



This is a case for the police : the Butte Police Department, 1914-1920
by Jonathan Alan Axline

A thesis submitted in partial fulfillment of the requirements for the degree of Master of Arts in History
Montana State University

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Abstract:

In the first two decades of the twentieth century, the United States experienced tremendous industrial growth and social displacement. As a result of the "new" American society, the Progressive reform movement arose in the East to reconcile the differences between the masses and the industrialists. Progressive ideology included the reform of the long inefficient and corruption-ridden urban police departments. Progressives believed the urban environment could be improved with the professionalization of the police and, thus, the elimination of vice in the cities. While the progressive movement was eagerly embraced in the East, it was slow to reach the Western mining camps.

In Butte, Montana the police department was as corrupt as many of the Eastern police forces. The inefficiency of the police was complicated by the isolation of Butte, the strength of the Anaconda Company, and the opposition of labor. In 1914, the socialist mayor began to professionalize the police force, but he failed because of the Anaconda, community and police hostility to his plans. In 1919, a Republican progressive initiated many reforms which succeeded in professionalizing the police, but failed to attain the goals he set for it. By 1921, vice in Butte did not disappear, but was, instead, dispersed. The failure of progressive ideology in Butte is an accurate gauge of the problems faced by progressives in Montana.

Between 1914 and 1920, the Butte police underwent a number of modifications. While successful, they failed because of the department's close ties with the city's underworld, Anaconda influence and political patronage present in the department. While the records from the time are not complete, they reveal a number of patterns which explain why the reform attempts in the city were not totally successful. The records reveal the nature of the Butte underworld, the policemen who dealt with it, and hint at Anaconda Company influence within the Butte police department. The study of the police department offers some unique insights into the nature of the social environment in Butte and the role of the police in the community.

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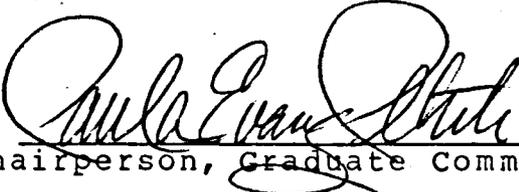
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ABSTRACT

In the first two decades of the twentieth century, the United States experienced tremendous industrial growth and social displacement. As a result of the "new" American society, the Progressive reform movement arose in the East to reconcile the differences between the masses and the industrialists. Progressive ideology included the reform of the long inefficient and corruption-ridden urban police departments. Progressives believed the urban environment could be improved with the professionalization of the police and, thus, the elimination of vice in the cities. While the progressive movement was eagerly embraced in the East, it was slow to reach the Western mining camps.

In Butte, Montana the police department was as corrupt as many of the Eastern police forces. The inefficiency of the police was complicated by the isolation of Butte, the strength of the Anaconda Company, and the opposition of labor. In 1914, the socialist mayor began to professionalize the police force, but he failed because of the Anaconda, community and police hostility to his plans. In 1919, a Republican progressive initiated many reforms which succeeded in professionalizing the police, but failed to attain the goals he set for it. By 1921, vice in Butte did not disappear, but was, instead, dispersed. The failure of progressive ideology in Butte is an accurate gauge of the problems faced by progressives in Montana.

Between 1914 and 1920, the Butte police underwent a number of modifications. While successful, they failed because of the department's close ties with the city's underworld, Anaconda influence and political patronage present in the department. While the records from the time are not complete, they reveal a number of patterns which explain why the reform attempts in the city were not totally successful. The records reveal the nature of the Butte underworld, the policemen who dealt with it, and hint at Anaconda Company influence within the Butte police department. The study of the police department offers some unique insights into the nature of the social environment in Butte and the role of the police in the community.

Chapter 1

INTRODUCTION

In the early years of the twentieth century, the United States underwent a dramatic social and economic transformation. Spectacular industrial growth spawned a multitude of social problems. The dehumanizing effects of technology in the factories and the new feudalism of the corporations caused social unrest, upheaval and displacement among the people it exploited. The great influx of immigrants caused overcrowding in the slums and a general feeling of hopelessness with the country's newest citizens. One thing that remained constant in the cities, however, was the poor quality of policemen patrolling the streets.

Since the organization of many of the U.S. city police departments in the mid-nineteenth century, they were subject to political manipulations and patronage, rather than any desire for a peaceful society. Since politicians appointed policemen to the ranks, many men sought to please their patrons rather than efficiently maintain law and order. Consequently, the incidences of corruption and blatant disregard for the law by those officers characterized the way the citizenry viewed them. Since efficiency was virtually non-existent, the law of the individual replaced the law of the United States. In the late nineteenth century, policeman Alexander S. "Clubber" Williams remarked that there was more law in the end of his nightstick than

there was in all the law books of New York.¹ While "Clubber" may have exaggerated the role of the policeman, his comment contained a lot of truth. Many of the traditions established in the eastern cities moved to the West in the 1880s.

The great influx of immigrants in the first two decades of the twentieth century caused another migration to the American West. Unskilled and semi-skilled laborers flooded into the mining camps of Arizona, Colorado and Montana. Although the migration in Montana was similar to that of the first big "rush" in the 1860s, this time the miners had no hope of making their fortunes in the mines. In Butte, the influx of miners relied on alcohol, prostitution, gambling and crime for excitement in the Worlds Greatest Mining Camp, making the city infamous for its tough environment. The city was also noted for the power of the Anaconda Copper Mining Company.

In every respect, Butte was a colony of the Company. Anaconda ruled the city in much the same fashion as did the corporations in the coal camps of Pennsylvania and West Virginia. In Montana, however, the Company wielded even more power because of the isolation of the mines at Butte. Unsurprisingly, the Anaconda Company dictated the policies

of the city and of the miners unions. The police department also fell into the Company's web.

In a sparsely settled region, Butte had nearly 80,000 inhabitants out of a state of only 275,000 residents. Many of the problems plaguing the Eastern cities were also present in Butte. Poverty, flourishing prostitution (as with many communities in the West, there was a high ratio of men to women), alcohol, high infant mortality rates and violence all characterized the mining city. In addition, the processors and other mine related activities made the environment unhealthy to those who lived in the vicinity. The unhealthy atmosphere in Butte, coupled with the dangerous work in the mines and smelters, was augmented by the strength of the Anaconda Company fist on the miners.

In this environment the police attempted to enforce law and order. Instead, they were forced by conditions to modify their methods, thereby falling into the same trap which characterized the police in the East. Since the Butte mines were isolated, the situation worsened. Political patronage, inefficiency and corruption were the hallmarks of the Butte police department.

The fear and distrust of the immigrants further complicated the police's efforts to maintain a semblance of law and order in Butte. Because of the native American's

disrespect for the police, the patrolman also found little support from that segment of the population. Neither respected or accepted by the people they protected, the Butte policeman oftentimes found himself working in the face of hostility when on the beat. To many in Butte, the police department was the strong-arm division of their corporate overlords. This tense situation characterized police work in Butte, where both honest and corrupt officers worked side by side.

