

is a roof, a family and a full dinner pail. "So we might point out the same democratic tendencies in every other great social reform force of our day. That many people are coming to believe in Socialism Europeans are much better aware than Americans.

"Here is a statement of the increasing Socialist vote of recent years in the different countries:

Table with 3 columns: Country, Year, Vote. Includes Germany (1867, 30,000), France (1887, 47,000), Great Britain (1895, 55,000), Italy (1882, 49,000), Belgium (1894, 320,000), Switzerland (1884, 3,591), Denmark (1872, 288), Austria (1897, 750,000), United States (1904, 442,402).

"Some of these votes, notably in Austria, have greatly increased since the last date given here, the total Socialist vote of the world having increased from 30,000 in 1867 to more than 7,000,000 today. In 1896 there were 687 Socialist journals and 321 Socialist legislators out of a total for the leading countries of the world of 5,192.

"In the principal countries of Europe the Socialists have now set the main issues for every political party, and it appears to be only a question of time and a not very distant time when they will do so in America.

"At the present rate of increase, in spite of all kinds of legal and political obstacles, how long do you think it will be before the majority of the great nation's 5,000 legislators are Socialists? And if this majority is gained, then the question of industrial betterment is bound to take a new turn, for which every intelligent person should be prepared.

"If we can keep our American citizenship unselfish, intelligent and truly patriotic, we need have no fear for the future. If we can not or will not do so there is serious trouble ahead for us."

Twenty Years Ago Crime of Nov. 11 '87

Reasons for Pardoning Fielden, Neebe and Schwab

By JOHN P. ALTGELD, Governor of Illinois

At the opening of the Haywood trial in Boise, Idaho, the "Chicago Anarchist Case" was repeatedly mentioned as a parallel with this Western Conspiracy case. The younger elements in the Socialist Party and Trades Union Movements are not acquainted with the "Chicago Tragedy," and numerous requests have reached our office for some detailed information about the exciting events of 1886-87. It is impossible to publish a complete history of the case in the columns of a weekly paper. In looking over our old books and pamphlets we found a copy of a valuable document, namely, "Reasons for Pardoning Fielden, Neebe and Schwab, by Governor John P. Altgeld, of Illinois. This pamphlet contains the plainest and most concise presentation of the so-called "Chicago Anarchist Case," beginning with the great Eight Hour Movement and the Haymarket Riot of May 4, 1886, to the legalized murdering of Spies, Parsons, Engel and Fischer on November 11, 1887. Fielden, Neebe and Schwab were sentenced to life imprisonment in the state penitentiary in Joliet. We may add the information that Fielden is today making a living for himself and family on a little farm somewhere in Nebraska. Neebe is engaged in business in Chicago, while the poor, learned old Michael Schwab died of consumption several years after the pardoning by Gov. Altgeld—the result of eight years' imprisonment and sufferings.

We hereby publish Gov. Altgeld's "Reasons for Pardoning" in full. It will run in five or six issues of St. Louis Labor, and we request our comrades and friends to read the great document most carefully. Remember that the Haywood-Moyer-Pettibone case was simply another attempt to enact a tragedy like the one of November 11, 1887.

EDITOR OF ST. LOUIS LABOR..

STATEMENT OF THE CASE.

On the night of May 4, 1896, a public meeting was held on Haymarket Square in Chicago; there were from 800 to 1,000 people present, nearly all being laboring men. There had been trouble, growing out of the effort to introduce an eight-hour day, resulting in some collisions with the police, in one of which several laboring people were killed, and this meeting was called as a protest against alleged police brutality.

The meeting was orderly and was attended by the mayor, who remained until the crowd began to disperse and then went away. As soon as Capt. John Bonfield, of the police department, learned that the mayor had gone, he took a detachment of police and hurried to the meeting for the purpose of dispersing the law that remained, and as the police approached the place of meeting a bomb was thrown by some unknown person, which exploded and wounded many and killed several policemen, among the latter being one Mathias Degan. A number of people were arrested, and after a time August Spies, Albert R. Parsons, Louis Lingg, Michael Schwab, Samuel Fielden, George Engle, Adolph Fischer and Oscar Neebe were indicted for the murder of Mathias Degan. The prosecution could not discover who had thrown the bomb and could not bring the really guilty man to justice, and, as some of the men indicted were not at the Haymarket meeting and had nothing to do with it, the prosecution was forced to proceed on the theory that the men indicted were guilty of murder because it was claimed they had at various times in the past uttered and printed incendiary and seditious language, practically advising the killing of policemen, of Pinkerton men and others acting in that capacity, and that they were therefore responsible for the murder of Mathias Degan. The public was greatly excited and after a prolonged trial all of the defendants were found guilty; Oscar Neebe was sentenced to fifteen years' imprisonment and all of the other defendants were sentenced to be hanged. The case was carried to the supreme court and was there affirmed in the fall of 1887. Soon thereafter Lingg committed suicide. The sentence of Fielden and Schwab was commuted to imprisonment for life, and Parsons, Fischer, Engle and Spies were

hanged, and the petitioners now ask to have Neebe, Fielden and Schwab set at liberty.

