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Article Title: Politicians, Soldiers and Strikes: The Reorganization of the Nebraska Militia and the Omaha Strike of 1882

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Article Summary: The Nebraska militia became a rival of the regular army during the early 1880s as an agency for quelling civil disturbances, including strikes. This revival of the militia increased the power of the governor and the secretary of state.

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Photographs / Images: Governor Albinus Nance, 1879-1883; SJ Alexander, Secretary of State, 1879-1883; the smelting plant at Omaha as it appeared between 1882 and 1889; map of Omaha showing area of strike activities

POLITICIANS, SOLDIERS AND STRIKES:
THE REORGANIZATION OF THE NEBRASKA
MILITIA AND THE OMAHA STRIKE OF 1882

RONALD M. GEPHART

BETWEEN the years 1879 and 1882 Nebraska experienced a sharp break in its military tradition. Up to this time federal army troops had played a major role in the enforcement of civil law on the frontier. But the Nebraska militia, after thorough reorganization, became a rival of the regular army during the early 1880's as an agency for quelling civil disturbances. This change in the function of the state's military organization, however, was part of a general revival of the militia system throughout the United States in the years following the Civil War. The War had helped to usher in a new era of industrialization and rapid change evoked equally rapid response.

In the East, labor's first demonstration of organized strength, the great railroad strike of 1877, brought a unanimous reaction from businessmen and politicians alike. State troops assumed a new function as the "captains of indus-

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try" became captains of the army and strike-breaking became a military duty. All important to enterprising businessmen was the fact that the militia, unlike the regular army, was amenable to local control. Moreover, corporate interests could persuade state legislatures to appropriate money for the militia, while they could not persuade Congress to enlarge the army. As state militia organizations grew during the remainder of the nineteenth century, recruits tended to be those who were willing to perform strike duty. Historians have argued that the primary motive for the revival of the militia in the late 1870's was a felt need for an industrial police.¹

The newly opened frontier states of the West, however, were largely removed from the strains of rapid industrialization and this affected the nature of local military organizations. Militia units in Nebraska, prior to the 1880's, were usually composed of farmers and townspeople temporarily joined to defend against Indian raids. But Nebraska's "Boy Governor," Albinus Nance,² and his Secretary of State and Adjutant General, Samuel J. Alexander,³ used the civil disturbances that broke out in Hastings and Omaha in 1879 and 1880 to justify a more permanent military system in Nebraska. To these men goes the credit for doubling the number of organized companies, making the administration of the militia more efficient through the Act of 1881, and establishing a firm precedent for the non-military use of the militia in Nebraska's first two major strikes. The de-

¹ See, for example, William H. Riker's *Soldiers of the States: The Role of the National Guard in American Democracy* (Washington, 1957).

² Albinus Nance, elected governor in 1878 at the age of thirty, came to Nebraska in 1871 from Illinois. Although young, he was a Union veteran, having served in the 9th Illinois Cavalry. Nance established a lucrative law practice in Osceola and also engaged in farming and banking. He was elected to the House in 1874 and 1876, serving as Speaker during the latter term.

³ Samuel J. Alexander was a lawyer and land speculator from Thayer County. He came to Nebraska in 1860, spending his earlier years in Jones County as a freighter and stock raiser. Following the Civil War, he was commissioned an officer in the militia and began practicing law in 1869 at Meridian, where he engaged in large real estate transactions. In 1872 he laid out the town of Alexandria and practiced law there until elected Secretary of State in 1878.

velopment of a sound military establishment, however, created problems of federal-state relations for Nance and Alexander during the Omaha "Camp Dump" strike of 1882. They had to decide whether to use federal or state troops to suppress outbreaks of violence. This paper is an attempt to explain the difficulties of military reorganization in a frontier state dependent upon the protection of federal troops and the great differences this made between the revived militia system of the East and that of Nebraska in the early 1880's. These years in Nebraska's military history become even more significant after surveying the state of the Nebraska militia when Nance and Alexander assumed office.

A Volunteer Militia had been created as early as 1856 to deal with intermittent attacks by Plains Indians. But the militia functioned sporadically through the 1860's and 1870's, despite the Indian depredations, as drought and grasshoppers combined to reduce the Legislature's budget to a minimum.⁴ Legislative inaction thus thwarted attempts by Nebraska's governors to reorganize, under a more efficient militia law, the haphazard system of volunteer companies dotting the state. Governor Robert Furnas (1873-1874) took matters into his own hands and established several independent companies. Only then did he ask the Legislature to authorize the appointment of an Adjutant General as required by federal law.⁵ The *Omaha Daily Bee* accused Furnas of going into the "wholesale commission business" and implied that he was mainly interested in building political support through the appointment of militia officers.⁶ Silas Garber, Furnas' successor, met the Indian war that broke out in the spring of 1876 with a

⁴ The most complete coverage of Territorial military history is to be found in Volume II of J. Sterling Morton and Albert Watkins' *History of Nebraska, from the Earliest Explorations to the Present Time* (Lincoln, 1907).

⁵ *Message of Robert W. Furnas, Governor of Nebraska, to the Legislative Assembly, Tenth Reg. Sess., Jan. 8, 1875, p. 31.*

⁶ *Omaha Daily Bee*, January 5, 1874.

force of twenty-two hastily recruited companies.⁷ Under the pressure of the Indian war, the Legislature sanctioned the dual appointment of Garber's Secretary of State as Adjutant General.⁸ But as fear of Indian attack subsided no attempt was made to alter the structure of the state militia and the companies organized under Garber disbanded as enlistments terminated. When Nance and Alexander assumed office in January, 1879, only seven of these companies, all in the western counties, remained.⁹ The events that unfolded from 1879 to 1882 proved the ineffectiveness of a military system predicated upon frontier conditions in serving a state that was rapidly becoming civilized and "easternized."

A nearly disastrous breakdown in Nebraska's militia system occurred on the night of April 10, 1879, when Alexander received an urgent request for troops from Sheriff S. L. Martin of Adams County to stop the threatened release of prisoners by "outlaws" at the Olive murder trial in Hastings.¹⁰ The militia proved completely incapable of meeting the emergency. The nearest company, at Kearney, could furnish only twenty men in twenty-four hours. Governor Nance turned to Brigadier General George Crook, in command of the Department of the Platte in Omaha, for aid. Fortunately Crook was able to send Company H of the Ninth Infantry, under the command of Major A. S. Burt, to Hastings within twelve hours. For some reason Nance failed to secure immediate permission for the use of these

⁷ Nebraska reported 67 officers and 1153 enlisted men in organized militia and 46,000 estimated available for service for the year 1876. *Abstract of the Militia Forces*, 45th Cong., 3rd Sess., Sen. Exec. Doc. No. 56, (Serial 1831), p. 2.

⁸ *Message of Silas Garber, Governor to the Legislature of Nebraska*, 14th Session, Jan. 5, 1877, p. 13. This practice ended on April 1, 1885 when Secretary of State E. P. Roggen turned the office of Adjutant General over to John Bonnell.