Beginning about 1900, the Progressive reform movement arose in the Eastern industrial areas. The movement sought the betterment of conditions in the city through the improvement of the urban environment and the re-establishment of American morality. The goal of the progressives was the modification of American society by the successful reconciliation between industrialism and American idealism. Since the urban police force was established during the first industrial revolution in the 1840s, they had lost sight of their purpose--control of the workers through social work and a peaceful society. Therefore, in the face of the nation's greatest industrial expansion, the progressives turned their attention to the police.

The goals of progressive police reform were the professionalization of the force through the eradication of

political patronage and the introduction of new technology to enable the policeman to efficiently keep the peace. Through these methods, the police would be able to begin the larger task of reforming society itself. In Butte, however, the problem was complicated by the department's close ties with the city's underworld. Since the police were envisioned by the progressives as the tool for the elimination of vice, they would first have to be separated from it.

Progressivism reached Butte with the election of socialist Unitarian minister Lewis Duncan as mayor in 1911. Although popular at first, Duncan lost much of support in the community when he tried to reform the city's most visibly corrupt institution--the police department. Since Duncan attempted to reform the department in opposition to the city council's and Anaconda's wishes, he failed to make any positive changes. He did, however, establish the groundwork for the reforms of 1919.

In 1919, mining engineer W. Thomas Stodden became mayor of Butte. A Republican progressive, Stodden attempted, with varying degrees of success, to finish the reforms Duncan attempted five years earlier. Both men attempted to professionalize the force by getting rid of police

corruption, raising hiring standards and introducing technology to police methodology. While Duncan failed because of the community's hostility to the socialists (Anaconda Company, the Butte Miners Union and the police also opposed Duncan), Stodden's police reforms were initially successful, but ultimately failed.

The mayor's attempt to reform the Butte police department failed in both 1914 and 1919. This failure symbolized the failure of the progressive movement in Montana's urban areas to make any positive change in society. In Butte, the political machine was too strong and the progressive movement too weak to challenge the strength of the Anaconda Company. While the socialists and progressives did make progress in reforming the department, their ultimate goal of ridding the city of vice by using the police failed. The police department's economic and social ties to the Butte underworld was too strong. The Butte police department provides an accurate gauge of the progressive movements failure in Butte and also reveals the nature of the society in the mining city. The events of 1917, proved the need for reform in the department and the restraint of the Company's power over it.

During the summer of 1917, radical Industrial Workers of the World agitator Frank Little was killed by

"vigilantes" during the height of a prolonged labor strike. While the murderers were never brought to justice, the incident reveals the role the police and the Anaconda Company had in the community. It also exposed the inadequacies of Butte's police in the face of a potentially dangerous situation in the mining city.

ENDNOTES

1

James F. Richardson. Urban Police In The United States. (Port Washington, New York: Kennikat Press, 1974), p. 59.

2

For a lengthy discussion of Montana progressivism, see Michael Malone and Richard Roeder. Montana: A History Of Two Centuries. (Seattle: University of Washington Press, 1976), pp. 195-215.

Chapter 2

The Devil To Pay:

Frank Little

and the

Butte Police Department

At approximately 3 AM on August 1st, a black convertible drew up outside the Steele Block--a boardinghouse where Frank Little was staying at 316 North Wyoming Street. While one man remained with the car, his five masked compatriots entered the building. The men erroneously broke down the door to a room that was empty, waking the landlady, Mrs. Nora Byrne. By the time she reached her door, the thugs had begun to beat on it. As she held the door shut, Byrne asked the men what they wanted. The leader replied, "We are officers and we want Frank Little!" Mrs. Byrne opened her door. One of the men poked a gun into the opening and again asked where Little was. Mrs. Byrne said he was in room 32 across the hall.

The men then went to Little's room, broke down the locked door, then led Little (still in his underwear) outside. As Byrne later reported, they half-led and half-carried Little out of the building. Believing the men were law officers, Byrne waited awhile before she became suspicious and called the police. Apparently, none of the commotion woke anyone else in the building.¹ Later, Mrs. Byrne said that although she had not seen any of the men's faces, she believed they were all young because of their vigorous movements. A newspaper article reported, "One [man] was 5 feet eleven inches tall and not more than twenty

years old, another was described as short chubby and five feet four inches tall."²

A short distance from the boardinghouse, the car with Little and his abductors stopped. One assailant pulled Little out of the car and tied him to the back bumper. They then dragged Little screaming behind the car, in front of witnesses, for about four blocks. The car again stopped and Little was untied by his assailants. The vehicle proceeded to the Milwaukee Road trestle outside of town. Little's abductors then severely beat him, fracturing his skull.³ The kidnappers then hanged the unconscious man from the trestle; hoisted by the expedient use of a rope tied to the bumper of the car.⁴ The coroner's report stated that Little's neck was not broken--he had strangled.⁵ A small placard was attached to Little's underwear. On it was written in red crayon, FIRST AND LAST WARNING!, with the old vigilante symbol, 3-7-77, scribbled below it. Underneath were the letters L-D-C-S-S-W-T. The L was circled and thought to represent Little.

With the discovery of Little's body, the Butte citizenry speculated about the perpetrators of the crime. Theories ranged from masked U.S. soldiers to Wobblies to the Metal Mine Workers Union to law enforcement officers, to the

Anaconda Company. Many thought soldiers had killed Little in response to seditious remarks Little had made against them a few weeks earlier,⁶ or because he refused to honor the draft, and that 3-7-77 was, in fact, his draft registration number.⁷ The most popular theory circulating in Butte at the time incriminated the Anaconda Company, working in conjunction with the city police force. Most Butte inhabitants did not distinguish between Anaconda Company goons and some of the men employed as police officers in the mining city, and, indeed, they were correct in this perception.

Frank Little had risen quickly through the IWW ranks. After only eleven years, Little had become an influential member of the IWW Executive Board. Many citizens of Butte believed that "Big Bill" Haywood had grown fearful of Little's influence in the union and arranged for his murder. Little, although influential, was in no way a threat to Haywood. He loved the free life of an IWW agitator; he could hardly have settled down and accepted an administrative post.⁸ Moreover, the elimination of fellow IWWs was not part of Haywood's policy since killing one of the union's leaders would not demonstrate IWW solidarity to the workers. Suspected IWW affiliations with one of the

detective agencies then in Butte, although unintentional, may provide a clue to the murderers identity.

The Butte press frequently implied that Little was a detective and had been killed by other IWWs when discovered by Haywood. Former police detective George Ambrose, who claimed to have been present when the body was cut down, said that papers were found by officials in Little's pockets which indicated he was connected with a detective agency.⁹ Yet, Electrical Workers Union chief William F. Dunne, who later observed that the IWW was made up of an equal proportion of detectives and workers,¹⁰ did not believe Little was in any way connected a detective agency but was sent to Butte by some Anaconda official to disrupt the strike.¹¹ There are two factors which discredit this interpretation. First, even if there were papers, they could have been planted on him at the time of his death, especially since he probably would not have worn them in his underwear; and, second, since Little was abducted while clad in his underwear, the likelihood of that particular type of clothing having pockets seems rare. It is not probable that Little was a detective or a Company "plant" because his his prior actions and beliefs indicate that he was loyal to his ideals and to the successful conclusion of the strike in Butte.

