly mentality ever surfaced. Instead, Missoula simply demanded that these street speakers be driven out as though they were a species of moral blight. In contrast, the Wobblies were determined to let nothing, including the public sense of propriety, interfere with their fight to simply exist as an organization.

On this same Sunday it is safe to assume that Elizabeth Flynn’s call for assistance to strengthen the organization was being answered. The *Spokane Chronicle* stated that “members of the local Industrial Workers of the World are now leaving Spokane for Missoula, Mont., for no other purpose than to be arrested and put in jail. They intend to make a test of the law of free speech in the Montana town . . .”¹⁹ *The Butte Miner* and *The Anaconda Standard* both corroborate this claim by the Spokane paper, as do events later in the day.

WITH A FRESH increase in forces, Elizabeth Flynn could encourage street speaking again. On Sunday afternoon, “H. Mattson, Sam Tobin, B. C. Stork and A. Roe attempted to make addresses, but were nabbed by the watchful guardians of the peace and taken to the county jail. In the evening, A. Johnson, G. E. Boyd, Joe Marsh and G. E. Bailey were ‘pinched’ for the same reason.”²⁰ These speakers, all from Spokane and all “particularly rabid of speech,”²¹ were working under a new strategy which Elizabeth had presented in her meeting on Saturday night. Instead of speaking only at the main intersection, Wobbly orators were “to select leaders of small squads and distribute them about town, thus giving each a chance to gather a crowd before the police became cognizant of the movements of the I.W.W.” The new influx of men thus led to a change in tactics by the Wobblies, but no change occurred in tactics by the Missoula police. More speakers, more arrests.

19. *The Daily Missoulian*, October 3, 1909, p. 10.

20. *Ibid.*, October 4, 1909, p. 2.

21. *The Butte Miner*, October 4, 1909, p. 3.

Elizabeth Flynn probably counted on this police response, and probably hoped that they would make mass arrests. But one change she had probably not counted on was her own arrest on Sunday night while persistently attempting to hold an advertised open air meeting in the business section. Even though it became common knowledge that she was the generative force behind street speaking, Elizabeth, 19 years old, "clad in broad sombrero and red neckerchief,"²² six months pregnant, eloquent, missing a tooth which had been recently extracted by a Missoula dentist, surrounded by a tough bodyguard, had been ignored after her original male lieutenants had been arrested.

Nevertheless, this young woman, considered by one reporter as "a woman of considerable power as a speaker and of unquestioned courage when engaged in the work of her organization," was led off to the county jail where "she gave her name . . . as Mrs. J. A. Jones," and stated that the "I.W.W. could not be suppressed and that the work would be carried on as outlined even if 10 men are jailed every day."²³

Another reporter called Elizabeth an "arch disturber, organizer and leader of the Industrial Workers of the World," and added that she was accused of having been active in inciting the members of the organization in their tirades. Because no separate cells for women existed in either the city or county jails, and because Judge Small hesitated to commit women when there were no facilities for them, Elizabeth was consequently placed in the witness department of the county jail.

Although newspaper accounts do not agree on the exact number of Wobblies now in jail, the names of 17 have been given; it can be assumed that the number was somewhere between 17 and 20. Even though there is no way to determine the capacity of the city and county jails, it is certain that "the number of prisoners are crowding the city and county jails to their capacity and the officers hope that with the arrest of the woman the attempts at disturbances will not be continued."²⁴

Missoula police, perhaps following the lead of Spokane police in 1908, did not count on the fact that the Missoula free speech fight was radically different from any previous labor disturbance in at least three ways. First, the communications revolution made events in the Garden City im-

22. David Lavender, *Land Of Giants*, New York: Doubleday and Co., Inc., 1956, p. 421.

23. *The Butte Miner*, October 4, 1909, p. 3.

24. *The Anaconda Standard*, October 4, 1909, p. 5.

portant beyond the city limits. Second, "another woman, a lieutenant of Mrs. Flynn, arrived today from Spokane and is ready to take up the burden where the recognized leader was compelled to lay it down."²⁵ And finally, Elizabeth Gurley Flynn was probably more pugnacious than any Carrie Nation who ever appeared in a Montana bar.