⁹ *Biennium Report of the Adjutant General of Nebraska, 1879-1880*, p. 5. Hereafter cited as *Rep. of the Adj. Gen.*

¹⁰ S. L. Martin to S. J. Alexander, April 10, 1879 in the *Rep. of the Adj. Gen., 1879-1880*, p. 9. The notorious "Olive gang" had captured, lynched and burned two homesteaders, in 1878, in one of the culminating acts of the turbulent rancher-homesteader wars in Nebraska. See "History of the Olive Gang," *Nebraska History Magazine*, 16 (Oct.-Dec., 1935), pp. 199-202.

federal troops from President Hayes and only through a last minute appeal by the Nebraska Senators, A. S. Paddock and Alvin Saunders, were the troops allowed to remain in Hastings for the duration of the trial.¹¹

The events surrounding the Olive trial made two things quite clear to Nance. The Nebraska militia, in its present state of organization, was completely unreliable in the event of civil disturbance. Only seven ill-equipped companies existed in the western counties and their enlistments would terminate during the course of the next year. Dependence upon federal troops, on the other hand, forced the Governor to look to an authority outside the state. Since the militia in a frontier state was an integral part of the civil authority, proper enforcement of the law required immediate reorganization of the military constabulary. In his Second Inaugural Address, of January, 1881, Nance reviewed the problems connected with the Olive trial and recalled his reaction.

The emergency directed the attention of the executive and adjutant-general to the state of demoralization and indifference that prevailed among the nominal militia forces of the state, and measures were at once inaugurated to revive a military feeling and encourage the organization of military companies.¹²

Alexander issued specific orders that all localities removed from the frontier could organize companies, provided that they supply uniforms for the first forty men. Only then would arms and supplies be issued. Frontier companies were not required to procure uniforms.¹³

¹¹ S. J. Alexander to Gen. George Crook, April 11, 1879, in the *Rep. of the Adj. Gen., 1879-1880*, p. 10; Brig. Gen. George Crook to Albinus Nance, April 11, 1879, Executive Manuscripts, File Box 7, Archives, Nebraska State Historical Society. Hereafter cited as Exec. MSS.; Brig. Gen. George Crook to Albinus Nance, April 14th, 1879, Exec. MSS, File Box 7; S. J. Alexander to Albinus Nance, April 14, 1879, Executive Letter Book, 1879-1880, p. 27, Archives, Nebraska State Historical Society. Hereafter cited as Exec. Letter Book. Gen. Crook to Albinus Nance, April 15, 1879, Exec. MSS, File Box 7.

¹² Second Inaugural Address of Albinus Nance, *Messages and Proclamations of the Governors of Nebraska, 1854-1941*, Vol. I, (Lincoln, 1941-42), p. 521.

¹³ *Rep. of the Adj. Gen., 1879-1880*, p. 5.

During the course of the year 1880 twelve companies of Infantry and one of Light Artillery, with an aggregate strength of 747 officers and men, were organized and uniformed without expense to the state and in the absence of any meaningful militia law. Significantly enough, all of these companies were located in the eastern one-third of the state and all had direct access to major railroad lines.¹⁴ In the light of the momentous event that occurred in the spring of 1880 it is obvious that Nance and Alexander encouraged the formation of companies in those eastern towns whose location permitted rapid mobilization—for Omaha's first large-scale strike provided a necessary test for the state's neophyte military organization. This disturbance proved a catalyst in developing "military feeling" within the state and emphasized the usefulness of state troops during times of civil strife.

Although Omaha had experienced several small strikes prior to 1880, the Smelting Work's strike which began on May 4 was of more serious proportions.¹⁵ The common laborers in the plant struck for a twenty per cent increase in their wage of \$1.50 per day. Rather than meet the demand, Superintendent Balback shut down the Smelting Works on May 6th. When the strikers, joined by a number of sympathetic Union Pacific shop men, adopted a resolution not to return to work until all demands were granted, the managers of the Smelting Works decided to recruit an outside labor force.¹⁶ Agents in Kansas hired over one hundred unemployed Negroes at Leavenworth, St. Joseph and Kansas City and a special Union Pacific train brought the Negroes to Omaha. Managers of the Works arranged police protection and armed the Negroes themselves "to guard against contingencies."

¹⁴ *Ibid.*, pp. 6-7. The companies were located at York, Sutton, Omaha (2), Columbus, Wahoo, Juniata, Nelson, Beatrice, Lincoln, Bennet, Central City and Blue Springs (Artillery).

¹⁵ According to the *Omaha Daily Herald* (November 10, 1880), the Smelting Works were the largest on the continent, producing upwards of \$5,000,000 in silver and gold annually, plus nearly one-sixth of all the pig and bar lead produced in the United States.

¹⁶ See the *Omaha Daily Herald*, May 5, 7 and 18, 1880.

When the train pulled into the Smelting Works enclosure at 6:00 A.M. on Friday, the 21st, the strikers on the scene reacted quickly. They sent word to those not present as well as to the neighboring U.P. shops and nail works. By 8:30 over four hundred men were on the scene. They were greatly agitated, for the use of "scabs," outside laborers hired as strike-breakers, was hated by almost all laboring men. But the strike leaders, circulating among the workers, counseled moderation and what could have ended in disaster was settled peaceably. Meanwhile, the entire police force, along with Sheriff William Guy and Mayor Champion S. Chase, arrived, followed by a large crowd who had come to see the fireworks. Chase sympathized with the strikers but admonished them to obey the laws and not to interfere with the right of others to work. A committee of strikers met with the imported Negroes and explained the circumstances to them. Most of the Negroes had known nothing of the strike and believed that there was work enough for all. The committee then offered free fare home if the Negroes would lay down their arms and leave the enclosure. The Negroes voted among themselves and, by 12:30, all but twenty departed. The crowd disbanded and the strikers, along with many of the Negroes, adjourned uptown to a meeting in Clark's Hall.¹⁷

But matters were far from ended. By 9:00 A.M. that morning the managers of the Smelting Works had become fearful over the excitement they had created by the importation of the Negroes. They consulted with several prominent Omaha Democrats, among them Joseph H. Millard,¹⁸

¹⁷ This account of the "mob scene" at the Smelting Works was taken from the *Omaha Daily Bee*, May 22, 1880. The *Herald's* account agrees in fact, but hardly in tone or sentiment. Edward Rosewater, insurgent Republican editor of the *Bee*, supported the strikers and stressed moderation and arbitration, while George L. Miller, the Democratic, arch-conservative editor of the *Herald*, demanded the protection of property and the right of property owners to hire anyone they pleased. Miller saw the strike as a socialist plot, led by the "communistic agitators" among Omaha's foreign laboring population (*Omaha Daily Herald*, May 23, 1880).

¹⁸ Millard, a past mayor and city treasurer, held extensive railroad property in Omaha and was president of the Millard Hotel Co. as well as founder of the Omaha National Bank.

over the advisability of asking the governor for troops to protect the Smelting Works. These conservative businessmen and financiers, like Bourbon Democrats throughout the midwest, argued that the main purpose of government was to protect and promote the interests of property. Strikes were one case where Omaha's Bourbon Democrats and administration Republicans could act together. Both distrusted the reforming tendencies of organized labor. Most of the businessmen consulted were strongly in favor of asking Governor Nance for troops. The *Bee* maintained that Mayor Chase, the legally constituted authority in Omaha, was not consulted before dispatches requesting troops were sent at 11:00 A.M.¹⁹

Governor Nance was not in Lincoln when the messages arrived and first learned of the strike and the action taken when he reached Columbus later in the afternoon. Alexander, meanwhile, received the following telegrams in Lincoln:

Gov. Albinus Nance:

A riot is imminent here. The smelting works men have struck and colored men employed. There is a large mob at the smelting works, and the danger is imminent unless we can have help at once. Telegraph President Hayes for the use of two companies at Fort Omaha.