Many citizens of Butte felt the Metal Mine Workers Union may have rid themselves of Little to provide a "martyr" for their cause. By mid-July, the MMWU treasury had begun to run low and the union increasingly relied on the promised donations of Idaho-based MMWU locals and Butte-area businessmen. It became obvious, even to non-union people, that the MMWU could not afford to strike much longer. Like the Anaconda Company itself, the miners suffered the effects of the prolonged strike, and many miners crossed the picket lines. It is possible that union leaders, realizing the need for some kind of rallying point, may have engineered the death of Little. Immediately after the lynching, posters appeared throughout the mining city proclaiming Little a martyr to the cause of freedom and a victim of capitalism.¹² It was no secret to Butte citizens, moreover, that Little was not particularly welcome in the union. MMWU officials tolerated Little, but they feared Little's speeches might do more than inspire the strikers; his advocacy of sabotage and revolution might disrupt negotiations with Anaconda Company. The MMWU, however, refused affiliation with the IWW and its violent methods.

Dunne of the Electricians union believed Little arrived in Butte at the wrong time.¹³ He felt Little was "a very illiterate fellow, not very well informed on labor and

appeared . . . to have a very bitter temperament"14 Dunne also thought the IWW had made the Butte strike their business without consulting the MMWU about the union's motivation for the strike. When asked about Little's connection with the MMWU, Dunne stated, "In a time of strike it is necessary for the union . . . not to have any more dissension than is absolutely necessary."15 Both Dunne and MMWU president Tom Campbell believed Little had come to Butte at the worst possible time and pleaded with him to leave town or else discontinue his activities.16 As the strike continued, the Company and the police became increasingly intolerant of the situation; evidence suggests that both groups decided to take action against the miners on their own.

Just prior to August 1st, MMWU officials believed the Company was about to take unilateral action against the miners. By July 26th many of the union leaders, including Little, had received thereatening letters. Word was also out on the streets that something was going to happen within a few days. At least one strike leader, Tom Campbell, took the threats seriously and changed his sleeping quarters nightly.17 Union member George Boyle commented at the July 26th union meeting that "something will pop and its going to

pop pretty soon."¹⁸ Most importantly, as Campbell stated three days before the lynching, "There would be some new developments within the next three days and that the miners would fight alone now"¹⁹ The Company spy at the meeting also noted that IWW agitator John Williams was leaving town the next day to go to some other "camp".²⁰ The reports by the Company spies at the meetings all reflect a growing tension and unrest within the union rank and file. Because MMWU officials feared for their lives, this indicates the threats came from outside the union.

Besides the Anaconda Company, another group was interested in a quick end to the strike--the Butte police department. Its interest in the affair coincided with Anaconda's. Both groups kept a close eye on the external and internal affairs of the union by harassing and spying on the miners. Anaconda and the police department were concerned about Little's inflammatory statements about revolution and sabotage. Unlike the violence of 1914, when the Miners Union Hall was destroyed by dynamite in the hands of miners, the violence advocated by the IWW was directed at the Company's property, instead of the union's. Little's speeches represented trouble to both groups--something they were trying to avoid. The police, moreover,

provided a convenient vehicle for carrying out Anaconda's wishes. Associated with the Company in spirit and in fact, one element in the police provided the necessary connection between the Company and hooliganism.

The strike disrupted the department's routine and tested its ability to handle large disturbances.²¹ In 1914, the police department was unable to control the rioting brought about by dissension within the Butte Miners Union. While Police Chief Jere Murphy attempted to solve the problem in the ensuing three years, he was not entirely successful. The Chief began to increasingly rely on reinforcements from the detective agencies and supplemental "special" officers recruited from Anaconda Company guards.²² So, the police were dependent on the Company for providing the manpower necessary to control the strikers. Problems within the department itself also contributed to its ineffectiveness in dealing with strike demonstrations.²³

As with many police departments at the time, Butte officers were not always models of good citizenship. The city often hired corrupt, bullying incompetents for their tough no-nonsense outlook or for their political affiliations, rather than moral commitment to a peaceful society. Many such individuals staffed the police force in

1917. Indeed, Chief of Detectives Edward Morrissey was specifically connected with the crime. Ed Morrissey represented the political machinations which characterized appointment to the force and symbolized the low-quality of law enforcement practised by many police officers in Butte during the early years of the twentieth century.

Born on Christmas Day, 1874, in Waterford, Ireland, Ed Morrissey arrived in Butte two decades later. When war with Spain broke out in 1898, Morrissey served with a Montana volunteer regiment.²⁴ Discharged in 1899, he spent most of the war either in a U.S. hospital in the Philippines or in the stockade.²⁵ Returning to Butte in 1900, he was employed as a miner at the Anaconda-owned Modoc mine.²⁶ By 1910, Morrissey was Chief Detective on the Butte police force. In 1911, newly elected socialist mayor Lewis Duncan, dismissed Morrissey because of his alleged Anaconda Company affiliations. Duncan replaced Morrissey with socialist George Ambrose.²⁷ Morrissey then became a watchman at Hennessey's department store, the headquarters for the Anaconda Company. Democratic mayor Charles H. Lane reinstated Morrissey as Chief of Detectives in 1916, after Ambrose discredited himself.²⁸ A series of incidents in June and early July, 1917, led to his suspension from the force. The events characterized many policemen of the time,

but, because Morrissey was Chief Detective, his actions were much more visible to the public.

In mid-June, Morrissey became involved in a one-sided fist fight with E.A. Milligan, a prisoner in the city jail. Morrissey mistook Milligan for a forger wanted in Anaconda. When Milligan's identity was verified by a co-worker, he attempted to hit Morrissey outside the jail. Morrissey struck Milligan in the stomach and jaw. Mayor W.H. Maloney, who was present at the jail, advised Milligan to sue Morrissey. During the trial, however, Maloney testified in behalf of the detective and damned Milligan as a troublemaker. Morrissey, too, labelled Milligan a rascal and claimed his attack was made in self-defense.²⁹

Witnesses for Milligan stated the attack appeared unprovoked. Milligan testified that Morrissey had approached him menacingly and said, "Now I will get you!" Milligan further stated the detective hit him with his left hand while holding a gun with the other hand. At the conclusion of the trial, Justice of the Peace John Doran ruled that Morrissey had used no more force than was necessary and was correct in the methods he used to subdue Milligan. He dismissed the suit.³⁰ While making an arrest a few days later, Morrissey attacked and severely beat a man whose only crime was drunkenness. The victim filed charges

of police brutality with the police commission. On July 14th, the police commissioners suspended Morrissey from the force for his attack on the drunk.³¹

Morrissey's career on the force was by no means unusual. At an early age, Morrissey learned to survive by the use of violence and he continued to employ it upon his arrival in Butte. Morrissey's mere presence on the police force in 1917 focused public attention on the need for more stringent employment requirements by the city council. A Chief Detective who enjoyed the use of excessive force gave the entire force a "tough" reputation. Policemen like Morrissey provided the necessary connection between the police department and the Anaconda Company. His violent a good "tool" for the Copper Trusts wishes.

