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JULES LAVENNE FREED

A Capitalist Judge Decides that the Hottest Socialist of Springhill is a Meek and Humble Wage Slave

(By Roscoe A. Fillmore our Special Correspondent on the scene.)

AFTER the issue of the injunction against picketing, the whole nineteen men enjoined kept right on picketing. Eighteen of them were unmolested. But Jules Lavenne was singled out on account of his revolutionary activity for legal persecution. The company brought all its powers to bear upon him to ensure his conviction. When Ryan, a company thug, who by the way is known as "Buck" Ryan and is so notorious a character that he was summarily dismissed from the Halifax police force for running a number of girls, served the writ upon Lavenne, it was charged by the company that Lavenne made threatening remarks. Ryan and his companion McLennan also a thug, both swore to this. Mrs. Lavenne, and one Chevalier, both deny this emphatically in their affidavits.

A score or more affidavits were produced by the plaintiff company all making wild charges of intimidation, abusive language, etc., against men many of whom have not taken part even in picketing. Several who are known as the most peaceable of men have been charged with breaking car windows with stones and other "riotous" acts. When their alleged exploits are mentioned to persons who know them they are laughed at as being too absurd to consider serious.

Yet these Company police, men imported for the purpose of protecting and upholding "law and order" have solemnly sworn to these allegations. And "his lordship" solemnly shot off his noble face time after time upon the horrible depravity of men who would interfere with the "rights" of others to exercise their "right" to work when they please.

As I sat in the court room where sit the honorable gentlemen who compose the Supreme Court of the province of Nova Scotia and its hangers on, I cast my mind back into the mists of the ages. I saw in my mind's eye another court and another gathering of would be wise acres. A beautiful place stood, its gleaming marbles and fountains sparkling in silver and gold in the rays of the sun. Within was the most marvelous display of beauty and elegance that the world at that time could muster. Sparkling gems, sweet smelling fountains abounded. Here were thousands of dollars in gleaming jewels, silks and satins wrung from the blood and sweat of the toiling millions of peasants upon whose back was built this structure. Here were fops and beauties, litterateurs and men and women of fashion; grave pot-bellied generals whose breasts gleamed with medals and orders won as professional butchers of these same peasants. All was gaiety and lively movement, no thought of death and destruction of the "rights" that they had for centuries enjoyed. Here were the young king Louis and his consort, beautiful as a goddess and good too as men and women were judged by feudal standards.

Courts of law there were too where numberless learned gentlemen, whose capacious stomachs bore testimony to the amount of good food stored therein upon every occasion possible, chewed the fat solemnly and interpreted the laws in the interests of their masters who footed the bills. These gentlemen were engaged in the same pleasing pastime as numerous others of their forbears—that of passing and interpreting laws to keep the swine, the toilers, in subjection. And they went on solemnly and hypocritically prating of "law and order" all unmindful of the great boiling, bubbling cauldron of hatred beneath that would sooner or later burst and engulf them in its waves of death and destruction.

My mind wandered into another part of the haunts of men. I went into the slums—the seething pits where human beasts spawned, measured out their brief existence, fought and died. Here in wine-shops, back rooms, and on street corners men congregated and talked strangely of human rights and liberty, equality, fraternity, etc. Arms were smuggled into those back rooms—men harangued their fellows from street corners—all was seething with sedition and pugnaire riots and it was noted that malevolent looks followed

the sleek, well fed masters when they rode or walked on the street. Meantime the masters rioted and revelled in art, literature, debauchery all un-mindful of the Deluge that was fast approaching.

A fusillade of shots is heard. The masters tremble—they flee. A few months and the heads of a king and queen and the aristocracy of a nation have fallen in the basket. The Deluge has come—the seats of the mighty have been overturned. An oppressed class, all unmindful of the learned prating of their masters and their satellites, has arisen. True—they were soon re-enslaved but for the time they had gained their ends—the destruction of a part, at least, of their enemies.

And so as I sat in the court I thought of these things—facts of history. I saw learned gentlemen prating as did their forbears of feudal days of law and order. And I thought of my Comrades—millions of them in mine and mill and factory—at the forge, on the ships—in short everywhere that toilers are exploited by masters, who are rapidly digging the grave of the system that is responsible for their misery. But these masters of ours, these modern slave-drivers know what is coming and they are consciously plotting and scheming to postpone the coming of the end. To this end they keep up their courts and armies, navies and police. To this end they stroke our fur the right way on occasion. But beneath the seeming soft glove is the mailed hand—the hand of steel.

I am digressing. On June 16th a hearing was given the Lavenne case but as the decision as to the continuation of the injunction had not been rendered the case was postponed until June 24th.