J. H. Millard

Gen. S. J. Alexander:

Serious trouble is threatened at the Omaha Smelting Works by strikers. Troops are needed immediately. Have telegraphed Gov. Nance, but have received no answer. Ask President Hayes to order soldiers from Fort Omaha. Quick. Answer.

Omaha Smelting Works²⁰

At the same time Senator A. S. Paddock, in Washington, received word of the trouble, and he too notified Nance to request the President to order out the troops at Fort Omaha. Alexander, acting without authority from Nance, sent a requisition for federal troops to Paddock. Receiving the request at 10:30 P.M., Paddock, though he presumably

¹⁹ *Omaha Daily Bee*, May 24, 1880.

²⁰ *Rep. of the Adj. Gen., 1879-1880*, pp. 12-13.

knew the request to be invalid, hurriedly called on President Hayes. After consultation with his Attorney General, Hayes ordered the troops at Fort Omaha to the city to be ready in case they were needed.²¹ Paddock himself sent the order shortly after midnight. Although the troops at Fort Omaha were moved three miles to the "corral" on the outskirts of Omaha, they never entered the city proper and hence were not used in the strike.²²

Alexander, in response to the telegrams from Millard and the Smelting Works, immediately ordered the militia companies in the State "to assemble their commands at once and await further orders from these Headquarters."²³ The Wahoo Foragers were the first to report for duty, followed by Companies G and H of Omaha, I of Columbus, and D of York. Alexander ordered Captain C. M. Copp, of the Wahoo Foragers, to proceed to Omaha with his company on a special train offered by the Union Pacific and, once there, report to Sheriff Guy and Mayor Chase.

Other telegrams soon began to reach Lincoln from several of the "leading citizens of Omaha" stating that the situation was alarming and that life and property were in danger. Alexander quickly boarded the noon train for Omaha, accompanied by Lieutenant Governor Edmund C. Carns and Attorney General C. J. Dilworth. After his arrival Alexander consulted with Sheriff Guy and Mayor Chase. During their meeting a telegram was received from Nance at Columbus asking if any further assistance was needed. Sheriff Guy replied, suggesting that Nance send the company from Columbus.²⁴

²¹ The aggregate strength of Fort Omaha as of June 30, 1880, was 147. The 9th Infantry, under the command of Col. J. H. King, was stationed there at the time. Secretary of War, *Annual Reports*, 46th Cong., 3rd Sess., House Exec. Doc. No. 1 (Serial 1952), p. 13.

²² *Omaha Daily Bee*, May 25, 1880. Most of the above information was obtained by the Washington Correspondent of the *Denver Tribune*, who then forwarded it to the *Bee*. The "corral" was a U.S. army supply depot which covered a five acre tract lying between 20th and 22nd Streets, Woolworth Avenue and an angling spur of the Union Pacific Railroad.

²³ *Rep. of the Adj. Gen., 1879-1880*, p. 13.

²⁴ *Ibid.*, pp. 13-14.

The Wahoo company arrived in Omaha at 6:00 P.M. and the Columbus company, along with Nance, at 10:00. The troops from Columbus, under the impression that the city was in the hands of an armed mob, came into Omaha with rifles loaded expecting to fight a pitched battle at the railroad station.²⁵ But, much to their chagrin, all was quiet. Companies G and H of Omaha had both assembled at their armories earlier that afternoon and were now ordered, along with the Wahoo and Columbus companies, to take up positions in the Smelting Works and "protect the property."²⁶ Nance and Alexander held frequent conferences with the managers of the Smelting Works late that evening, but there was no disturbance. The crowd had broken up early that afternoon.

Nothing of consequence occurred Saturday. The grounds around the Smelting Works were deserted. The militia companies were withdrawn at 7:30 A.M. and quartered at Company G's armory, where they remained for the next two days. At a meeting at the court house that evening, Nance called for a conference of the strikers and the managers the following morning.

The strike was settled Sunday to the benefit of the Company. The original demand had been for a twenty per cent increase in wages. The Company, making the concession not to blacklist anyone, raised wages, but also lengthened the day of work. Now, instead of \$1.50 for an eight hour day, the laborers were to receive \$1.65 for nine hours. After nineteen days without work, however, the disgruntled laborers could do little but vote to accept the terms. The militia at Company G's armory were then released from duty, the Columbus contingent leaving Omaha Sunday evening and the Wahoo Foragers Monday morning.²⁷

Several facts regarding the handling of the strike bear examination. Only the intangible threat of violence existed on the morning of the 21st and this never materialized. No

²⁵ *Omaha Daily Bee*, May 24, 1880.

²⁶ *Rep. of the Adj. Gen.*, 1879-1880, p. 14.

²⁷ *Omaha Daily Bee*, May 24, 1880.

property was destroyed. Mayor Chase and Sheriff Guy, present on the grounds when the managers sent the requests for troops, hardly extended their authority in dealing with the matter and could have deputized a larger force should trouble have occurred. Neither was consulted as far as can be determined. Governor Nance, as commander-in-chief of the military forces of the state, was the only man who could legally mobilize the militia or request federal troops. Nance purportedly told a *Bee* reporter that the troops were called out before application for military protection reached him and that one of the companies arrived in Omaha before he had even communicated with the authorities there.²⁸ Thus, despite Nance's later acquiescence, it appears that Alexander had ordered out the Nebraska militia and requested federal troops illegally at the behest of private parties in Omaha.

In the aftermath of the strike criticism came from a few, but praise from many. The *Bee* felt that a dangerous precedent had been established and that the whole affair had been a "bungling blunder" entailing "needless expense" to the state.²⁹ On the other hand, Nance and Alexander received strong support from the *Herald* and *Journal*. Guy C. Barton, a former state Senator, wrote to Nance from North Platte: "I want you and Alexander to understand that the course you took in regard to the strike at Omaha meets the hearty approval of every decent man in the state."³⁰ Even T. H. Read, of the *Rocky Mountain News* in Denver, wrote to Nance complimenting him on another of his "successes."³¹

But the strike proved disastrous to Companies G and H in Omaha. Company H, under the command of Lieutenant Henry Bolln, had been able to muster only fifteen men when mobilized by Alexander. The company was largely

²⁸ *Ibid.*, May 25, 1880.

²⁹ *Ibid.*

³⁰ Guy C. Barton to Albinus Nance, May 27, 1880, Exec. MSS, File Box 8.

³¹ T. H. Read to Albinus Nance, May 28, 1880, Exec. MSS, File Box 8.

composed of young mechanics who, sympathizing with the strikers, had refused to serve. Capt. George Crager, of Company G, reported to Alexander a few days after the strike that the condition of Bolln's company was bad.