Of all the groups, the Anaconda Company had the best reason to get rid of Frank Little. The U.S. war effort placed high demands on country's copper industry. Because of the strike, the Company failed to meet government quotas and they lost a great deal of money.³² More than anyone else, the Company wanted a quick end to the prolonged strike with as little financial loss as possible. Furthermore, Anaconda needed to provide a lesson to the miners--one the workers would not likely forget. If the Company wanted to teach the strikers a lesson, Little was a target victim. He

enjoyed little support among the miners and was a newcomer to the city. An attack on a well-known and respected leader, such as Dunne or Campbell, might raise some embarrassing question and possibly lead to violence. To teach the strikers a lesson, the Company might have selected a victim with little political clout or widespread popularity in Butte. Anaconda also had the means to carry out the deed--a cadre of politically "reliable" men who worked as guards at the Company mines. While the Company called them "guards", Butte citizens referred to them as "gunmen". The Company also had at least one "reliable" man on the police force--Chief of Detectives Ed Morrissey.

Morrissey's and the department's actions after Little's death are suggestive. Although the police quickly mobilized to deal with any reprisals, they did little to track down Little's slayers. The outbreak of violence Chief Murphy expected never materialized. Although many Butte citizens offered information about the crime, there is no evidence to show that the police ever acted on any of it.³³ Surprisingly, Chief Detective Morrissey was not called in to assist with the investigation.³⁴ Morrissey, himself, was drunk continuously for several days after the murder, often mumbling about killing someone.³⁵ By August 15th, the

police had arrested no one in connection with the murder, although local newspapers claimed the culprits were well-known by the public.³⁶

In addition to Morrissey, the Company found a band of likely men to choose from when it came to acquiring a "goon" squad. MMWU attorney William G. Sullivan claimed that the union to help to apprehend the killers. He further stated that at least one of the suspects was a law enforcement officer. He accused several men of the crime, including "William Oates, Hermar Gillis, Pete Beaudin, a rat named [Frank] Middleton and about two dozen others working under a chief gunman named [Jack] Ryan."³⁷ Sullivan promised to take action against the thugs and their Company employers, but as far as can be determined, he never brought formal or informal charges against the men or Anaconda.

All of the men named by Sullivan had close ties with Anaconda or the East Butte Mining Company. The suspects, including Morrissey, had been or were currently employed as guards and associated with each other on a regular basis. Since the suspects occupied highly visible positions with the Anaconda Company or the police, the miners automatically associated them with strong arm corporate oppression. The very fact the MMWU claimed it knew who killed Little

corroborates the journalists claims: the perpetrators were well-known in Butte and had the backing of the Anaconda Company and the city's law enforcement officials. The police department's unwillingness or inability to mount a serious investigation lent credence to police complicity in the murder.³⁸

While the majority of policemen efficiently covered their beats and maintained a semblance of law and order, a few officers, like Morrissey, represented the dark side of the department. Whenever police items made one of the Butte newspapers, it usually concerned offenses committed by officers in the line of duty. In 1917 alone there were over eight cases of brutality, drunkenness and misconduct brought by angry citizens before the police commission, usually involving the same men.³⁹ The department's sympathies, moreover, were not with the striking miners. In August, Chief Murphy heard complaints of policemen refusing to aid miners they observed being beaten or they themselves had beaten.⁴⁰ As a result of the incidents, the Butte police department cemented its reputation with the public as a strong-arm division of the Company. The mere presence of a police-thug minority affected people's thinking about the department, eventually solidifying the citizenry's perception of police complicity.

Ed Morrissey's long affiliation with the Company and its hired gunmen make him a good candidate for the murder of Frank Little. Ed Morrissey had many connections with the Company, and his career suggests that he was not an honorable man. He performed his job with a gusto which included the use of excessive force. His dismissal from the department in 1911 and his subsequent employment as a watchman for the Company verify his connections with Anaconda. Morrissey's suspension from the department in July, 1917 made him conveniently free at the time of Little's death.⁴¹ Mrs. Byrne's description of one of the "vigilantes" as short and chubby closely resembles Morrissey's physical characteristics.⁴² Morrissey's reputation as a gunman would make him a good suspect for the murder. It also might help explain why the police department did not make a serious investigation into the crime.

Morrissey was also associated with the men named by Attorney Sullivan. Both Morrissey and Gillis worked as watchmen at Hennessey's and had reputations as bullies in the community.⁴³ In 1918, Gillis shot and killed a German sympathizer in front of the department store. One of the men called to testify at Gillis' hearing was Chief of

Detectives Ed Morrissey.⁴⁴ After his acquittal, Gillis returned to work as a shift boss in one of the mines.⁴⁵

After the furor accompanying the lynching died down, Oates and Beaudin, unlike Middleton, remained in Butte. Both men kept their positions with Anaconda and the East Butte Mining Company and continued to associate with the other men named by Sullivan. In 1918, Beaudin figured prominently in the von Waldreau sabotage attempt on the East Butte, a case in which there was some question as to the gunman's allegiances.⁴⁶ During the 1919 mayoral primaries, Oates and Beaudin, accompanied by detective "Eat-em-up Ed" Morrissey intimidated voters waiting to cast their ballots in a predominantly socialist voting district.⁴⁷ The ensuing controversy eventually saw the demise of Morrissey and the departure of Oates and Beaudin from Butte.⁴⁸

Ed Morrissey continued to live a colorful life in Butte after Little's murder. He exemplified all that was wrong with the Butte police department. Unlike Little, Morrissey was appropriately forgotten by the people of Butte. No romantic legend awaited Morrissey as did Frank Little--the detective died as violently as he lived. Both men were members of violent and, oftentimes, corrupt organizations. Yet, Morrissey, contrary to Little, had no principles or

ideology to fall back on to justify his actions. Perhaps the Butte Daily Bulletin was correct when it called Morrissey an animal of blind passion, subject to the rules of brutality and sadism.⁴⁹ While Little is represented an anarchistic union, dedicated to the violent overthrow of capitalism, he is better remembered than the man who have may helped murder him--a representative of law and order. While both men represented change in the society, they also represent violent change, summed up perhaps by Little's epitaph, "Slain by Capitalists for Organizing and Inspiring His Fellow Men."

In Butte, the police organization had not changed much for over thirty years. Political patronage, corrupt policemen and inefficient policing techniques all contributed to the situation in Butte during the summer of 1917. The department had weathered the storm of socialist/progressive reform between 1911 and 1914. By 1917, however, the role of the police had further deteriorated. In 1914, Lewis Duncan failed to successfully reform the department because of the strength of police traditions in Butte. By 1917, however, the political climate in Butte--and in Montana began to shift. The progressive tradition in Butte gained momentum once the progressives disassociated

themselves with the socialists. Shortly after Frank Little's death, the department's reputation and ability to enforce law and order in the State's largest city was questioned by the community. While Little and Morrissey were the products of violent organizations, the process which began after the IWW's death led to the peaceful reform of the city's most corrupt and visible agency.

ENDNOTES

1

The Butte Miner, August 7, 1917. Bernard Byrne, son of Nora and also residing in the Steele Block, stated that he was unaware of the kidnapping until his mother told him of it some time later.

2

The Helena Independent, August 2, 1917.

3

The Butte Miner, August 4, 1917.