On the 24th I repaired to Halifax with Comrade Lavenne. We left Springhill at 5.15 p. m. and went to Truro, arriving there at 8.30. Here we were furnished with proof that the Company has a long arm as we discovered that their spies were dogging us and watching our every move. Twice enquiries were made for us at the hotel by their spies and finally before we retired for the night the proprietor came to our room with one of them and asked that we waken him in time to catch the 6 a. m. train for Halifax. While Lavenne and the proprietor talked our man hunter was secretly peeping through the crack of the door to get a glimpse of the writer. At 4.45 we rose and prepared to go. When ready to leave we shook up our friend the spy and then went out to have a look over town. We soon discovered him following us and quickly turned on him and compelled him to tell us a few lies relative to his name, business, home, etc. He lied glibly and well. After making him look rather uncomfortable we walked to the station, still followed by the dog, and bought tickets for Halifax.

We got on the 6 a. m. train and the spy followed suit. When the train pulled out we remained on board until she was running fast and then jumped leaving our friend to go on ahead and prepare the way. We took the next train, an hour later and were just congratulating ourselves when our spy boarded the train at Shubenacadie with another spy. From there on we had three of them watching us until we arrived in Halifax. Here two of them mounted cabs and drove abreast of us until we entered the offices of O'Connor and Meagher, Barristers, in the Metro-pole building. Half an hour later we started for the court house. On the way we found one of them watching us from the window of a second hand store. We entered the court house about 10.30 and after a few moments conference with Mr. O'Connor we sat down in the lobby. In a few moments one of the spies made his appearance and sat beside us.

This fact that we were watched would perhaps not seem so singular upon a merely superficial examination but when one considers that Comrade Lavenne had been told that the decision would undoubtedly be against him and had been advised to take a vacation of a few weeks beyond the Ken of the authorities it assumes a different aspect. It looks as if the Company knew beforehand what the decision would be and feared that Lavenne would escape their

clutches by leaving the country to escape committal. They had undoubtedly learned through spies on the inside of U. M. W. circles that he had been advised to go on a visit and they were determined to prevent it. Hence their watch dogs ever on our trail.

At about 11 a. m. we entered the courtroom. Mr. O'Connor read the affidavits of Comrade Lavenne, Mrs. Lavenne and Chevalier and asked that the application be dismissed as the company had failed to establish its case. In the course of his remarks Mr. O'Connor said "your lordship knows that the Company police at Springhill are not to be depended upon. Their affidavits are useless as they—the police—are made up of the refuse of the police forces of our cities. Your lordship knows some of them—that they are notoriously bad characters and that their presence in a place, far from being a safeguard to life and liberty, is a menace to all good citizens."

Mr. Mellish for the Company demanded that Lavenne be placed upon the stand for cross-examination. This Mr. O'Connor opposed on the ground that he had come into court utterly unprepared for anything of the kind and his cause would be unfairly prejudiced by such a proceeding. If however, the judge was disposed to grant the demand of Mr. Mellish in his turn would demand that the Company's witnesses be placed upon the stand for the same purpose and that the case be postponed to some future day in order that all witnesses might be brought into court. After considerable wrangling between the opposing lawyers the judge decided that it would be unfair to place Lavenne under cross-examination without notice and postponed his decision in the case until 2 p. m. Meantime he announced that he would consider the applications of the two attorneys for the postponement of the case in order that witnesses might be produced and decide in the afternoon.

Why this change of front? Why this solicitude on the part of a capitalist judge in behalf of a workingman? The reason, dear reader, will become apparent as the tale unfolds.

The affidavits of the Company thugs were, to say the least, strange documents. They charged everything from intimidation to attempt of murder against many who have never been known to take part in any demonstrations. They glibly gave the names of those participating in such demonstrations and charged that wholesale threats and intimidation were the stock in trade of the U. M. W. Indeed one who had no opportunity to learn differently would suppose that a state of war obtained in the strike district of Springhill.

Now the fact that the company's officials and thugs were so specific in their charges has a strange appearance. It is strange that men who are strangers in Springhill should know so well the names of strikers. And even more strange that in spite of the fact that many of the affidavits made specific charges against Lavenne, the judge of a capitalist court should take the word of the prisoner himself in opposition to capitalist thugs. The reason I am convinced consists in the fact that it was well known that the thugs had perjured themselves in many cases. And the application of Mr. O'Connor to provide for the cross examination of the company's witnesses put the kibosh upon the case and quashed further proceedings.

The affidavit of Lavenne flatly contradicted the wild statements of the plaintiff thugs and the one way to approximate the truth was through a cross-examination of all witnesses. And this was just the thing that the Cumberland Railway and Coal Company did not desire; in fact feared. When submitted to a grilling examination there was danger that the thugs would fail to substantiate their statements and so place themselves in an awkward position as perjurers. This would place the company in an awkward position as the employers of wholesale perjurers as police and also give the general public an opportunity to learn just the sort of characters that are being used as protectors of "law and labor."