They have a number of men who are in sympathy with the well known bad element in our city, who are doing all they can to discourage the members in order to burst [sic] the Company up. . . .³²

Crager also submitted a list of men who had resigned from his own Company during the past few days. Apparently Omaha's militiamen had little liking for strike duty. Both companies, in fact, soon disbanded.

Yet, paradoxically, the use of the militia in the Smelting strike had a direct bearing on the revival of military feeling in other parts of the state. The Adjutant General received requests to organize companies in ever increasing number after May of 1880. A letter sent to Alexander by Captain Franklin Sweet of Central City, indicates the enthusiasm with which men greeted the "call to arms" on the local level.

We have upwards of twenty men enrolled as a preliminary, and while I do not wish to be premature in the matter, would say that the ball is rolling of itself almost, and the military ardor is under full headway.³³

Favorable reaction of this nature was enough to prompt Nance and Alexander to take a major step. On October 26, 1880, Alexander issued a general order calling for a conference of all militia officers in the state on Tuesday, November 9, the week of elections. The purpose of the meeting, to be held in the hall of the House of Representatives in Lincoln, was to adopt "a line of action" that would influence the Legislature to place the militia on a more permanent footing.³⁴ The Convention, presided over by Cap-

³² Geo. H. Crager to S. J. Alexander, May 27, 1880, Adjutant General's Manuscripts, File Box 2, Archives, Nebraska State Historical Society. Hereafter cited as Adj. Gen. MSS.

³³ Captain Franklin Sweet to S. J. Alexander, Sept. 30, 1880, Adj. Gen. MSS., File Box 2. Sweet's letter was but one of a number received from Alma, Beatrice, Cambridge, Central City, Fairfield, Grand Island, Nelson and Oconto.

³⁴ *Rep. of the Adj. Gen., 1879-1880*, p. 17.

tain Albert V. Cole (later Adjutant General under Governor John Thayer), sat for three days, after which a special committee drafted a bill for regimental organization from the minutes of the proceedings. Alexander approved its main outline and submitted it to Nance.³⁵

At the same time, additional impetus to reorganization in Nebraska came from the Adjutant General of the Army, who began correspondence with all the state adjutant generals in December of 1880 in an attempt to establish uniformity in rules and forms between the regular army and the militia. Alexander was informed that, if Nebraska would provide legislation to ensure the efficient organization of the militia, Congress would "provide for arming such militia out of the National Treasury."³⁶

With this in mind Alexander drafted a stimulating report which Nance submitted to the Legislature, along with the militia bill, on January 5, 1881. Alexander stressed that the expenses for the organization of the militia had thus far been borne by private means and called for the Legislature to place the militia on a more permanent footing. The experience of the Olive trial and the Smelting strike, he said, should "serve as a useful admonishment for a better preparation in the future." The incalculable value of a sound organization, according to Alexander, was that great crises could be met "from among our own number." The militia would be the state's chief bulwark against "mobs and outlawry."³⁷ The Olive trial and Smelting strike had indeed demonstrated to Nance and Alexander the need for a strong military constabulary in a frontier state undergoing such rapid change.

The bill drafted by the militia officers passed the House on February 8, 1881, with 49 for, 27 against and 8 absent.³⁸ An analysis of the negative vote shows an inter-

³⁵ *Daily Nebraska State Journal*, November 11, 1880.

³⁶ Report of the Adjutant General of the United States in the *Annual Report of the Secretary of War*, 46th Cong., 3rd Sess., House Exec. Doc. No. 1 (Serial 1952), p. vii.

³⁷ *Rep. of the Adj. Gen., 1879-1880*, pp. 15-16.

³⁸ *House Journal*, 16th Session, p. 128.

esting sectional opposition. Nearly one-half of the opposing votes are to be found in the tier of counties along the eastern border, with four from Richardson County alone. Only two opposing votes are to be found in the western two-thirds of the state. This would seem to be in keeping with the sentiment of a state so recently exposed to Indian attack. Significantly, however, all of the twelve companies sanctioned by Nance and Alexander during 1880 and 1881 were in the southeastern quarter of the state and all lay close to major railroad lines.³⁹ Should trouble threaten again Nance and Alexander had provided that all of the existing companies under their command could be mobilized rapidly by rail.

The bill passed the Senate with ease, 22 to 7, in part through the efforts of Charles H. Gere, editor of the *Journal*, and was signed into law by Nance on February 28, 1881.⁴⁰ The Militia Bill made every able-bodied male citizen, not exempt by law, subject to duty. But the active militia, designated the "Nebraska National Guard," was to be recruited through a system of volunteers. The number of enlistees was not to exceed two thousand, while a three year enlistment was the minimum. The bill also provided for regimental organization and appropriated \$5,000 annually for uniforms, arms and active duty pay.⁴¹

Response to the Militia Bill was not long in forthcoming. Requests to form new companies as well as requests for status in the Guard by newly formed independent companies kept the Adjutant General's secretary busy.⁴² Indicative of the approach of the organizers was an earnest, if

³⁹ The Guard, for the remainder of Alexander's term in office, was composed of Companies A—York; B—Sutton; C—Beatrice; D—Columbus; E—Wahoo; F—Juniata; G—Geneva; H—Nelson; I—Benet; K—Central City; and A (Lt. Art.) Blue Springs.

⁴⁰ See the *Senate Journal*, 16th Sess., p. 521, and the *Daily Nebraska State Journal*, March 17, 1882.

⁴¹ *Legislative Bills*, 16th Sess., House Roll No. 62.

