BAS 033 Great Shutdown

Welcome to Butte, America’s Story. I’m your host, Dick Gibson.

Until the early 1900s there were many mining companies in Butte, with the Amalgamated (later the Anaconda Company) owning the lion’s share of mines. F. Augustus Heinze challenged that ownership by using the “law of the apex,” which said that wherever a vein reached the surface, that surface owner owned the vein wherever it ran in the subsurface.

The case of the Minnie Healey Mine was settled in Heinze’s favor in late October, 1902, with Judge William Clancy essentially declaring Amalgamated’s operations illegal. The Company’s response was to shut down all its businesses in Montana, especially the Butte mines. At least 15,000 workers were out of work, with winter coming on.

No work meant no pay. Sentiment turned against Heinze. Whether or not Judge Clancy was “in the pocket” of Heinze as many believed, the Company perceived Clancy as a biased judge—and Montana had no change of venue law. The Amalgamated, controlled by the owners of the Standard Oil Trust in New York, pressed the reluctant Governor Toole to call a special session of the legislature to pass such a law, essentially guaranteed by the Company’s control of the legislature.

The Anaconda Standard newspaper was controlled by the Amalgamated (Anaconda) Company. Expectedly, it cast Judge Clancy and Augustus Heinze in the most unfavorable light possible, calling Heinze’s proposed compromise “absurd” and “preposterous.” The paper lampooned Clancy as snuffing out the candle of Butte’s prosperity.

On October 26, 1903, Heinze delivered a stirring oration from the steps of the court house on Granite Street to a crowd of suddenly unemployed miners and others, estimated at more than 10,000—the largest gathering of people in Montana’s history to that point.

Heinze said, If they crush me today they will crush you tomorrow. They will cut your wages and raise the tariff in the company stores on every bite you eat and every rag you wear. They will force you to dwell in Standard Oil houses while you live and they will bury you in Standard Oil coffins when you die.

The speech may have literally saved Heinze’s neck, but it was too late. By December, Governor Toole caved in to the pressure from innumerable interests and called the special session of the legislature. So confident was the Company that the legislature would pass the law they demanded, the Great Shutdown ended even before the legislative session began. Heinze was finished, and the War of the Copper Kings was effectively over. William Clark and others continued to own mines, newspapers, and other interests until the middle 1920s, but after the Great Shutdown, there was no question who ruled Butte. It was the Amalgamated Copper Company, later named the Anaconda Copper Mining Company.

As writer Edwin Dobb has said, "Like Concord, Gettysburg, and Wounded Knee, Butte is one of the places America came from." Join us next time for more of Butte, America’s Story.