The several thousand merchants, bankers, judges, lawyers and other prominent citizens of Chicago who have by petition, by letter and in other ways urged executive clemency, mostly base their appeal on the ground that, assuming the prisoners to be guilty, they have been punished enough, but a number of them who have examined the case more carefully, and are more familiar with the record and with the facts disclosed by the papers on file, base their appeal on entirely different grounds. They assert:

First—That the jury which tried the case was a packed jury selected to convict.

Second—That according to the law as laid down by the supreme court, both prior to and again since the trial of this case, the jurors, according to their own answers, were not competent jurors and the trial was therefore not a legal trial.

Third—That the defendants were not proven to be guilty of the crime charged in the indictment.

Fourth—That as to the defendant Neebe, the state's attorney had declared at the close of the evidence that there was no case against him, and yet he had been kept in prison all these years.

Fifth—That the trial judge was either so prejudiced against the defendants, or else so determined to win the applause of a certain class in the community that he could not and did not grant a fair trial.

Upon the question of having been punished enough, I will simply say that if the defendants had a fair trial, and nothing has developed since to show that they are not guilty of the crime charged in the indictment, then there ought to be no executive interference, for no punishment under our laws could then be too severe. Government must defend itself; life and property must be protected and law and order must be maintained; murder must be punished, and if the defendants are guilty of murder, either committed with their own hands or by some one else acting on their advice, then, if they have had a fair trial, there should be in this case no executive interference. The soil of America is not adapted to the growth of anarchy. While our institutions are not free from injustice, they are still the best that have yet been devised, and therefore must be maintained.

Was the Jury Packed.

The record of the trial shows that the jury in this case was not drawn in the manner that juries usually are drawn; that is, instead of having a number of names drawn out of a box that contained many hundred names, as the law contemplates shall be done in order to insure a fair jury and give neither side the advantage, the trial judge appointed one Henry L. Ryce as a special bailiff to go out and summon such men as he, Ryce, might select to act as jurors. While this practice has been sustained in cases in which it did not appear that either side had been prejudiced thereby, it is always a dangerous practice, for it gives the bailiff absolute power to select a jury that will be favorable to one side or the other. Counsel for the state, in their printed brief, say that Ryce was appointed on motion of defendants. While it appears that counsel for defendants were in favor of having some one appointed, the record has this entry:

"Mr. Grinnell (the state's attorney) suggested Mr. Ryce as special bailiff and he was accepted and appointed." But it makes no difference on whose motion he was appointed if he did not select a fair jury. It is shown that he boasted while selected jurors that he was managing this case; that these fellows would hang as certain as death; that he was calling such men as the defendants would have to challenge peremptorily and waste their challenges on, and that when their challenges were exhausted they would have to take such men as the prosecution wanted. It appears from the record of the trial that the defendants were obliged to exhaust all of their peremptory challenges and they had to take a jury, almost every member of which stated frankly that he was prejudiced against them. On page 133 of volume 1 of the record it appears that when the panel was about two-thirds full, counsel for defendants called the attention of the court to the fact that Ryce was summoning only prejudiced men, as shown by their examinations, further: That he was confining himself to particular classes, i. e., clerks, merchants, manufacturers, etc. Counsel for defendants then moved the court to stop this and direct Ryce to summon the jurors from the body of the people, that is, from the community at large, and not from particular classes; but the court refused to take any notice of the matter.

For the purpose of still further showing the misconduct of bailiff Ryce reference is made to the affidavit of Otis S. Favor. Mr. Favor is one of the most reputable and honorable business men of Chicago; he was himself summoned by Ryce as a juror, but was so prejudiced against the defendants that he had to be excused, and he abstained from making any affidavit before sentence because the state's attorney had requested him not to make it, although he stood ready to go into court and tell what he knew if the court wished him to do so, and he naturally supposed he would be sent for. But after the supreme court had passed on the case and some of the defendants were about to be hanged he felt that an injustice was being done and he made the following affidavit: "State of Illinois, Cook County—ss.

"Otis S. Favor, being duly sworn on oath says that he is a citizen of the United States and of the State of Illinois, residing in Chicago, and a merchant doing business at Nos. 6 and 8 Wabash avenue, in the city of Chicago, in said county. That he is very well acquainted with Henry L. Ryce of Cook county, Illinois, who acted as special bailiff in summoning jurors in the case of the People, etc., vs. Spies, et al., indictment for murder, tried in the criminal court of Cook county in the summer of 1886. That affiant was himself summoned by said Ryce for a juror in said cause, but was challenged and excused therein because of his prejudice. That on several conversations between affiant and said Ryce touching the summoning of the jurors by said Ryce, and while said Ryce was so acting as special bailiff as aforesaid, said Ryce said to this affiant and to other persons in affiant's presence, in substance and effect as follows, to-wit: 'I (meaning said Ryce) am managing this case (meaning this case against Spies et al), and know what I am about. Those fellows (meaning the defendants, Spies et al) are going to be hanged as certain as death. I am calling such men as the defendants will have to challenge peremptorily and waste their time and challenges. Then they will have to take such men as the prosecution wants.' That affiant has been very reluctant to make any affidavit in this case, having no sympathy with anarchy nor relationship to or personal interest in the defendants or any of them, and not being a socialist, communist or anarchist; but affiant has an interest as a citizen, in the due administration of the law, and that no injustice should be done under judicial procedure, and believes that jurors should not be selected with reference to their known views or prejudices. Affiant further says that his personal relations with said Ryce were at said time, and for many years theretofore had been most friendly and even intimate, and that affiant is not prompted by any ill will toward anyone in making this affidavit, but solely by a sense of duty and a conviction of what is due to justice.