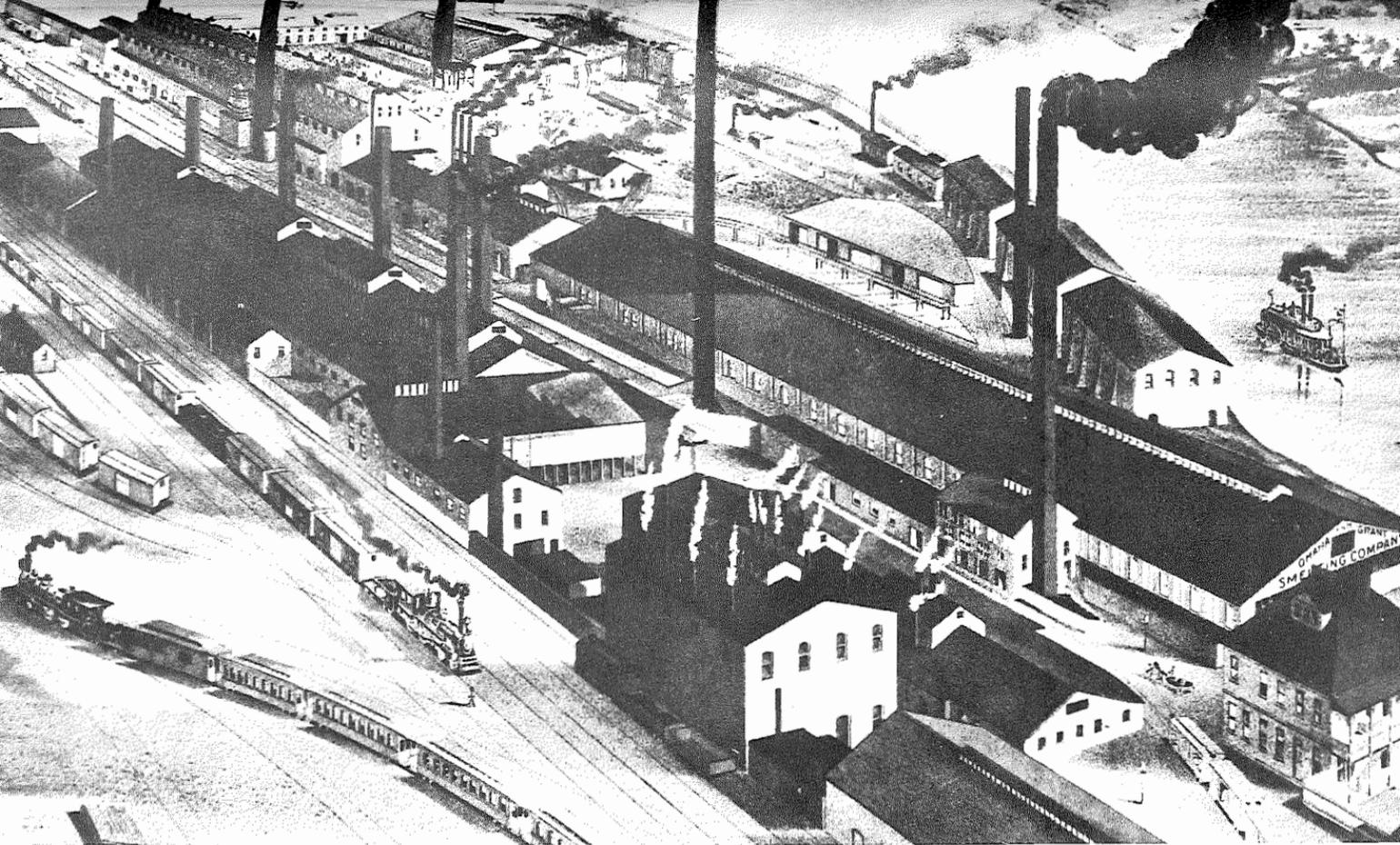
⁴² Omaha, Beatrice, Phelps and Grafton were among cities desiring to form companies, while the organized companies of Tecumseh, Aurora, Blair, Edgar, Palmyra, Leigh and North Platte were among those seeking admission to the Guard. These requests may be found in the Adj. Gen. MSS, File Box 2.



Governor Albinus Nance, 1879-1883



S. J. Alexander, Secretary of State, 1879-1883



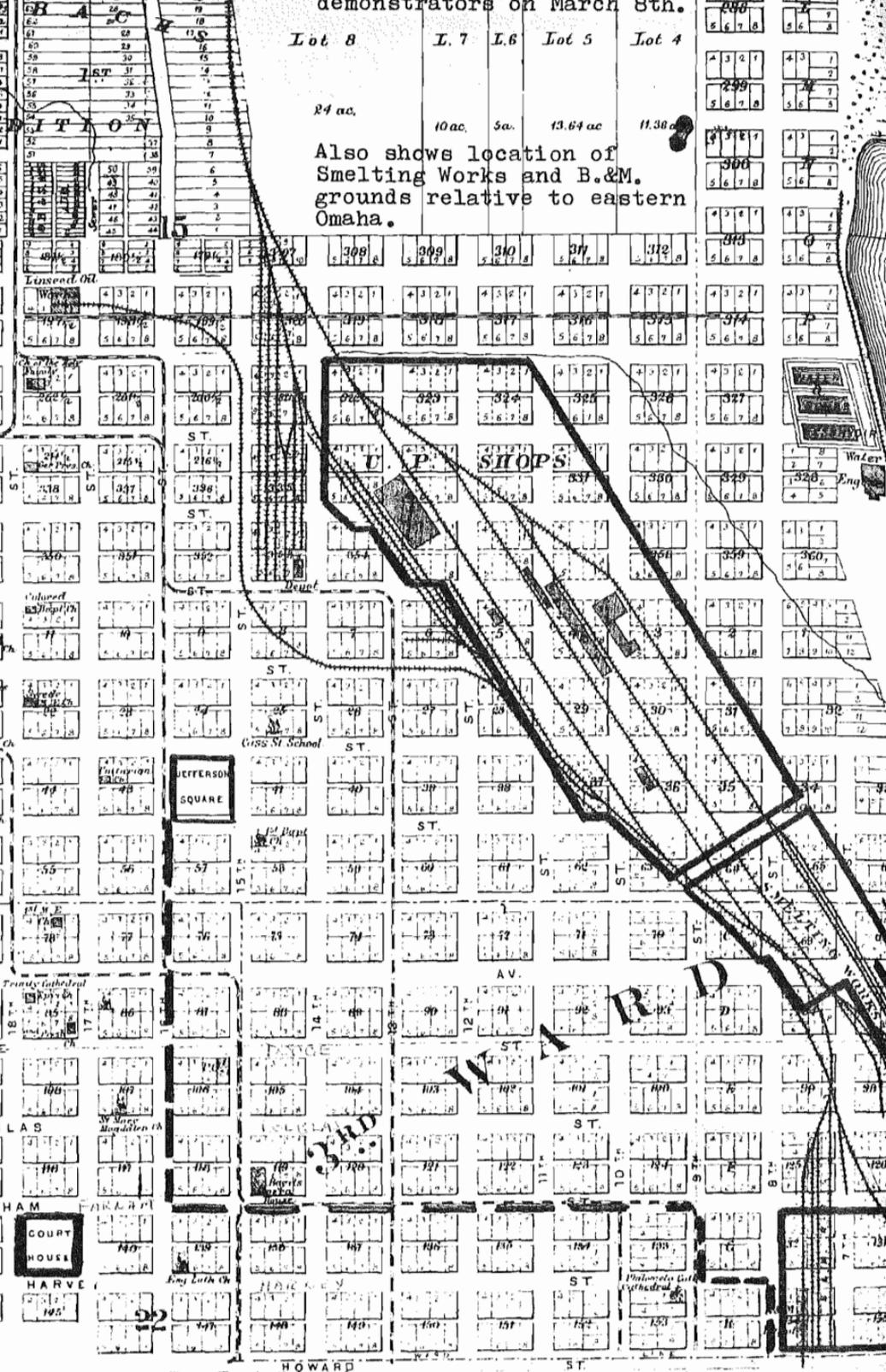
The smelting plant at Omaha as it appeared between 1882 and 1889

demonstrators on March 8th.

Lot 8 I. 7 I. 6 Lot 5 Lot 4

24 ac. 10 ac. 5 ac. 13.64 ac 11.38 ac

Also shows location of Smelting Works and B.&M. grounds relative to eastern Omaha.



Map of Omaha showing area of strike activities

poorly written, letter to Alexander from an Aurora attorney sponsoring the local company.

The accompany my letter is from Good parties and they mean business in the matter of organising a Company of Malitia in this County and I would recomend them to your favorable consideration.⁴³

Such sponsors of militia units reflected with pride upon the prestige the companies would offer the community.

