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## UNDER ARREST.

### A TRAIN LOAD OF INDUSTRIALS CROSS KANSAS.

They Are Not Particular as to Mode.  
—Their Object Is to Get There.

Kansas has seen the glory of the coming of the industrial army. Kansas, who from her watch-tower of political education, has for years sounded a warning to the industrial classes of all the states, now looks down and sees hundreds of unhappy, though peaceable workmen crossing her prairies, toward the place from which all political curses flow; sees them coming and going, not by the conventional methods of travel, not with camels or donkeys or horses, nor with modern palace cars, for none of these have they; but traveling by such means as the emergency of the times demands and circumstances afford; peacefully giving themselves up as prisoners of the civil authorities in order to advance on their way. And Kansas looks down with tearful eyes and swelling heart and bids them welcome and God-speed. It may be a bootless mission they are on, but if so, they will learn by experience. Nothing is accomplished by him who sleeps. The times demand action.

Some 450 men of the peace army are "playing prisoner" on the military reservation at Fort Leavenworth. Friday and Saturday they were in Topeka.

These men were organized over 500 strong under command of J. S. Sanders at Cripple Creek, Colorado, under practically the same regulations (and for the same purpose) as those which most of the divisions at different places have been organized. On May 8, they decided to start from Pueblo to Washington. Having, as their commander says, offered Superintendent Clark of the Missouri Pacific railroad, \$1,000 to haul them to Kansas City on freight cars, they obtained permission to take an engine from the Rio Grand yards in Pueblo. This they took to the Missouri Pacific yards, and making up a train with six coal cars, they loaded up themselves and camping utensils and started east at 6:30 p. m. with their own engineer in charge. Division Superintendent Derby, in order to obstruct their progress, wired ahead and had an engine and flat car derailed at Olney, a few miles east. When the industrials reached the obstruction they proceeded to remove it and were again on their way at 3:30 next morning. When they arrived at a point near Haswell they found the company officials had caused

four engines to be ditched but this did not discourage them. They simply built a track around the obstruction and proceeded, and performed a similar feat at Diston, 119 miles east from Pueblo, where they found another engine off the track.

Thursday morning their own train was ditched near Chivington. Then they slept until daylight when they went to work and had their train ready to move by 9 o'clock a. m. The water tanks along the road having been emptied the men found it necessary to carry water in buckets from a well to supply the engine. They worked heroically and at 11 o'clock they arrived at Horace, Kas. Here they exchanged their engine for a better one which belonged to the Missouri Pacific. After numerous other difficulties, waiting and backing up to allow mail trains to pass without delay, the industrials reached Scott City Thursday evening, where they were met by United States Marshal Neeley and deputies. After some consultation Sanders and his men concluded to submit to arrest and be brought to Topeka as United States prisoners, on a charge of obstructing the mails.

#### UNITED STATES, KANSAS AND THE MISSOURI PACIFIC.

General Attorney B. P. Waggener of the Missouri Pacific, hurried from Atchison to Topeka in a special car Wednesday evening, May 9. About the same time United States Marshal Neeley left Ft. Scott, where he was attending court, and also came to Topeka. E. A. Waggener, a United States commissioner, whose office vests him with certain limited judicial powers, was here, and the three worthies got their heads together. B. P. Waggener had wired his local attorney at Salina to have warrants issued for the arrest of the industrialists on a charge of bringing stolen property into the state. He received answer that such a proposition found no sympathy among Salina county officials, and that the mayor of Salina did not want to stop the army there.

It was finally decided to enlist the services of the United States officials above mentioned, take them along and trust to their wits and to Providence for legal authority upon which to arrest the men. Accordingly after swearing in half a dozen impromptu deputy marshals the party started west on General Attorney Waggener's special train, with as many forebodings as if they were going to encounter a gang of guerillas, and with the result stated above. The full account of the conference at Scott City has not yet become a matter of history, so the reader may do his own guessing as to what inducement was

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## A VICIOUS PROPOSITION.

