

# NEWS OF THE WEEK

A Weekly Resume of the Really Vital News by the Editor

The anarchy in Colorado is attracting the attention of the whole world. Cablegrams from Europe give short extracts from opinions expressed there. As Europe always fails to understand our dual government, state and national, the whole blame for conditions rests upon the government of the United States, and everywhere the greatest surprise is expressed. Colorado has disgraced the nation. The situation out there is not the affair of Colorado alone, but of every citizen of the Union, and that for many reasons. The precedents established in the courts there will be quoted for years. Wherever in these states a disturbance occurs, executives will find excuse for despotism in the acts of Colorado.

The ordinary citizen little knows and seldom or never reflects upon the extraordinary power of the courts and what wonderful influence they exercise in government. This whole difficulty has come about primarily because of the cowardice of the courts and in the second place from the tendency of the higher courts not to administer exact justice to all parties, without fear or favor, but to tinge their decision with

undisguised sympathy for capitalists and employers.

When the trouble first began, a district judge disgraced himself by holding court when the room was filled with armed soldiers with their belts filled with cartridges. No such scene as that has occurred since the dark ages. It was a disgrace to the bench and encouraged the military to assume superiority over the civil power.

The last act of the courts was worse than the first. The supreme court of Colorado abdicated its functions and transferred the power conferred on courts by the state and national constitutions to the military power. That is a revolution in our form of government as marked as that when our forefathers threw off the government of kings and despots and established a government as they thought by the people. It is this abdication of power conferred upon it by the constitution by the supreme court of Colorado that has astonished the whole world. The members of that court have denied that they have the power to try men accused of crime and imprisoned, or to inquire into the justice or constitutionality of acts of the military. They have declared that the military is superior to the civil power whenever the governor is pleased to declare that there is a state of insurrection anywhere. They have declared that the courts could not even institute an investigation of the question. The order of the governor is just the same as an ukase issued by the czar. Lest there be a question in regard to this decision we quote it:

First. "The governor is the commander-in-chief of the military forces of the state, and he is by the constitution empowered to call out the militia to suppress insurrection." Second. "It must, therefore, become his duty to determine as a fact when conditions exist in a given locality which demand that, in the discharge of his duty as chief executive of the state, he shall employ the militia to suppress it." Third. "This being true, the recitals in the proclamation to the effect that a state of insurrection existed in the county of San Miguel cannot be controverted."

If that does not make a governor as complete and absolute an autocrat as the czar of Russia, no words can do it. That the military so understand it is proved by its acts.

The military have with force of arms arrested the civil officers lawfully and constitutionally elected, placed a rope with a hangman's noose at their feet, presented to them a written resignation and demanded that it be signed. It has ordered a mine to be closed where the proprietors were peacefully carrying on their business and around which there has been no disorder or lawlessness of any kind because the said proprietors had employed some men who belonged to a labor union although scores of other men who did not belong to any union were employed in the same mine. It has invaded the homes of people at midnight, taken husbands and fathers from their families and deported them to a desert where there was no food and no water and left them helpless on the barren prairies. And the supreme court of Colorado says that there is no relief in law for the men who have suffered these wrongs, and that the orders of the governor under which these things are done "cannot be controverted." The men so treated cannot appeal to the federal government. They cannot appeal to the courts. These conditions shall continue just as long as the governor chooses. He is sole arbiter. He is responsible to no one. He is an absolute ruler.

This state of affairs is not a Colorado matter. It concerns every man, woman and child in American and indirectly every man, woman and child in the world. It is a precedent that plutocracy will be quick to follow everywhere. If a governor of any one of these 45 states can at any time suspend, not only the writ of habeas corpus, but all constitutions and all laws, it is a very serious matter.

There may be a dispute here in Lancaster county between capitalists and wage-workers. Under such a ruling the governor at his own pleasure could declare Lancaster county in a state of insurrection. The Independent has said enough about "our man Mickey" without adding anything to what has

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IN THE DISTRICT COURT OF LANCASTER COUNTY NEBRASKA.

In the matter of the application of James R. Brazor, Administrator de bonis non, of the Estate of James H. Cisney, Deceased, for License to sell real estate to pay debts. It appearing from the supplemental petition of said administrator, filed in this court and presented to me, that said decedent died seized of lots 7, 8, 9, 10, 11 and 12 in block 41 in Dawson's Addition, in the city of Lincoln, Lancaster county, Nebraska, which real estate is liable to be sold for the payment of the debts of said estate and costs; That by a clerical error said lands were misdescribed in the original petition herein as being situated in block 1 instead of 41; That by the sale heretofore had in this matter there was realized the sum of \$2,350, and that there still remains unpaid of the debts of said estate the sum of \$1416.68, besides the expense and cost of settling said estate, and of this proceeding; and that there is no property belonging to said estate out of which to pay said debts except said real estate above described; that certified copies of the appointment of said administrator and of his bond have been filed with his petition in this court.

And it appearing that it is necessary to sell said real estate or so much thereof as may be sufficient for the payment of said debts; thereupon it is Ordered that all persons interested in said estate appear before the undersigned, Albert J. Cornish, Judge of said District court of Lancaster county, at my chambers in the court house in the city of Lincoln in said county on the 30th day of July, 1904, at 10 o'clock a. m., to show cause why a license should not be granted to said administrator to sell so much of said real estate as shall be necessary to pay said debts. IT IS FURTHER ORDERED that a copy of this Order shall be published four successive weeks in the Nebraska Independent, a weekly newspaper published in said county according to law.

ALBERT J. CORNISH,  
District Judge.

Dated, June 13th, 1904.

already been printed, to give the governor an excuse to call The Independent dangerous and suspicious and a militia captain with his men at his heels could come walking up the stairs, suppress the paper, put the editor and the office force aboard a train and land them all out on the alkali deserts of Colorado. Or they might confine us all in a bull pen. That is just what the militia under the orders of Governor Peabody has done with editors and papers in Colorado. It may be put down as a fact, however, that there would be some trouble getting this editor aboard of the cars. He would not be as submissive as some of the editors out in Colorado. The sum of the whole matter is that the supreme court of Colorado has conferred on the governor exactly the same power that is exercised by the czar of Russia. If the czar thinks a man is seditious, he simply sends him to Siberia, just as Governor Peabody has sent men to the deserts not more inhospitable.

The most discouraging thing about the whole matter is that the dailies, instead of discussing this heretofore unheard of assumption of power, devote their space to the merits of the quarrel between the miners and mine owners. The scenes out in Colorado are sad enough. When men are tak-



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en out by the hundreds, put on a train by armed soldiers, left in a desert with a threat of death if they ever come back, leaving their weeping wives and children unprotected in a lawless country, it is sad enough, but that is not the main question. That question is whether we have arrived at a period in these states when a man cannot have his day in court. Whether by the authority of one man, men can be killed, deported, their property destroyed and no appeal can be made to state or federal courts, when they are not only denied a trial by a jury of their peers, but denied any trial at all. Under such conditions men will turn bandits. They will protect themselves as well as they can with arms. The Independent says without any reservation at all that the members of the supreme court of Colorado are the vilest anarchists that ever set foot on American soil. They are not only forcing anarchy in Colorado, but endangering civil liberty throughout the whole land. The only relief in this

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