Alexander's general order of July 5, 1881 officially established the Nebraska National Guard. The new regiment, with an aggregate strength of 592 officers and men, included ten companies of infantry plus the Blue Springs Artillery.⁴⁴ The militia officers held a meeting in Lincoln on July 12th to complete regimental organization. They elected Leonard W. Colby,⁴⁵ of Beatrice, commander and Nance immediately commissioned him a colonel. The captains of the Nebraska militia were all important figures in local circles, either in law, politics or real estate. Most were Union veterans who found position in the local militia unit a source of status within the community. While no direct evidence was found to show the political orientation of the militia as a whole, the *Journal* implied at one point

⁴³ J. S. Miller to S. J. Alexander, March 15, 1881, Adj. Gen. MSS., File Box 2.

⁴⁴ *Rep. of the Adj. Gen., 1879-1880*, p. 18.

⁴⁵ Colby was a prominent figure in state Republican circles. A Union veteran and accomplished lawyer, he had come to Nebraska in 1872, and, upon arrival in Beatrice, was immediately commissioned in the militia unit. Colby built up a large law practice in Gage County and within four years was elected state senator, being re-elected again in 1886. During both periods he was responsible for bills affecting militia reorganization. Colby headed the Guard until 1896. In addition, he served as First Assistant Attorney General of the United States from 1891 to 1893. Colby Manuscripts, Folder, Library, Nebraska State Historical Society.

that the officers, as veterans of the Civil War, were all good Republicans.⁴⁶

Thus, the Nebraska militia was a stable institution, well-integrated into the social and political fabric of the state. It had been reorganized in 1880 and 1881 to serve as an effective law enforcement agency. The labor unrest that struck Omaha again in the spring of 1882 brought demands from Omaha's leaders, most of whom were Bourbon Democrats, for a federal force adequate to protect property. Nance and Alexander, in their desire to preserve local control in dealing with the strike, were caught in a conflict between state and federal authority. The process of calling out troops to suppress civil disorder in Omaha and state reaction to their use amply demonstrate the difference in the nature and function of militia units in the East and those in Nebraska in the early 1880's.

The great "Camp Dump" strike began on February 27, 1882. The Burlington and Missouri Railroad Company had been making extensive improvements on the "bottoms" along the Missouri River, between Howard and Farnam streets, which required cutting down the bluff and filling in a large pond. The contract for the work had been let to James Stephenson of Omaha who advertised widely for a laboring force of three hundred men to work on the project. A few days after work began Stephenson announced that the wage of \$1.50 per day would be reduced to \$1.25 until weather conditions improved. When Stephenson refused to restore their former wages the laborers walked off the job.⁴⁷ During the first week of March the strikers gathered at the B. & M. grounds to discourage others from

⁴⁶ *Daily Nebraska State Journal*, March 17, 1882. Close co-operation existed between the militia and Nebraska's Department of the Grand Army of the Republic. As Union veterans the militia captains attended most of the G.A.R. encampments. Moreover, G.A.R. officers held high military and political office as evidenced by the fact that Alexander was department commander in 1881-82 at the same time he was Secretary of State and Adjutant General. See the *Unpublished History of the Department of Nebraska, Grand Army of the Republic* (Lincoln, 1895), p. 9.

⁴⁷ *Omaha Daily Bee*, February 28, 1882. The *Bee* demonstrates that \$1.25 per day was not a living wage in Omaha at that time.

working at the lower wage. In addition, they organized parades, held meetings at Metz and Kessler halls and gave speeches to large crowds in Jefferson Square. One outgrowth of the strike was the formation of Omaha's first labor organization, the Omaha Labor Protective Union. But little else occurred, save for the burning of Stephenson in effigy, until the riot of March 8th.⁴⁸

On Monday, March 6th, the railroad company had taken over the work and brought in about one hundred men from Plattsmouth on a special B. & M. train to take the place of the strikers at \$1.50 per day. A force of sixty special policemen, sworn in by Mayor James E. Boyd, had guarded the laborers and work had continued without interference for two days. On Wednesday afternoon, however, the Protective Union organized a mass demonstration of protest with members of all the trade unions of Omaha participating. A procession assembled at Jefferson Square and 2500 men, led by the Bohemian band, marched through the streets in the general direction of the B. & M. grounds, where the men from Plattsmouth worked under the protection of the special police. A large, noisy crowd of over two thousand had gathered along the parade route. As the column of marchers turned down Eighth St. the ranks suddenly broke and within seconds a mob of nearly five thousand men filled the B. & M. grounds. The mob drove the workers out onto the ice of the pond, cut their horses loose and threw their spades and scrapers into the pond. The three or four special policemen who tried to resist were badly mauled and a few wild shots were fired into the air. But the tumult soon subsided as cooler heads prevailed and

⁴⁸ The *Bee* gave extensive coverage to the entire strike, presenting both sides, but editorially favoring the cause of labor. The *Herald* saw the strike as critical, a threat to capital, and urged strong, repressive measures with the first hint of violence. The *Bee*, in turn, counseled moderation and arbitration, carefully warning the strikers to obey laws, lest they alienate public opinion from their cause. See the *Omaha Daily Bee*, February 28 to March 27, 1882, inclusive, for the most objective account of the strike.

the crowd began to thin out. Within a few hours the grounds were nearly empty.⁴⁹

Early that evening Mayor Boyd and President Jonathan Horbach, of the Omaha and St. Paul Railroad, met with George Holdrege, general manager of the B. & M.⁵⁰ In an attempt to give an attitude of impartiality they asked Edward Rosewater, the insurgent Republican editor of the *Bee* and noted opponent of Omaha's Bourbon Democracy, to join them. Boyd argued that the proper course of action was to call on the governor for troops. Rosewater disagreed. He suggested arbitration first; that failing, he advised regulars over the militia. Holdrege argued that there was nothing to arbitrate and that he would not submit to the dictation of the Union. Horbach agreed with Boyd and Holdrege, but the meeting broke up before definite plans were made.⁵¹

Later that evening, however, Holdrege and a select delegation took a special train to Lincoln to consult with the Governor about the strike. But before their arrival Nance received a communication from Boyd declaring that a "serious riot" had taken place on the B. & M. grounds that day, "fatally" injuring three men. "I am powerless to protect peaceful citizens and after consultation with leading men I call upon you for the necessary *force* to enforce the

⁴⁹ The *Bee*, of March 9th, contended that the "riot" was spontaneous and not premeditated. The crowd lining the streets, according to the *Bee*, bore the chief responsibility for inciting the demonstrators.

⁵⁰ Mayor James E. Boyd, who in 1890 became the first Democratic governor of Nebraska since the Civil War, was one of the heaviest property holders in Omaha. He had organized the Omaha and Northwestern Railroad Co. and the Central National Bank of Omaha and owned the Omaha Gas Co., a large packing plant and the Boyd Opera House. He was also president of the Omaha Board of Trade and a member of the Chicago Board of Trade and the New York Stock Exchange. Holdrege was General Manager of the Burlington for thirty-nine years and is considered to be the "builder" of the C.B. & Q. system in Nebraska. Both were active in Omaha's Democratic circles.