On Monday evening, October 4, the City Council met in its chambers above the fire hall and jail, where they considered several measures which concerned the Wobbly invasion of the city. From newspaper accounts and council minutes, it can be established that City Treasurer Hatheway and City Clerk Kemp petitioned the Council for an assistant during the month of October. They also requested that a new court room be found because normal operations for their two offices had been suspended with the crowded conditions of the present court room. Foreseeing these demands, the property committee had prepared the following written report:

We, the City Property Committee take leave to report that we have hired for one month, the basement room from the Missoula Hotel Co., for \$25 for the month of October, 1909, and we further recommend that a lease be entered into for one year between the City of Missoula and the Missoula Hotel Company. We can get this room for \$20 per month by leasing for one year, and recommend that this be done and it was added orally that Mr. W. A. Logan had been employed to assist the City Treasurer and Clerk for the time his services were needed at a salary of one hundred dollars per month. On motion of Alderman McCormick and Corbett the report was adopted.

Patterson and Moody

According to the council minutes, J. E. Moody was hired to provide both labor and materials for the new court room at a cost of \$23.68. Also presented for payment during the course of the meeting were the salaries of 15 police officers, six more than usual, and the bill of John F. Miller for "28 meals for prisoners" at \$7.00. Even though they probably did not know it, the Wobblies were already costing the city money, and would cost it more if something was not done soon.

In addition to these effects of the free speech fight in Missoula on October 4, Elizabeth Flynn was also causing action outside in both Spokane and Butte. C. L. Filigno, secretary of the Spokane I.W.W., was quoted in *The Daily Missoulian* as saying that "There are 100 men now in route from Seattle and about as many from Portland headed

25. *The Butte Miner*, October 4, 1909, p. 3.

for Missoula to help Girley [sic] Flynn in her fight for free speech . . . About 25 members of the local I.W.W. left last night for Missoula, and 30 more left this morning."²⁶ Meanwhile, in Butte, the Western Federation of Miners released the following denouncement which appeared several days later in *The Daily Missoulian*:

MINERS' UNION DENOUNCES
ACTS OF MISSOULA POLICE

A committee appointed by the Butte Miners' union to draft resolutions bearing upon certain recent acts of the Missoula authorities, has given out the following report for publication:

To the Officers and Members of Butte Miners' Union No. 1, of the W.F. of M.

Whereas, It has come to our notice recently that some of our fellow workers in Missoula have been beaten and thrown in jail by the Missoula officials for exercising the right guaranteed to every man, woman and child in this country by the constitution of the United States, viz: the right of speech;
and

Whereas, Those so-called peace officers of Missoula have in an unguarded moment shed their lamb of peace garb and stand revealed to the world as the real terrorists, who stand ready at their masters' behest to tear down that which they are pledged to uphold; and recognizing the fact that a denial or an abridgement of any constitutional right to the humblest citizen imperils the rights and liberties of the whole social body,

Therefore, be it resolved, That we, Butte Miners' Union No. 1, of W.F. of M., condemn the action of the Missoula officials for the un-American and unjust action in preventing men and women from speaking on the streets of Missoula, and that we pledge our fellow workers in that town our moral support in their gallant fight for free speech, and,

Be it further resolved, That we have these resolutions published in all of the local papers, and also in the Missoula papers.

PAUL COONEY, DANIEL B. SHOVLIN, Com.
P. W. FLYNN, President
AL M'CLELLAN, Rec. Sec'y

Tuesday morning, October 5, was uneventful, but that afternoon Elizabeth Flynn was released for her trial in the old police court on the second floor of the City Hall, after having been "treated with kid gloves by the Sheriff and his wife." According to *The Anaconda Standard*, "the case of Elizabeth Gurley Flynn [was dismissed]," and no details exist which might clarify exactly why she was not treated like her fellow orators Clifford, Hughes, Miller, Brown, but was instead brought to trial and charged formally in the same way

that the First Four had been arraigned. It is possible, of course, that her pregnancy made her incarceration more a liability to the city than her freedom. Or perhaps the absence of decent cells for women prisoners caused her release. In any case, no records of police court proceedings exist, and Elizabeth herself gives no report of her trial.