Of course I am aware of the fact that it is less majestic to criticize capitalist courts and their decisions. Nevertheless everything goes to show that in some way the Company made known its desire for the dismissal of Lavenne and in the face of the statements of scores of witnesses the justice who presided, Mr. Justice Drysdale delivered at 2 p. m. on June 25th the following decision.

JUDGE DRYSDALE'S DECISION

"This application is to commit the defendant for a willful violation of the order of the court made herein on the 14th day of May, 1910.

The most serious charge against the defendant is that since the service of the order a body of strikers large in numbers assemble and beset the company's workmen on their way to and from work—a distinctly illegal proceeding—and that defendant has taken part in such assemblies. By his affidavit the defendant denies that he was one of the number forming such assemblies. I did not regard his denial in his first affidavit as a specific denial that he formed one of the systematic parades, but by a supplementary affidavit which I gave him leave to file, he has definitely denied that since the service of the order upon him he has been upon the streets in company with others in demonstration against the free exercise of such men's rights.

I am disposed to accept his oath in this respect, as among a large number of men engaged in illegal demonstration it is quite possible the deponents in the application may have been mistaken in their efforts to identify individuals.

I think the affidavits for the plaintiffs disclose violations of order in other respects which may be considered technical, and as to which I am disposed to think the defendant's acts were not willful.

I refuse the application to commit him to jail. There will be no costs to either party on the application."

Note the reference to the possibility of the Company's witnesses being mistaken. This point is important as it explains thoroughly the reason that, after everything pointed towards the committal of Lavenne to jail, he was finally dismissed.

Looked at from the standpoint of our Comrade Lavenne as an individual, the dismissal of the case was tricky. But the dismissal of the case viewed as an incident in the great fight for emancipation of the workers is merely a postponement—a truce for the time being. The fight will come on heavier and hotter than ever in the near future. Meantime the Springhill Comrades are going right ahead with the fight. They are becoming "red" and are beginning to understand that which ever way the strike may go—whatever the result in individual cases—there is only one way to fight capital successfully—by the intelligent use of the ballot.

The injunction against the Springhill miners is to the effect that they must not try to prevent the Company employing men on such terms as may be mutually agreed between them. Thus capitalist law looks upon the worker as free to agree to work and that the consent of the workers is free and equal to the consent of the bosses. The law is based upon a legal lie. The men are not free to contract to give their labor power upon the terms the bosses offer. The workers are forced to accept terms the bosses offer through belly hunger and the necessity of paying rent. What chance have the imported scabs of Europe to refuse to work? Strangers in a strange land they must take the jobs offered or starve. Economic necessity is a compelling cause which makes the workers divide up with the parasite capitalists. The law is based on a lie and the enforcement of a legalized lie by an injunction does not change the nature of the falsehood.

The class struggle exists at present. But it will be ended some day. The capitalist is not only a capitalist. He is also a human being. If the capitalist were by nature something different from ordinary humanity there would be no hope for the ending of the class struggle in the brotherhood of man.

There are many capitalists who are Socialist sympathizers. That is good. But if they do not take their stand against wage slavery and fight the battle of freedom for the slaves, of what good are they to the Socialist movement?

In Egypt a free press is forbidden. In India a free press is forbidden. And in Canada the capitalist rules would like to prevent a free press.

The liberty of the capitalist law is the glorious liberty of the bosses to compel wage workers to scab.

The Springhill boys are there with the goods.

Socialism will solve the problem of wage slavery.

A CAPITALIST POLITICIAN

Admits That Socialism is Good, but for Him His Political Ambitions are Better

(By Roscoe A. Fillmore our Special Correspondent.)

ON June 30th, acting under instructions from Cotton's Weekly I interviewed Mr. Edgar N. Rhodes M. P. of Amherst relative to the strike situation at Springhill and the recent issuance of injunctions against a number of strikers. Comrade Albert Collins introduced me to Mr. Rhodes who treated me very courteously and talked freely upon Socialism and labor matters in general.

Regarding the injunctions Mr. Rhodes said he was only very slightly acquainted with Cowans of the Cumberland Railway & Coal Company and had not met him for several years. He therefore thought he could not influence him but might do so through his attorneys with whom he was very well acquainted. He thought that the quashing of the Lavenne contempt case settled the contempt proceedings anyhow.

Upon being asked regarding the strike situation Mr. Rhodes said he considered the Springhill strikers a very fine body of workers. They had learned how to work and strike in union and that was a very important lesson. The strikers should discourage violence as that was just what the company wished for. If rioting were indulged in it would provide an excuse for the calling in of troops.