⁵¹ *Omaha Daily Bee*, March 9, 1882.

laws and to protect our people from mob violence.”⁵² Perhaps more significant was a telegram sent from Omaha at 8:00 P.M. by five of Omaha’s leading citizens, including George Miller, the arch-conservative editor of the *Herald* and spokesman for the Bourbon Democrats, which referred to Boyd’s telegram and specifically expressed preference for U.S. troops over state militia. These men argued that the militia would “provoke and exasperate the mob” and that only the regular troops stationed at Fort Omaha could prevent “conflict and bloodshed.” They concluded, illogically, that the experience of the Smelting strike was sufficient proof of their contention.⁵³ Clearly, these requests placed Nance in a delicate position. Nance felt the Nebraska militia completely capable of handling the strikers. Omaha’s leading citizens, however, were well aware of the reliability of the regular army troops at Fort Omaha while they could not be sure of the effectiveness of the new “out-state” militia in protecting their property. The situation was quickly becoming an issue of which was to act, the state or the federal government.

The next morning, following a conference with the Holdrege delegation at 7:30 A.M., Nance received two more telegrams from Omaha. The first, from Boyd and Sheriff Miller of Douglas County, recounted the events of the previous day and expressed the opinion that United States troops were “absolutely necessary to restore quiet.” The second came from a large group of Omaha businessmen who endorsed Boyd’s action and urged promptness in calling for federal troops.⁵⁴ The pressure thus put on Nance was telling. He sent a proclamation of domestic violence to

⁵² James E. Boyd to Albinus Nance, March 8, 1882; Exec. MSS, File Box 11. Although Boyd’s action was highly praised by the *Herald*, the *Bee* repeatedly charged that Boyd had abdicated his authority by failing to raise a sufficient force within Omaha to preserve the peace.

⁵³ George Pritchett, Jonathan Horbach, C. B. Rustin, George L. Miller, and J. H. Millard to Albinus Nance, March 8, 1882, Exec. MSS, File Box 11.

⁵⁴ James Boyd and David Miller to Albinus Nance, March 9, 1882; “Undersigned Citizens” to Albinus Nance, March 9, 1882, Exec. MSS, File Box 11.

President Chester A. Arthur, along with the telegram from Boyd and Miller, requesting a "sufficient number of troops to protect the citizens and property of the State."⁵⁵ The dispatch from the Omaha businessmen was sent to Senators Alvin Saunders and Charles Van Wyck in Washington.⁵⁶ Nance and Alexander also decided to alert the Nebraska National Guard and ordered all companies to hold themselves ready at the nearest railroad stations convenient to their respective armories.⁵⁷

Meanwhile, in Omaha, the unrest spread. On Friday morning, the 10th, over three hundred men from the Smelting Works struck. The managers decided to shut down. Men also struck on the Omaha and St. Paul Railroad and at Boyd's packing plant. Boyd answered by firing his men. During a meeting at Kessler's Hall at 7:00 P.M. that evening, the Union resolved to boycott Boyd's Opera House as well as several other business establishments that were not sympathetic to the strike. It was further decided that *all* merchants should be boycotted if the militia was sent to the city. The *Bee* still counseled arbitration and questioned the wisdom of calling out troops to settle a labor dispute.⁵⁸ The *Herald*, however, saw the disturbance on Wednesday as a giant conspiracy and called for the arrest of the executive committee of the Protective Union as organizers of riot and murder. "Force must be repelled by force for the preservation of the laws," declared editor Miller.⁵⁹

But spring flooding in the Mississippi Valley made the "preservation of the laws" by force a trying task as tele-

⁵⁵ Albinus Nance to Chester A. Arthur, March 9, 1882, in "Message from the President of the United States, in Response to a Resolution of the House of Representatives relative to the employment of the military forces of the United States in the State of Nebraska during the present month," 47th Cong., 1st Sess., House Exec. Doc. No. 127, (Serial 2030), p. 2. Contains all correspondence regarding the strike that was received in Washington. Hereafter cited as *Message from the President*.

⁵⁶ Albinus Nance to Alvin Saunders and C. H. Van Wyck, March 9, 1882, Exec. Letter Book, 1882, p. 160.

⁵⁷ Special Order no. 4, March 9, 1882, *Rep. of the Adj. Gen.*, 1881-1882, p. 38.

⁵⁸ *Omaha Daily Bee*, March 11, 1882.

⁵⁹ *Omaha Daily Herald*, March 11, 1882.

graph lines were down in several areas making communications between Washington and Lincoln slow and time consuming.⁶⁰ Although Secretary of War Robert Lincoln acknowledged Nance's messages to Arthur on Thursday afternoon, word was not to reach Nance until Friday morning. The Secretary informed Nance that federal troops would be sent upon receipt of Nance's statement that domestic violence existed in Nebraska and that it was impossible to convene the state legislature, as required by Article Four of the Constitution, to deal with the emergency. At the same time, Lincoln notified General Philip Sheridan in Chicago to have sufficient troops of the Division of the Missouri in position to be mobilized quickly.⁶¹ Sheridan ordered the 150 men of Companies C and E of the 5th Cavalry and Company F of the 9th Infantry, stationed at Sidney, to organize themselves and requested special transportation from the Union Pacific. He also alerted the troops at Fort Omaha.

Nance expressed great concern in his communications to Boyd and E. K. Valentine, Nebraska's Representative in Washington, over the President's delay in responding to his request. Valentine's reply, pointing out the legal conditions necessary for mobilizing federal troops, did not reach Nance until 11:15 P.M. although it had been sent late in the afternoon.⁶² Nance quickly sent a second telegram to Arthur, specifying that it was "impossible to convene the legislature . . . in time to meet the emergency at Omaha."⁶³

Three hours before this telegram reached Washington, however, a message was received there from General George Crook, at Fort Omaha, containing a different version of the strike. Crook maintained that the supposed "riot" of Wednesday had ended in a "small fight," in which

⁶⁰ *Daily Nebraska State Journal*, March 11, 1882.

⁶¹ Robert T. Lincoln to P. H. Sheridan, March 9, 1882, *Message from the President*, p. 3.

⁶² E. K. Valentine to Albinus Nance, March 9, 1882, Exec. Letter Book, 1882, p. 169.

⁶³ Albinus Nance to Chester A. Arthur, March 9, 1882, Exec. Letter Book, 1882, p. 168.

only two or three special policemen were injured. He said that the rioters had dispersed themselves and that there had been no open demonstrations since that time. Crook concluded that the "civil authorities in this city appear to think they can do nothing. Thus far there has been no necessity for interference of the military."⁶⁴

But, on the strength of Nance's request, President Arthur called a cabinet meeting in the early hours of the morning on Friday to consider the matter. He told the cabinet that the Nebraska Senators had called on him Thursday night and given their version of the strike.⁶⁵ After careful consideration, the cabinet instructed the Secretary of War to notify General Sheridan that a decision had been reached and to order General Crook to place himself "under the direction of the governor of Nebraska."⁶⁶ A telegram was also sent to Nance—one which he would not receive until late Friday afternoon.