"Affiant further says that about the beginning of October, 1886, when the motion for a new trial was being argued in said cases before Judge Gary, and when, as he was informed, application was made before Judge Gary for leave to examine affiant in open court, touching the matters above stated, this affiant went upon request from State's Attorney Grinnell to his office during the noon recess of the court, and there held an interview with said Grinnell, Mr. Ingham and said Ryce, in the presence of several other persons, including some police officers, where affiant repeated substantially the matters above stated, and the said Ryce did not deny affiant's statements, and affiant said that he would have to testify thereto if summoned as a witness, but had refused to make an affidavit thereto, and affiant was then and there asked and urged to persist

in his refusal and to make no affidavit. And affiant further saith not

"OTIS S. FAVOR." "Subscribed and sworn to before me this 7th day of November, A. D. 1887. JULIUS STERN, Notary Public in and for said County. II.

As to Bailiff Ryce, it appears that he has made affidavit in which he denies that he made the statements sworn to by Mr. Favor, but unfortunately for him, the record of the trial is against him, for it shows conclusively that he summoned only the class of men mentioned in Mr. Favor's affidavit. According to the record 981 men were examined as to their qualifications as jurors, and most of them were either employers, or men who had been pointed out to the bailiff by their employer. The following, taken from the original record of the trial, are fair specimens of the answers of nearly all the jurors, except that in the following cases the court succeeded in getting the jurors to say that they believed they could try the case fairly notwithstanding their prejudice:

Examination of Jurors.

William Neil, a manufacturer, was examined at length; stated that he had heard and read about the Haymarket trouble, and believed enough of what he had so heard and read to form an opinion as to the guilt of the defendants, which he still entertained; that he had expressed said opinion, and then he added: "It would take pretty strong evidence to remove the impression that I now have. I could not dismiss it from my mind; could not lay it altogether aside during the trial. I believe my present opinion, based upon what I have heard and read, would accompany me through the trial, and would influence me in determining and getting at a verdict."

He was challenged by the defendants on the ground of being prejudiced, but the court then got him to say that he believed he could give a fair verdict on whatever evidence he should hear, and thereupon the challenge was overruled.

H. F. Chandler: In the Stationery business with Skeen, Stuart & Co., said: "I was pointed out to the deputy sheriff by my employer to be summoned as a juror." He then stated that he had read and talked out the Haymarket trouble, and had formed and frequently expressed an opinion as to the guilt of the defendants, and that he believed the statements he had read and heard. He was asked:

Q. Is that a decided opinion as to the guilt of the defendants?
A. It is a decided opinion, yes, sir.
Q. Your mind is pretty well made up now as to their guilt or innocence?
A. Yes, sir.
Q. Would it be hard to change your opinion?
A. It might be hard; I can not say. I don't know whether it would be hard or not.

He was challenged by the defendants on the ground of being prejudiced. Then the court took him in hand and examined him at some length and got him to state that he believed he could try the case fairly. Then the challenge was overruled.

F. L. Wilson: Am a manufacturer. I am prejudiced and have formed and expressed opinion; that opinion would influence me in rendering a verdict.

He was challenged for cause, but was then examined by the court:

Q. Are you conscious in your own mind of any wish or desire that there should be evidence produced in this trial which should prove some of these men, or any of them, to be guilty?
A. Well, I think I have.

Being further pressed by the court he said that the only feeling he had against the defendants was based upon having taken it for granted that what he read about them was, in the main, true; that he believed that sitting as a juror the effect of the evidence either for or against the defendants would be increased or diminished by what he had heard or read about the case. Then, on being still further pressed by the court, he finally said: "Well, I feel that I hope that the guilty one will be discovered or punished, not necessarily these men."

Q. Are you conscious of any other wish or desire about the matter than that the actual truth may be discovered?
A. I don't think I am.

Thereupon the challenge was overruled. George N. Porter, grocer, testified that he had formed and

Socialist Party of St. Louis

Executive Committee meets every second and fourth Monday evening at 8 o'clock, at 324 Chestnut street. Otto Kaemmerer, Secretary.

Table listing various branches of the Socialist Party of St. Louis with their addresses and meeting times. Includes locations like First-4444 Penrose st., Second-3033 N. Broadway, etc.

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UNION BAR SIGN AND BUTTON ARE DISPLAYED
Bartenders' Union, No. 51, A. P. of L.

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