4

The Butte Daily Post, August 3, 1917.

5

The Butte Miner, August 4, 1917.

6

The Butte Miner, July 20, 1917; Ibid, August 2, 1917.

7

Arnon Gutfeld. Montana's Agony: Years of War and Hysteria, 1917-1918. (Gainesville: University of Florida Press, 1979), p. 29.

8

Melvyn Dubofsky. We Shall Be All: A History of the Industrial Workers of The World. (Chicago: Quadrangle Books, 1969), p. 186; Steve Schroeyer. "Frank Little, Where Are You Now That We Need You?" Industrial Worker (July, 1982), pp. 4-5.

9

Vernon Jensen. Heritage Of Conflict: Labor Relations In The Non-Ferrous Metals Industry Up To 1930. (Ithaca: Cornell University Press, 1950), pp. 438-39.

10

Montana Council of Defense Hearings. May 31-June 1, 1918. Helena, [Paul von Waldreau File] Montana Historical Society, Helena, Montana. [hereafter referred to as von Waldreau file].

- 11 von Waldreau file, *ibid.*
- 12 Ephemera, in the Butte-Silver Bow County archives. Butte, Montana.
- 13 von Waldreau file.
- 14 von Waldreau, *ibid.*
- 15 von Waldreau, *ibid.*
- 16 von Waldreau, *ibid.*
- 17 Letter [Carl Dilling], Montana Defense Hearings, Oscar Rohn File.
- 18 Letter, *ibid.*
- 19 Letter, *ibid.*
- 20 Letter, *ibid.*
- 21 The Butte Daily Post, June 13, 1917; Miner, July 29, 1917.
- 22 The Butte Daily Post, *ibid.* Normally the police department had a complement of around fifty men on active duty. At the beginning of the strike, the mayor authorized the addition of fifty more temporary officers to the force, bringing the total to about 100 policemen.
- 23 At the beginning of the strike, Murphy and Mayor Maloney were reluctant to make any public displays of police power to the miners. In addition, recent publicity surrounding

the escapades of Ed Morrissey, traffic policeman Phil Prlja and patrolman Bernard King had drawn public attention to the department. The city council was also putting pressure on Murphy to actively harass the strikers. See Daily Post, Junn 9, 1917; Miner, July 7, 1917; Ibid, July 14, 1917, and Daily Post, July 11, 1917.

24

The Butte City Directory; The Butte Miner, February 4, 1922, and Death Certificate No. 28290, Clerk and Records Office, Silver Bow County Courthouse, Butte, Montana.

25

No. 1013884, United States Army Records, National Archives, Washington, D.C. According to his record, Morrissey had a reputation as a malcontent and a malingerer. It also appears as if he attempted to invalid himself out of the service by shooting himself in the arm.

26

The Butte City Directory.

27

The Butte Miner, July 20, 1916; Daily Post, January 20, 1916.

28

According to the testimony brought before the police commissioners, Ambrose was guilty of conducting illicit activities in the red-light district. Although no specifically stated in the newspapers, it appears as if Ambrose was conducting a litle private procuring on his own while on duty. See Butte Miner, November 28, 1915.

29

Butte Miner, July 7, 1917.

30

Butte Miner, ibid.

31

Police Day Books, Silver Bow County Archives, Butte, Montana.

32

George Tompkins. The Truth About Butte: A Little History For Thoughtful People. (Butte: Century Printing Company, 1917), pp. 38-40.

33

Police Day Books, August 1-October 30, 1917.

34

ibid.

35

The Butte Daily Bulletin, April 9, 1919.

36

Butte Miner, August 3, 1917.

37

Strike Bulletin, August 2, 1917.

38

Butte Miner, August 5, 1917.

39

Butte Miner and Daily Post, January-December, 1917. Cases included three murder charges, three brutality, one drunkenness and one misconduct charge. One man was disqualified for police duty by the mayor because he had not been a resident of the state for eighteen months prior to his application.

40

Butte Miner, August 25, 1917.

41

Police Day Books; Butte City Council Meeting Minutes, 1917. Morrissey signed in for work on July 13th and did not do so again until October 9th. There is no record of Morrissey petitioning the city council for vacation time or a leave of absence as was required by the council.

42

Neil J. Lynch. Butte Centennial Recollections. (Butte: Pioneer Printing, 1979), p. 44. In the photograph of the Butte plainclothesmen, Morrissey is the third man from the right. He is noticeably shorter and stockier than his companions.

- 43 Butte Daily Bulletin, March 25, 1919.
- 44 Butte Miner, September 20, 1918.
- 45 Butte City Directory; Ray Calkins. Looking Back From The Hill: Recollections Of Butte People. (Butte: Butte Historical Society Press, 1982), pp. 32-33..
- 46 von Waldreau File.
- 47 Butte Daily Bulletin, March 25, 1919.
- 48 Butte City Directory.
- 49 Butte Daily Bulletin, March 29, 1919.

Chapter 3

The Butte Police Department:

Social and Organizational Aspects

A variety of factors determined the operation and organization of the Butte police department. Many of the department's functions were severely restricted by the industrial and social environment in Butte. Although they came from a variety of ethnic backgrounds, police officers shared a common economic status. They all came from the lower white collar and the upper blue collar class, and nearly all of them worked in the mines before becoming a policeman. Invariably, the peculiar environment in Butte heavily affected the way the Butte officer did his job. As in many other industrial areas, the Butte police were forced to modify the law before they could successfully maintain law and order. Because of the unsettled character of Montana and Butte's conspicuous position in that environment, the city police were better organized than many of their rural comrades.

The majority of policemen in Butte were first or second generation Americans. While most Butte officers were Irish, there were representatives of every ethnic group on the force, with the exception of Asians and Blacks. Since many of them were from the lower middle and upper lower class, qualifications for the job were low. In Montana, a policeman had to be at least twenty-one years old, literate,

an American citizen and have lived in the county eighteen months before his application.¹ In Butte, the average age for a policeman was thirty-one, the majority of them were married and had families. While minimal qualifications, meant low pay, many men became policemen as a less dangerous and more prestigious alternative to the mines. In Montana, the police were governed by the city council and the Metropolitan Police Law, which regulated police power and citizen protection.

The Metropolitan Police Law specified the organization, control and discipline of all state police departments. Prior to the passage of the bill by the progressive-minded state legislature in 1907, the various state police units were subject to the rules and regulations of the mayor and the city council. After 1907, however, the state had a hand in the administration of city police departments.² The Metropolitan Police Law detailed hiring procedures (but not qualifications), and, most importantly, provided for the creation of the city police commission.³ Sponsored primarily by progressive legislators, the Metropolitan Police Law was an attempt to "clean up" and professionalize the individual police departments throughout Montana.⁴ In Butte, the Police Law became a method by which the mayor was

able either to retain "reliable" cops or prevent unreliable men from becoming cops. It was not until 1914 that the law became a thorn in the side of Police Chief Jere Murphy, but it was a thorn which eventually nettled the department into making positive changes in its image and ability to curb crime in the Mining City.