After being liberated, she undoubtedly met with Spokane I.W.W. men who were still arriving by train, and set out a plan of action for the remainder of the day. The various street corners of the business section were to be manned again under the supervision of Mrs. Edith Frenette, Elizabeth's replacement. Meanwhile, Elizabeth was to hold a rally in the basement of the Harnois Theater. Speaking began almost immediately and "some 20 arrests, with a small demonstration between scenes, formed the I.W.W. program . . . Several members of the organization, intent upon forcing the city to give them a night's lodging and a few days board, made the customary remarks of 'Fellow Workmen—' and were nabbed." Mrs. Frenette waited until the men had spoken and then mounted the platform, only to be arrested after beginning her address. "Someone in the crowd which followed her as she was being escorted to the county jail, hurled a rock which struck a policeman on the arm."²⁷ The crowd, which reporters estimated to be between 100 and 1,000, "followed the officers to the very jail door, demanding the release of the woman, and in the darkness the person who threw the missile could not be seen and no one was arrested." After arriving in front of the City Hall, the crowd stood in the jail yard and "listened to a few of the visitors speak. The jailbound Wobblies accompanied the speakers with the hymn of the organization, set to the air of the 'Marseillaise,' and gave their compatriot a spirited welcome as she was locked up."²⁸

While Mrs. Frenette spent the night in the same room Elizabeth Flynn had vacated that afternoon, the latter was sending telegrams again "to members and sympathizers of the organization at Butte and Spokane to come to Missoula and help carry out the purpose of the organizers." *The Anaconda Standard* carried the final and perceptive comment that "the trouble is assuming a more serious aspect."

26. *The Daily Missoulian*, October 6, 1909, p. 2, quoted from the *Spokane Chronicle*.

27. *The Anaconda Standard*, October 6, 1909, p. 1.

28. *The Daily Missoulian*, October 6, 1909, p. 4.

EVENTS on Wednesday, October 6, 1909, are difficult to establish, except that more Wobblies must have been arriving in town—"Thirty-five members of the Industrial Workers of the World . . . were arrested as public nuisances while speaking in public on the streets,"²⁹ that the Wobblies arrested Tuesday night and Mrs. Frenette were liberated, and H. T. Wilkinson, alderman from the Third Ward and real estate and mining entrepreneur, was appointed as Acting Mayor in the conspicuous absence of Mayor Andrew Logan.

The Wobblies were still using Elizabeth's tactic of small speaking groups distributed throughout the business district, and most of the orators were either those who had been arrested previously or those recently arrived from Spokane. As usual, most of the men were arrested before the dinner hour because the Wobblies still attempted to make their confinement as expensive as possible for the city and as beneficial as possible for themselves.

It should be noted here, in connection with this large number of arrests, that the prisoners in the city jail, with horse stalls above them, white-washed walls, one bed, and a dirt floor, were moved to the county jail because of the size of the city facility and the nature of Wobbly behavior. According to all newspaper accounts, there were now 43 Wobblies in jail, and even though Missoula's population at the time was around 12,000, there is no reason to believe that the city had enough jail space for 43 prisoners. In addition, the prisoners were no ordinary sort: they sang and made speeches, shouted slogans in chorus, and generally made their convictions known both night and day. According to Elizabeth Flynn, their uproar disrupted the occupants of the Missoula Hotel just across the street, and it also disrupted the Municipal Court of Judge Small which had just been moved into the basement of the same hotel. By moving the Wobblies several blocks to the county jail, the carriage of justice and the business of hotel keeping could presumably continue without interruption.

On Thursday morning, October 7, municipal authorities opened the jail doors *before breakfast* and told all the 35 overnight prisoners that they were free to go. But, by this time, the Wobblies had an answer: they refused to leave the jail when liberty was offered them, demanding food and a

29. *The Butte Miner*, October 8, 1909, p. 1.

jury trial afterward. Only one man broke "solidarity," as Elizabeth Flynn says. He was married and left the jail to see his wife. But when he returned, the open door policy had been terminated. "He clamored to get in so that his fellow speakers would not think that he was a quitter. The cop on duty said: 'You're out. Now stay out!' The townsfolk, gathered around, roared with laughter."

Later that morning, the condemnation of the Missoula police by the W.F.M. appeared in *The Daily Missoulian*, and no doubt nourished the growing sense that this free speech fight was no isolated event, that the city's image was in danger of being tarnished at a time when it should be highly polished for the annual Western Montana Apple Show a few days away.