### Despotism Rearing Its Head in Old Massachusetts.

It cannot have escaped the notice of the observant eye that in all manner of ways the ruling class is attempting to exclude the people from that participation in public affairs that is inseparable from civic and political freedom. In the first place, the attempt has been directed against the ballot, and the people's ears made familiar and accustomed to the term, "Australian ballot," a plan of suffrage that allows plural voting to the rich. Now comes the British governor of Massachusetts, backed by the legislature, with a plan to restrict the composition of the jury box.

On last first of May a mass meeting was held at Faneuil Hall, Boston, to protest against the proposed plan, and several organizations of that city, among them the socialist labor party, through Comrades Thomas C. Brophy, David Taylor and Martha Moore Avery, issued the following spirited address and warning to the people of Massachusetts:

"In response to the recommendation made by Governor Greenhalge in his inaugural address, 'That some legislation should be enacted for securing a better class of jurors,' the joint committee on judiciary (composed entirely of lawyers) reported a bill to the senate on April 16, which passed that body on the 20th, placing in the hands of clerks and judges of the superior court the final preparation of the jury lists in the various counties of the commonwealth.

"The common law trial by jury has been so emasculated in modern times little now remains of the ancient trial by jury. The judiciary have usurped the prerogatives of the jury, to judge of the law, as well as the fact. In civil cases the judges set aside the verdicts of juries that do not meet with their approval; and the right to trial by jury, itself, in this state, in recent years, goes by default, unless application is made for such trial; and finally the jury lists are made up of an insignificant fraction of the voters of the various counties. Instead of the jury being the 'country'—being drawn from the whole body of voters—they are the elect, and sit upon the jury by the grace of the public officials who may be in power at the time.

"So bold have the assaults on the jury system become that judges, lawyers, and the representatives of the possessing classes do not hesitate to attack the system itself. Judge Aldrich, of the United States circuit court, in an address before the bar association of Grafton and Coos counties, at Berlin, N. H., January 25, 1894, said:

"The criticisms are not so much that the jury system is fundamentally wrong,

as that the machinery for selecting jurors is faulty, or indifferently administered by the local authorities, \* \* \* and that before average juries, corporations and individuals of large interests and holdings suffer when involved in legal controversies with individuals less fortunately situated in money matters. \* \* \* If men of quality and affairs should take the high-minded view of duty to government that the ten times millionaire, Mr. Montgomery Sears, of Boston, exhibited in a practical manner on a recent occasion, this cause of complaint would no longer exist."

"This is a covert attack on the fundamental principles of trial by jury. 'The criticism is not so much' on an institution dearer to the hearts of mankind than any other one institution we now have, but that the people in control of the economic power, 'men of quality and affairs,' do not entirely control it. If the ten times millionaires of the state, or their hired men, composed the juries in our courts, 'the cause of complaint would no longer exist.' There are people who believe that 'the only good Indian is a dead Indian,' as there are those who believe that the only way to improve the jury system is to kill it.

"Senate bill No. 254 is the most vicious attack yet made on the jury system in this commonwealth. The bill provides that the jury lists shall be prepared by the selectmen and aldermen, 'which lists shall include not less than one for every 100 of the inhabitants of the town or city.'

"With a total population of 2,200,000 this would give an aggregate jury list in the whole state of 22,000 out of 442,000 legal voters; that basis is the present law, and makes a jury list in Boston of 4,000; Barnstable of 30; Mashpee of 3; Adams of 100; Lynn of 450.

"These lists when prepared by towns and cities, the bill says, 'shall thereupon be transmitted to the clerk of the superior court for the county in which the same is situated, who may, from time to time, under the direction of the chief justice of the superior court, revise such list by striking names therefrom.'

"If the lists prepared by selectmen and aldermen should contain the names of those deemed not to be men of 'quality and affairs' it is taken in hand by the court, the said applied, and those failing to stand the test set by the classes will be stricken from the list. The list from Boston, for instance, when sent to the court, may be taken in hand and probing begun for 'ten times millionaires' or their friends, and those failing to stand the test be stricken from the list to the number of 3,000 or more, if necessary, so that it will contain only men of 'quality and affairs;' and this

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