The Montana Police Law established the guidelines city administrations followed when hiring new policemen. Sections two and three gave this power to the mayor and the police commission. In addition, the mayor made the rules and regulations of the department as long as they were not inconsistent with already existing state laws.⁵ The statute also delineated the procedure for the employment of new officers:

All members of the police force shall be first appointed for probationary terms of six months, and thereafter, the mayor may appoint the members thereof to hold, and if so appointed they shall hold, during good behavior, or until by age or by disease they become permanently incapacitated to discharge their duties.⁶

After 1913, Butte mayors used this section as an excuse for laying-off policemen who could not be paid. As with other organizations, the last to be hired by the city were usually the first to be laid-off in times of financial stress.⁷

The most important provision of the Metropolitan Police Law was the creation of the police commission, a body

composed of three private citizens who received an annual salary of \$300. The mayor appointed new men to the commission every two years.⁸ Essentially the police commission protected the rights of the citizens and regulated police conduct.⁹ They heard complaints brought against policemen for alleged offenses such as brutality, drunkenness, incompetency and general misconduct. After hearing the case, the commissioners recommended whether the officer should be reprimanded or fired to the mayor. The mayor, however, inconsistently followed the commissioners' recommendations. Frequently, an officer found guilty by the commission and recommended for dismissal, would be let off with a reprimand, while another officer, tried and convicted for the same offense was fired. The creation of the police commission severely limited the amount of force an officer could use in enforcing the law.

The commission also limited the elan with which many officers executed their duty. Many times an officer who felt restricted by the commission would not do his best in making arrests. Not a few officers, on the other hand, felt unrestrained by the commission and enthusiastically did their duty despite the possible consequences. For example, between 1914 and 1920, patrolman James Burns spent more time

in front of the police commission than any other officer on the force.¹⁰ Burns chronically abused his authority, but the commissioners just as often let him off.¹¹ This suggests that Burns' tough-guy attitude was important to the department's crime-busting capabilities or that the police did not care if they were brutal in doing their duty. Many citizens abused the police commission's authority to settle personal grudges against the patrolmen. During Martial Law in 1914, one policeman was brought up on charges of false arrest by a man who had been affronted by the officer some years previously.¹² In 1919 and 1920, two policemen were accused by city councilmen of misconduct for relatively minor infractions, one of which dealt with the illegal posting of handbills on telephone poles.¹³

While the police commission exposed many of the department's shortcomings, it was also subject to the political whims of the administration. Socialist mayor Lewis Duncan appointed theatre-owner Phil Levy to the commission in 1913.¹⁴ Levy, a Democrat, supported the police in many of the cases brought before him. Evidence suggests that Levy catered to the non-socialist members of the city council and may have opposed Duncan merely for spite.¹⁵ This, however, was not the case with commissioners

who served from 1914 until 1920. Not surprisingly, the commissioners belonged to the political party then in power in Butte.¹⁵ There is no evidence supporting mayoral ecumenicism in appointing police commissioners.

In 1921, the state legislature attempted to reform the existing 1907 Metropolitan Police Law.¹⁶ The move to amend the 1907 Act was initiated by Silver Bow county senator James Snell, a Republican and friend of Mayor W.T. Stodden.¹⁷ Essentially, the existing police law in the areas of employment, discipline and punishment, and in police-instigated law suits against the city. The proposed bill made the police commission responsible for the "legal, mental, moral and physical" qualifications of the men that they recommended for employment as police officers. The bill gave the mayor the authority to suspend any policeman suspected of misconduct for a period of not more than ten days in any month without a hearing or trial. The Bill also gave the mayor and Chief of Police the right to fine an officer found guilty by the commission, reduce his grade or discharge the offender.¹⁸

The Bill also specified the time limit in which an ex-officer could file a suit against the city for back pay or some other alleged affront. This severely limited the

city's responsibility for laid-off and fired policemen. Unless an officer filed a claim against the city within sixty days after his dismissal, the city was not liable for any damages or backpay.¹⁹ The proposed amendment took responsibility for the police department away from the city council and placed in the hands of the mayor and police chief.

In response for the proposed amendment, the Butte city council sent a strongly worded letter, outlining their position to the legislature:

That if the present Metropolitan Police Law should be repealed it would mean that the old system would again prevail, under which police officers, regardless of their merit, could be removed at the whim or pleasure of each succeeding mayor and the taxpayers and citizens generally would suffer incalculable injury because of not having a permanent and well-organized and efficient police department. . . . 20

Despite the city council's objections, the bill was approved by the state legislature on March 5, 1921.²¹ The Republicans in Butte's city government did more to reorganize and reform the department than had any previous political entity in the mining city.

While the police law had many faults and was already subject to the "whims and pleasures" of the mayor, it contributed substantially to the professionalization of the force. Prior to 1907, the police department was even more

subject to the political tides in Butte. Moreover, the act helped abate the excessively violent nature of some of the policemen. The passage and enforcement of the law was an important step in the evolution of the Butte police department. While the politics changed the administration of the police in Butte, the organization and methodology had not changed much since the department's creation in the late nineteenth century.

The organization and duties of the police department were relatively simple. The number of men on the force varied according to the political and social state of the community. In 1914, there were 52 men on the force, while there were over 100 policemen on the force during the labor strike in 1917.²² From 1918 to 1920, the average number of officers fluctuated between 32 and 52 men.²³ This included the executive branch (chief, captain, lieutenant and chief of detectives), plainclothesmen, traffic cops, jailors and patrolmen. Even though the executive branch appeared structurally stable, there were three Chiefs of Detectives in seven years.²⁴ This suggests that either the mayors of Butte were notorious bad judges of character or that there was a strong political motivation for promotions in the department. The most important and visible element of the department were the patrolmen.

The uniformed policemen in Butte patrolled 25 beats, the majority of which in some way encompassed the red-light district between Mercury and Galena Streets.²⁵ In 1917, the city council purchased its first police car--a twelve cylinder Packard.²⁶ Despite this introduction of advanced technology for law enforcement, the department relied heavily on the "cop on the beat" until the late '20s and early '30s.²⁷ The uniformed men walked their beats alone, while the plainclothesmen paired up. At predesignated spots were call boxes, where each officer was required to report in at two hour intervals.²⁸ In 1915, however, when patrolman Ivan Lincoln was murdered while asleep in a southside coal company office, his superiors were not concerned when he failed to check in.²⁹ It appears that not reporting in to headquarters was a regular occurrence with all patrolmen in Butte. In 1916, Murphy issued an order directing his men to step up their activities investigating pranksters who placed live bullets in the key slots of the call boxes. No officers were hurt in the explosions, but it caused a great deal of concern and embarrassment to "Jere the Wise."³⁰

The work shifts were divided into three eight hour periods, with the majority of policemen on duty from four PM

to Midnight.³¹ Almost annually, policemen brought complaints before the city council about the lack of shift rotations. The patrolmen complained of favoritism on the part of Murphy in keeping the older cops on the day shift. The council always ruled in favor of the complaining officers.³²

In addition to the men on the beat, the department employed motorcycle policemen and patrol drivers. In 1914, there were three motorcycle officers and one motorcycle.³³ In March, 1914, motorcycle policeman Phil Prlja accidentally drove his motorcycle into the back of a horse. The animal fell on him, seriously injuring the hapless policeman.³⁴ By 1920, the traffic division expanded to include six motorcycles, two automobiles (with four drivers) and a paddy wagon. Sargeant Prlja was head of the traffic division until 1918, when he was replaced by Nick Golubin.³⁵ It was common for the mayor and police chief to assign the department's older officers to the traffic division. In 1919, Murphy assigned twenty-five year veteran Jack Ingraham to the traffic division.³⁶ This method of promotion assured the presence of younger more vigorous men on the beat. Until 1918, the city was lax in the enforcement of traffic regulations. With the purchase of extra equipment, however,

the traffic policemen began the vigorous prosecution of speeders and reckless drivers.³⁷

The city jailors were policemen as well, but they received an extra \$50 a month in pay. Their duties included the care of inmates and the maintenance of the jail records. Patrolmen, too, did tours of duty at the jailhouse.³⁸ Between 1914 and 1921, there were two city jailors--Barney Lavell and Peter Breen.