With the pressure for a solution on him from all sides, Acting Mayor Wilkinson tried a new tactic—diplomacy. He "instructed the chief of police to hold a conference with the leaders of the workers who are conducting the campaign here, and present requests that the speakers refrain from gathering on Higgins Avenue, or on side streets one block east and west of the avenue . . . This order, it was made plain, was to affect . . . all other organizations and speakers . . . to prevent congestion in the business district . . . After these features of the case were made plain to the leaders, they called a meeting and voted not to abide by the order, but to continue speaking wherever they chose."³⁰

Forced to reply to that Wobbly refusal because of the pressure of "Merchants in front of whose places of business the nightly gatherings take place," [and who are complaining that] "the meetings obstruct the streets and interfere with business," Wilkinson gave the order that "no street meetings of any kind would be permitted in the district mentioned."³¹

Presumably, negotiations between Wobblies and Wilkinson consumed the better part of the day, with Chief Vealey going to the Harnois Theater basement, with the calling of a general meeting by Elizabeth Flynn, and with the final return of Vealey, and the proclamation by Wilkinson. After the Wobbly refusal, Elizabeth, charged with confidence by the increasing number of Wobblies [now in the hundreds] who had come in on the trains, organized the evening demonstration. Then the basement emptied and the workers marched

30. *The Anaconda Standard*, October 8, 1909, p. 1.

31. *The Daily Missoulian*, October 8, 1909, p. 10.

toward the forbidden part of the city, parading along the main thoroughfares and singing their battle songs. Thirty-five Wobblies stood up and spoke, thirty-five were hauled down and arrested. Where they were imprisoned is a matter of pure speculation.

THESE arrests denote a change in tactics by the city of Missoula. Now, according to a statement from Chief Vealey in *The Anaconda Standard*, "charges will be lodged against all those arrested tonight and that the resulting trials would . . . settle the question as to whether or not the ordinance under which the officers are working can be enforced." In the meantime, Elizabeth Flynn issued another call for assistants. It was reported in *The Butte Miner* that "the present forces here will be augmented by hundreds yet to come from Butte, Anaconda and Spokane, and that Sunday is set apart for a big day with the Industrial Workers of the World."

This was Thursday night, October 7, 1909. The First Four and the Second Four were in the county jail; the thirty-five who refused to leave that morning were in jail; the latest thirty-five arrested that night were probably locked up someplace. All these prisoners were charged with the same offense, all demanded a separate jury trial, all demanded food, and all demanded to be heard.

On the other hand, the downtown businessmen of Missoula were equally convinced, as Acting Mayor Wilkinson had said, that "we have the right to keep the streets open and to prevent interfering with anybody's rights, and we do not propose to do so, but we must protect the rights of our citizens."³²

In the middle, the politicians were trying to handle an atypical situation in a typical manner—side with traditional force to see if it resolves the controversy. But by now the politicians must have seen that their approach to the problem was only serving to perpetuate it. Hence, when Wilkinson's new diplomacy and resolve failed and street speaking continued, they finally had to take recourse in the law. With formal charges now against the street speakers, the predicament left political hands and arrived again in the courtroom of Police Magistrate Small. Thus, the question of street speaking had come full circle, and Missoula was about to have its right to maintain its image tried in its own court.

32. *The Daily Missoulian*, October 8, 1909, p. 10.

On Friday morning, October 8, three days before the Apple Show, more Wobblies were arriving in the city via Northern Pacific freight trains. In Police Court, now relocated to accommodate larger groups, "the city attorney filed complaints . . . against 30 speakers of the Industrial Workers of the World, who were arrested . . . by the police for attempting to speak and hold meetings in the business section of the city. Of this number 25 pleaded not guilty, but the remaining five refused to plead one way or the other, declaring they did not have to plead anything, but demanded separate trials by jury. All were released on their own recognizance until tomorrow at 2:00 p.m., when Judge Small will attempt to set their cases for trial."³³

That trial, which probably should have been entitled *City vs Flynn*, was never held. No listing of jurors appears in the City Council minutes for another trial. All newspapers suddenly discontinued their coverage of the problems with the Wobbly street speakers. Elizabeth Flynn states that "the authorities gave up. All cases were dropped. We were allowed to resume our meetings. We returned to our peaceful pursuit of agitating and organizing the I.W.W."³⁴ Finally, *The Butte Miner* reporter, who was walking around late Friday night, wrote the following story, the only contemporary source which provides explicit evidence of a denouement of the entire controversy:

I.W.W. ORATORS MAY SPEAK IN STREETS OF MISSOULA

(Special Dispatch to the *Miner*.)