Asked about Socialism and its growth Mr. Rhodes informed me that he believed in the ultimate victory of Socialism but could not say that he was in sympathy with the revolutionary methods employed by many. Evolution would bring about the end desired. Conditions were not yet ripe for victory—when they become ripe a Socialist administration would surely obtain. And he wound up by saying "I hope you and I will live to see the Socialist state realized although I am somewhat doubtful whether it will develop so fast." He pointed out that the capitalist is just

as much a product of conditions as are the workers.

After some discussion he admitted that the movement that is on foot today for so-called reforms was merely the result of revolutionary activity on the part of the masses, and that the more revolutionary the labor movement became the more of these things they might wring from the masters. These things would be thrown at them to appease and allay their thirst for the whole. Coming from a Conservative politician it is a good recommendation for clear out tactics on our part.

Mr. Rhodes characterizes Mr. Alphonse Neville, Labor(?) M. P. for Maisonneuve as a hypocrite and traitor to the working class, and as a mere government tool.

He also admitted frankly that he personally possessed certain political ambitions and a certain amount of vanity and that to join the Socialist Party would probably end his political career. And he believed he could do good work and believed he was doing good work for the working class in his own party—the Conservative. While I do not agree with him here yet I may say that Mr. Rhodes impresses me as being a very sincere man and he will doubtless get on the right road e'er long.

Speaking of the Lemieux postal regulations he informed me that he had given notice of a motion to be brought before the House during the next session in this connection. At first he had been inclined to think that Lemieux was alright but later developments had proven to his satisfaction that it was a case of discrimination and he intended to take the matter up.

In concluding our conversation Mr. Rhodes assured me that he was prepared to help in any way possibly in bettering the condition of the workers.

Mr. Hastings Interviewed

(By Roscoe A. Fillmore our Special Correspondent.)

ON June 27th, at Springhill, N. S. I interviewed Mr. Irving of Hastings, Penns., the International official of the United Mine Workers who arrived a few days ago to take charge of the finances of the union. Mr. Irving is a fighter I judge from his appearance. Is full of energy and grit and will hold up his end of the fight. I am convinced, in every way possible. He said in the course of our conversation:

"I consider the Springhill men the best bunch of all round strikers that I have ever met. There has been less grumbling among them as to their conditions and the usage they have experienced at the hands of the U. M. W. Considering the lack of really experienced and able leadership the way in which the men have struck is remarkable. So far as I know, the International may be depended upon to stand by the men right to the end. I am glad to find the men turning to political action.

"When men find out, as they have had the opportunity to do during this strike, that all the legislative, executive and judicial powers are their enemies, they soon turn to the ballot as their most powerful weapon. This they must do or they will never improve their conditions. Government is today used as an instrument for their undoing and they must change this by the intelligent use of the ballot.

"I always vote Socialist and was at one time a member of the Socialist Party in the United States. Was expelled because I ran as a 'Workingman's Party' candidate; but that did not change my convictions. Regarding the injunction I think the dismissal of the contempt proceedings against Lavenne merely postpones the fight. It will come up again and again until the issue is settled right by the workers seizing the political power. Injunctions are useful instruments in that they will act towards wakening the workers to the skin game that the masters are working. Nothing short of a complete change—the working class ownership of the earth—will solve this problem or do away with industrial troubles."

Mr. Irving left on the evening train

for Sydney, where he will attend the U. M. W. district convention. His coming to Springhill will undoubtedly be a great source of encouragement to the strikers.

STRIKERS EVICTED

(By Roscoe A. Fillmore Our Special Correspondent.)

On Saturday June 25th, the Cumberland Railway and Coal Company served eviction notices on seven families who have been living in company houses in Springhill. On Monday the 27th, twenty-three other families were served with notices to vacate at once. The U. M. W. is endeavoring to rent other houses for them. It is a peculiar world when those who do the world's work are kicked out of the houses that members of their class built, and are told in effect "get off the earth—we've no further use for you." How do you like it, you fellows who have the callous lumps on your palms from having built the houses, dug the coal, built the railroads and, in short, performed every task that has made the earth a better place to live on. How do you enjoy seeing their wives and children of your fellow workers kicked out on the street to suffer and starve? How do you like the fact that you may be the next one to experience this "There's a reason?"

The workers of Springhill have discovered the reason that this state of affairs exists, and many of them set out to apply the remedy. They are beginning to find out that the cause rests in the class ownership of the earth, and they are declaring for Socialism—the working class ownership of all that we have to use. Better get busy, you fellows who have not yet learned this lesson.

Edgar N. Rhodes declares that the Springhill boys are a fine set of strikers. Irving declares that the strikers have shown up well. Revolutionary Socialism is the moving spirit which makes the masterless slaves of the Cumberland Railway and Coal Company the men they are.

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