In 1916, Mayor Charles H. Lane attempted at the urging of the woman-dominated Good Government Club to hire a policewoman.³⁹ On May 18th Lane announced his attention of hiring Butte's first policewoman.⁴⁰ The policewoman, as he envisioned her, would supervise "the dance halls, noodle parlors and kindred places which girls of tender age are wont to frequent." Her duties would also include the surveillance and general supervision of the morals of "juveniles and girls on the path of delinquency."⁴¹ At first, Lane believed the woman would act in the plainclothes capacity, but later decide she should be uniformed.⁴² The tentative salary set for the policewoman was \$100 a month, \$25 less than the men were receiving.⁴³ Lane also stipulated that part of her duty will include the arrest of "mashers", apparently a plague in Butte at the time. "She

will make eyes at the men and when he tries to make a 'mash', she will at once pick him up and bring him to the city jail."⁴⁴ Lane further added, that the woman had to be pretty in order to attract that undesirable class of men.⁴⁵

Soon after the mayor's announcement, several women applied for the position. As with the male candidates, the women had to appear before the police commission.⁴⁶ On May 31st, the city council decided against the hiring of a policewoman. They cited studies made of several other American cities and concluded the experiment was not a success and wholly impractical in Butte. The best solution to the problem of juvenile delinquency, they concluded, was the addition of more plainclothesmen to the police force.⁴⁷ The Silver Bow county sheriff's department, unimpressed with the city council's findings, hired a woman to act in the same capacity as that suggested by Mayor Lane.⁴⁸

On July 21st, one of the women who applied for the policewoman position was arrested by a patrolman in the red-light district. The woman, far from a traditional model of femininity, was not what Lane, the sheriff or the city council was looking for:

Mrs. John Meyer, who wears a beard and was one of the applicants for the position of policewoman . . . , was one of the occupants of the mourners bench in police court this morning. Mrs. Meyer was charged with drunkenness

. . . . When she applied for the position . . . Mrs. Meyer said she deserved the job because she has lived in Butte for a quarter of a century and had an invalid husband to support. 49

On March 26, 1917, the problem of the selection of a policewoman was finally solved when the Miner announced the birth of Chief Murphy's first grandchild. The newspaper further claimed that she had been enrolled by the proud Chief of Police as a member of the police department.⁵⁰ Even though the police department did not gain the services of Montana's first regular policewoman, it did take faltering steps in the right direction.

The duties of a policeman was very similar to today's officer. They kept a close eye on the red-light district and held the solicitation and violence to a minimum. They also confiscated any contraband liquor smuggled into the area. Since Chief Murphy believed pimps leached the earnings away from prostitutes, who were trying to make an "honest" living, the policeman kept the demimonde free of the procurers.⁵¹

The majority of arrests made in Butte by patrolmen involved vagrancy, rape assault, prostitution, drunkenness and disturbance.⁵² With the country's entry into World War I and the enactment of Prohibition, policemen began to arrest seditionists, draft evaders, and moonshiners.

Vagrancy in Butte was an all-encompassing charge, which included suspicion of the commission of other crimes. A vagrant was usually "floated" out of town unless he or she could prove gainful employment to the police.

Another problem faced by the police department was gambling. Detectives and patrolmen made numerous raids on gambling dens in the Mining City. Oftentimes, however, the officers would look the other way unless the offense was conspicuous by the large amounts of money changing hands. After an investigation in March 1914, the city council determined that some officers were on the "take" in many gambling cases. But, the city council could not determine who was on the "take" or the extent of the departmental corruption.⁵³

Unlike today's police, the use of force was accepted by the citizenry. Many citizens saw it as the price to pay for effective law enforcement.⁵⁴ The use of weapons to stop or intimidate a suspect was common. When asked if he would shoot a fleeing suspect, Chief of Detectives George Ambrose replied that the type of crime would determine whether he would shoot to kill. He also stated, "We have a rule down there [police headquarters at city hall] if a man is running away from us, we fired two shots in the air, so if the

officers are around there, they will be looking out for those fellows. An officer always uses his own judgement for all cases."⁵⁵ Due to the physical condition and the age of some of the officers, shooting at a suspect rather than chasing him down probably proved much easier. The low pay officers received was not enough incentive to attract good men to the ranks. Only after a prolonged fight with the city council did policemen in Butte receive a pay raise--the first in ten years.⁵⁶ Thereafter, officers received regular annual pay increases.⁵⁷

Police officers throughout the country in the early twentieth century were low paid by their city administrations. The Butte police department was no different. In 1914, an officer paid \$100 a month could hardly afford to support himself and a family.⁵⁸ Early in January 1914, officers Thomas Moran, W.S. Haily and S.F. Smith, constituting a special committee appointed by their fellow patrolmen, presented a petition to the city council asking for a pay increase from \$100 to \$125 per month, comparable to other U.S. cities.⁵⁹ The policemen declared that they were the lowest paid "class of men" in Butte for eight hours work. Out of their salaries, policemen purchased their uniforms, equipment, and revolvers at a

yearly outlay of \$50 to \$75. The city provided only the police "star." Surprisingly, in 1914, few patrolmen carried handcuffs, a costly and unneeded expense.⁶⁰ In addition, the city of Butte did not pay hospital expenses for officers injured in the line of duty. The committee's petition also stated the police had not received a pay raise in over ten years, while the inflation rate for that period had been about 40%. They concluded:

Almost all of the police force of Butte are married men supporting families. . . . The actual labor of policemen is not easy. It is subject to danger from violence at the hands of criminals and this to such an extent that higher premium is charged for insuring our lives the occupation being so hazardous. 61

The Ways and Means committee of the city council approved the pay raise in mid-March. Instead, of the \$25 raise requested, the city council approved a \$15 increase, making their salary equal to that of the fire department.⁶² Even after the raise, Butte officers were paid less than their counterparts in other cities.⁶³

After 1914, the police began to receive annual pay increases. In 1917 they earned \$135 a month and by December 1920, they received \$200.⁶⁴ While the pay raises did attract a better class of men to the police ranks, it still did not provide for any type of accident or pension benefits. Lacking pensions or workman's compensation, many

officers remained on the force until they died or were unable to work. In one instance, a 72-year-old patrolman was kept on the payroll and pounded a beat until he died.⁶⁵ In 1915, the Butte police department sponsored a bill in the state legislature providing for a state-controlled police pension fund. The man who led the crusade for police pension funds in Montana was the socialist Chief of Detectives of the Butte police force.