Missoula, Oct. 8.—At a special meeting of the city council tonight the decision was reached to permit members of the I.W.W. to make public addresses anywhere on the street so long as they did not interfere with regular traffic or pedestrianism. The crowds assembled early but interest in the oratory waned rapidly and before 9 o'clock the assemblage adjourned to the warmer and more comfortable quarters in their hall. Orders have been issued to the police to refrain from any attempt to prevent orators of the I.W.W. from addressing the crowds and the truce seemed to be a most effective means of campaign.

Several factors serve to explain this capitulation by Vealey, Wilkinson, and the rest of Missoula's city government. First, they were probably notified by *The Daily Missoulian* of an article which promised five hundred more Wobblies to the Missoula free speech fighters under Elizabeth Gurley Flynn. The vision of 500 more men on the street corners must have finally convinced city author-

33. *The Anaconda Standard*, October 9, 1909, p. 4.

34. Flynn, *op cit.*, p. 95.

ELIZABETH GURLEY FLYNN



The woman who was a revolutionary all her life, running the gamut from a Socialist and Suffragette heritage from her parents, through the years of the syndicalist movement and the I.W.W. to the top job in the Communist Party in this country, is pictured here in youth and as a large grey-haired matron whose blue eyes still blazed with fire. The daughter of Socialist parents, Elizabeth made her first public speech at the Harlem Socialist Club in 1908 while still in high school, denouncing the status of women under capitalism. That same year she joined the Industrial Workers of the World. From 1908 to 1910 she led freedom of speech battles throughout the



country, and was arrested countless times. It was in 1908, when she was 17, that she married John Archibald Jones, an ore miner active in the labor movement. Jones, who died in 1940, was later entrepreneur of Chicago's famed Dill Pickle Club, where free thinkers aired their views. Jack Jones and his revolutionary young wife separated soon after their experience in Missoula in 1909 and were divorced in 1920. Their son, Fred, lived until 1940. From 1913 to about 1925, Elizabeth lived and worked with Carlo Tresca, an Italian anarcho-syndicalist. In 1920, she became a founding member of the American Civil Liberties Union, and in 1937 joined the Communist Party, returning to the speaker's route and making thousands of speeches. She wrote for *The Daily Worker* and was a member of the National Committee of the Party. Tried under the Smith Act, she was convicted and spent two and a half years at the Women's Federal Reformatory at Alderson, West Virginia until her release in May, 1957. Her biggest moment came in 1961 when, at the death of Eugene Dennis, she became Chairman of the Communist Party in the United States. She was attending a Party gathering in Moscow when she died on September 5, 1964, at the age of 74 years.

ities who had either remained skeptical about the scope of the organization, or had thought that it could be dealt with in a conventional manner. Moreover, the Apple Show was coming Monday; undoubtedly many merchants were pressing the city fathers to dispose of the problem of street speakers with all speed. The merchants could certainly not afford riots and large shouting crowds on the dirt streets of their growing commercial center. Peace in the business district had to be preserved at all costs if Missoula was to be "a place to linger." Finally, it is possible that Judge Small, or some other perceptive mind, saw the impossibility of convicting the Wobblies via due process and hence advised the council to act accordingly.

Whatever the explanation might be, one thing is certain: the I.W.W. disappeared from every newspaper and all books but one. There is no record of the special council meeting; there are no police court records available from 1909 to establish what, if anything, transpired on Satur-

day, October 9. More than likely, all Wobblies were turned out on Friday night after the council meeting was over so that no breakfast would have to be served the next morning in the county and city jails. If the *Miner* article is correct, a mass rally was held in the Harnois Theater basement to celebrate the occasion of the triumph, and "the rebel girl," Elizabeth Gurley Flynn, carried her torch of one big union high and far into Friday night.

Saturday is a complete mystery. The promised big day with the Industrial Workers of the World on Sunday was evidently canceled. When Senator Robert M. LaFollette of Wisconsin spoke in the Harnois Theater on October 13, Elizabeth was still in the city, and recorded in her autobiography that "one of our members gave him a copy of a fighting paper defending our struggle, the *Montana Socialist*, published by a woman, Mrs. Hazlett, in Helena, Montana." Elizabeth goes on to claim that "he made a favorable comment in his speech,"

but no evidence of his approval appeared in the published text of his speech in *The Daily Missoulian*. Evidently Elizabeth Flynn left Missoula soon after LaFollette's appearance to return to Spokane, where her next free speech fight began early in November. Her husband, Jack Jones, stayed in Missoula to agitate in the lumber camps in the area.

THE Missoula free speech fight, with nearly 100 arrests and with as many as 70 speakers in jail at one time, proved to be significant for the I.W.W. Practically all tactical maneuvers employed in future free speech fights in the West were first acted out successfully in Missoula. At the same time they accumulated that experience at the expense of the Montana city, they were also ironically deceived because the size of Missoula, its easily-threatened image, its small facilities, its imminent celebration, and its location between Butte and Spokane all made it an exceedingly favorable theater in which the young syndicalist movement could conduct a free speech fight to a successful conclusion. Thus the I.W.W. gained confidence and experience before it moved on to larger cities in the West, even though they triumphed under conditions which, for the most part, would not prevail elsewhere.

In contrast with that general organizational benefit, Elizabeth Flynn's personal experience in Missoula proved to be unpleasant. This was largely due to the fact that Jack Jones, who must have been caught up with perpetuating the new I.W.W. chapter, did not go to Spokane to visit his out-

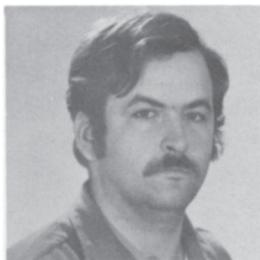
spoken pregnant wife during her three arrests and trials. Elizabeth Flynn finally became so disenchanted with her marriage that she dissolved their agreement completely and returned to her family in New York for the remainder of her pregnancy.

For Missoula, the free speech fight's significance is, indeed, minor. These imported trouble-makers were just another city problem which had to be cleaned up so that city life—the business of buying and selling—could continue undisturbed, and there is no indication that the Wobbly question of whether it is right to profit at the expense of other men ever entered the Missoula picture. In fact, the Wobblies' failure to penetrate Missoula becomes even clearer when the letter of C. O. Young, local A.F. of L. organizer, to Frank Morrison, secretary-treasurer, is read as an epilogue to the efforts of Elizabeth Gurley Flynn. Young wrote:

The 'won't works' have tried the game here of filling the jails so full that the officials of the city would have to capitulate, and they have succeeded in forcing the local authorities to quit. Encouraged by their success at Missoula, they are publishing broadcasts that they will do the same to any other city that denies them the privilege of using the street for speaking.³⁵

This same lack of lasting impact can finally be seen in the fact that *Polk's Directory* for Missoula lists the "Industrial Workers of the World—Loggers Local No. 40—James B. Shea, Sec. Meets every Sunday at 2:30 p.m. at 211 Stevens," but in all other directories for the year 1915 to the present, the Wobblies never appear again.

35. Foner, *op cit.*, p. 177.



GEORGE A. VENN, who teaches English at Eastern Oregon College in LaGrande, was born in 1943 just south of Mt. Rainier. He has, he says, worked in the "harvesting of honey, wheat, logs, and mushrooms," and has lived in Washington, Idaho, Montana, and Oregon. He holds a Bachelor of Arts from the College of Idaho (1967), and a Master of Fine Arts (1970) from the University of Montana. In addition, he has studied at Central University in Ecuador, the University of Salamanca in Spain, and City Literary Institute in London. "More interested in writing fiction and poetry than in writing journalism," Mr. Venn is currently at work on a collection of short stories (*The Plumb Bob Man*), some of which received high praise when they were recently submitted at the Bread Loaf Writers' Conference at Middlebury College. This article, his first effort at "harvesting regional history," was written while the author attended graduate school in Missoula. In his preliminary research, he studied all available histories of the syndicalist movement, including works by Paul Brissenden, Philip Foner, Louis Adamic, Patrick Renshaw, and Joyce Kornbluh, all available regional histories, including *Land of Giants* by David Lavender who dates the Missoula fray as occurring in 1908, an unpublished master's thesis by Robert Emlyn Evans, and the autobiography of Elizabeth Gurley Flynn. In addition, all local documents of the Missoula City Council, newspapers from Anaconda, Butte, Spokane, and Missoula, and several pamphlets were consulted in detail. Finally, a retired employee of the Northern Pacific Railroad, Forrest Warwick, granted the author an interview which proved to be invaluable in reconstructing the atmosphere of Missoula in 1909, when the I.W.W. used it to perfect disruptive tactics.