About the middle of October, 1914, Chief Detective George Ambrose took the initiative in organizing the Montana Police Protective Association. He sent letters to all the Montana police departments asking them to attend a meeting in Helena prior to the legislative session.⁶⁶ The delegates to the meeting drew up a plan guaranteeing a pension for retired officers and disability benefits for officers injured in the line of duty. Although it was not passed as the Montana Police Protective Act, the police became entitled to benefits under the Workmans Compensation Act passed by the legislature in 1915.⁶⁷

While the Butte police department provided the initiative for the bill, Chief Murphy did not contribute to the fund. Throughout his tenure as Police Chief, Murphy staunchly refused to enroll his men in the Workmen's Compensation program:

Mr. Murphy's position principally was this, that policemen were peace officers and they did not work except as peace officers, and if peace officers were going to be insured as ordinary employees of the City of Butte that he might just as well turn in his authority, and further that if they got into that racket, . . . they stood a chance of getting themselves into a position that there would be some question arise concerning their civil service or metropolitan police standing 69

Instead, the officers paid into a fund kept by the city treasurer.⁶⁹ It was not until 1936, a year after Murphy's death, that Butte policemen began to receive benefits under the Workmans Compensation Act.⁷⁰

The Butte police department's organization was similar to that in any other major American metropolis.⁷¹ Duties performed by the average patrolman made him a visible and important component of Butte society. Although they proved unable to actually control the violent social life of Butte, they were active participants in that environment. Despite its shortcomings, the police organization in Butte was the most highly developed in the State. Unlike the smaller Montana cities, the Butte police, by necessity, adopted many of the methods used by eastern police forces--such as the motorcycle and "prowl" car. Part of the colorful reputation of the Butte police rests with the ethnic divergence of both the officers and the people they "protected."

Although the Butte police department was one of the primary supporters of the 1915 Workman's Compensation Bill, they did not receive any benefits from it. The result may have dampened police morale in the Mining City and unconsciously hindered its ability to do its job. Many policemen in Butte may have felt they were putting more into the job than they were getting out of it. In many cases, policemen in Butte used their position to extort protection money from the criminal class, to ease their financial condition. In many ways, police work in Butte was just as dangerous as work in the mines. But, unlike the miners, they had no accident insurance or old age pensions. While the city maintained a pension fund for their policemen, it, too, was subject to the city's financial problems. In case of economic emergency in the Mining City, the police fund was often appropriated for use by the city rather than maintained for the policemen. The Butte police pension was not nearly as reliable as the state-managed program.

With the establishment of an annual wage increase, there was more incentive for competent men to join the police ranks. It is, however, a mystery as to why the increases became regular only after 1914. Progressive and socialist ideology claimed a need for good wages to support

a high quality of policeman. It is also possible that the city council hoped to reduce the incidents of graft that all councilmen knew existed in the department. Annual wage increases may have been the reformers first step in the professionalization of the Butte police department.

The Butte socialists provided the catalysts for change from 1914 until 1920. While not successful, the socialists under Mayor Duncan laid the groundwork for the reforms beginning in 1919 with Mayor Stodden. Mayor Duncan's attempted reform of the department was the first to seriously tackle the problems within the Butte police force.

ENDNOTES

1 Frank R. Prassel. The Western Peace Officer. (Norman: University of Oklahoma Press, 1972), p. 70.

2 U.S. Manuscript Census, 1913.

3 Laws, Resolutions and Memorials of the State of Montana, Tenth Legislature, 1907. (Helena: State Publishing Co., 1907), pp. 344-349.

4 Laws, Ibid.

5 Laws, Ibid.

6 Butte Miner, May 29, 1919.

7 Butte Daily Post, November 15, 1914.

8 Ibid.

9 Burns appeared before the police commission a total of twelve times between his employment in 1913 until his dismissal in 1920. Charges ranged from drunkenness to malicious conduct to extortion--a crime for which he was formally charged in 1914. See Criminal Index Nos. 2021 and 2022. Clerk and Records Office, Butte-Silver Bow County Courthouse. Butte, Montana.

10 The commissioners let Burns off for every case in which he was brought before them. Finally in June 1920, Burns was dismissed for impersonating a federal officer during a one-man raid on a moonshiner in Butte.

- 11 Butte Miner, November 15, 1914.
- 12 Butte Miner, August 23, 1920; Ibid, September 29, 1920.
- 13 Butte Miner, March 15, 1914.
- 14 In every case brought before the commission by the mayor, Levy decided in favor of the offending officer.
- 15 In 1919, Stodden chose three Republicans to man the police commission. See Butte City Council Meeting Minutes, May 12, 1920. Silver Bow County Archives, Butte, Montana.
- 16 Laws, Resolutions and Memorials of the State of Montana, Seventeenth Legislative Session, 1921. (Helena: State Publishing Co., 1921), pp. 389-392.
- 17 Senate Journal, Seventeenth Session, 1921, Montana. (Helena: State Publishing Co., 1921), p. 171; Butte City Council Meeting Minutes, December 11, 1920.
- 18 Laws, p. 391.
- 19 Laws, pp. 391-392.
- 20 Butte City Council Meeting Minutes, January 19, 1921.
- 21 LAWS, p. 392.
- 22 Coroners Inquest No. 7801. Clerk and Records Office. Butte-Silver Bow County Courthouse, Butte, Montana; Butte Miner, June 13, 1917.

23

Butte Miner, January 1914-January 1921; Butte City Council Meeting Minutes, 1917-1921.

24

Ambrose in 1916, Morrissey in 1919 and Larkin appointed in 1919.

25

Coroners Inquest No. 7801.

26

Butte City Council Meeting Minutes, August 2, 1917; Miner, August 2, 1917.

27

Montana Supreme Court Case No. 8599, Mrs. N.D. Alecksich vs the Industrial Accidents Fund. State Law Library, Department of Justice. Helena, Montana.

28

Coroners Inquest No. 7784. Clerk and Records Office, Butte-Silver Bow County Courthouse. Butte, Montana.

29

Coroners Inquest, ibid.

30

Butte Daily Post, March 29, 1916.

31

Butte City Council Meeting Minutes, November 14, 1919.

32

Butte City Council Meeting Minutes, 1914-1921.

33

Butte Daily Post, March 19, 1914.

34

Butte Miner, August 22, 1914.

35

Butte City Council Meeting MInutes, July 31, 1918.

36 Butte Miner, May 22, 1919.

37 Butte Miner, January 17, 1918.

38 Butte City Council Meeting Minutes, March 19, 1919.

39 Butte Daily Post, May 18, 1916.

40 Ibid.

41 Ibid, May 22, 1916.

42 Ibid.

43 Ibid.

44 Ibid.

45 Ibid.

46 Ibid.

47 Ibid, May 31, 1916.

48 Ibid, July 8, 1916.

49 Ibid, July 21, 1916.

50 Ibid, March 26, 1917.