Thus unaware of the effect of his message in Washington, Nance waited fretfully. Early Friday morning he received word from Holdrege that the Smelting Works had been forced to close. Nance hurriedly sent word to Saunders and Valentine, in Washington, to speed up action on his request. Only then did Nance receive Secretary Lincoln's instructions of the previous afternoon. No doubt with some dismay, Nance sent his third certification of domestic violence to Arthur.⁶⁷ Alexander left on the noon train for Omaha to see what could be done to quiet the fears of those anxious lest troops not arrive.

The wires between Omaha and Lincoln hummed with messages throughout the rest of the afternoon. Boyd noti-

⁶⁴ George Crook to Adj. Gen. U.S.A., March 9, 1882, *Message from the President*, p. 3.

⁶⁵ From a National Associated Press Dispatch in the *Omaha Daily Bee*, March 11, 1882.

⁶⁶ Robert T. Lincoln to P. H. Sheridan, March 10, 1882, *Message from the President*, p. 4.

⁶⁷ George W. Holdrege to Albinus Nance, March 10, 1882; Albinus Nance to Alvin Saunders and E. K. Valentine, March 10, 1882; Albinus Nance to Chester A. Arthur, March 10, 1882; Exec. Letter Book, 1882, pp. 172, 174 and 181.

fied Nance that there were only ninety men at Fort Omaha, but that a special U.P. train was waiting at Sidney to bring the troops from there. "It will take U.S. Troops to restore order," Boyd argued. "Militia will exasperate the men more and more, but would recommend that you hold Militia in readiness for another day." Shortly afterward, both Boyd and Holdrege informed Nance that Crook had said he would concentrate the troops in his Department at Fort Omaha, if Nance so requested, but that he could not order them to duty until word came from Sheridan. Nance promptly sent a formal request to Crook who then ordered the troops at Sidney to leave for Omaha.⁶⁸

At this point Nance received word of the results of the cabinet meeting in Washington. He telegraphed Boyd that, within two hours, the troops from Fort Omaha should be at the command of the Mayor. Since three hundred men of the Nebraska National Guard were under arms, Nance asked, "Had I better not order them in at once? Please advise me. It seems to me that the display of force should be overwhelming."⁶⁹

At 6:15 that evening Alexander, sharing Nance's desire to assert state authority, telegraphed Nance from Omaha that Boyd now suggested that the National Guard be ordered in at the same time as the Regulars.⁷⁰ Alexander sent a second message shortly afterward saying that Holdrege had arranged special trains for all of the Guard units along the Burlington line and had ordered the specials to leave at midnight. Alexander felt that Nance should notify Superintendent Nichols, of the Union Pacific, to arrange trains for the rest of the companies that lay along that line, "in order that we may have all our forces on the ground."⁷¹ Nance, after making the necessary ar-

⁶⁸ James E. Boyd to Albinus Nance, March 10, 1882; George Holdrege to Albinus Nance, March 10, 1882; Albinus Nance to George Crook, March 10, 1882; Exec. Letter Book, 1882, pp. 176 and 184-7.

⁶⁹ Albinus Nance to James E. Boyd, March 10, 1882, Exec. Letter Book, 1882, p. 173.

⁷⁰ S. J. Alexander to Albinus Nance, March 10, 1882, Exec. Letter Book, 1882, p. 193.

⁷¹ *House Journal*, 17th Sess., 1882, p. 146.

rangements, ordered Colonel Leonard Colby to report to Mayor Boyd for further orders when he and his command reached Omaha. It should be noted that Charles H. Gere, of the *Journal*, contended that Nance had "never entertained a doubt" that the state militia alone was sufficient to suppress the strike and that he acted only under pressure from Omaha in calling for federal troops.⁷² Nance had indeed walked a thin line between appeasing Bourbon Democrats in Omaha and preserving state authority in the process of calling out troops to deal with the strike.

Reports from local newspapers to the *Bee, Herald* and *Journal* show that the mobilization of the various Guard companies created a great deal of agitation in their home communities. Several last minute volunteers were taken to fill up the ranks. Although many of the men in the companies sympathized with the strikers, almost all were excited about going to Omaha. A *Journal* reporter, who rode from Lincoln with five of the companies, said that a "happier, jollier, and more willing regiment of soldiers never started off for the field of carnage." He felt the men were eager to prove false the charge that the militia was of no importance as a state organization. The Bennet Rifles kept their car "filled with songs . . . and war choruses. . . . Like all boys turned loose for a short time, they are bound to make all the contract will allow."⁷³

By noon, on Saturday, eight of the National Guard companies had arrived in Omaha. These eight, along with the regimental staff, numbered 326 officers and men. The companies marched to the Burlington and Missouri grounds where they joined the 105 men of Companies D, C and K from Fort Omaha, who had brought with them a Gatling gun and mountain howitzer. About one o'clock the regulars from Sidney arrived and the force on the B. & M. grounds numbered an impressive 550 men. Colonel Colby, appointed to command the mixed troops, ordered the grounds cleared of a large group of curious onlookers. The howitzer and

⁷² *Daily Nebraska State Journal*, March 12, 1882.

⁷³ *Ibid.*

Gatling gun were set up in the center of the grounds to command the approach from Eighth and Howard and a line of sentries were stationed around the grounds. Shortly after 1:00 P.M. Holdrege ran a B. & M. Special to the grounds and put seventy-five men to work. There were to be no interruptions this time. An old brick school house on Eighth St. was used as temporary quarters for the militia, while the regulars set up camp at "the corral" on the edge of Omaha. No reaction to the presence of the troops came from the strikers.

The peace dissipated swiftly the next day. During the afternoon the Protective Union held a mass meeting in Jefferson Square at which President Walsh, Mayor Boyd and several others spoke. At the same time, a large crowd gathered at the B. & M. grounds to watch the dress parade of the militia regiment. A group of boys made sport of the sentries by hurling choice words and rocks throughout the afternoon. George P. Armstrong, a man of sixty who was reportedly drunk, attempted to cross Eighth Street, but was pushed back by a sentry. Armstrong grabbed the sentry's rifle and attempted to wrestle it away from him. Several Guards ran to the spot and one overzealous recruit thrust his bayonet through Armstrong's chest. The old man died of his wounds at 11:00 that night.

At the coroner's inquest on Monday and Tuesday witnesses offered conflicting reports. The witnesses generally agreed that Armstrong had grabbed the piece, but they insisted that the guards had acted ominously toward the crowd. No one could identify the man who had wielded the bayonet, even though he was not in full uniform. Strangely enough, a list of the men on duty could not be found and none of the men in the militia would volunteer information. The coroner's verdict held that Armstrong had died of a bayonet wound inflicted by an unknown militiaman in the line of duty.⁷⁴

⁷⁴ *Omaha Daily Bee*, March 11, 13, 14 & 15, 1882. The *Bee* called the militia an "armed mob" and deplored the lack of discipline and even criminal intent made evident by the shielding of the responsible party.

An uneasy quiet prevailed through the rest of the week. The Union continued to hold meetings, but the city officials swore in a special grand jury that indicted the Union leaders on the charge of "assault with intent to kill" for their part in the "demonstration" the previous Wednesday. A number of men were arrested, but were soon out on bail. The work on the B. & M. grounds progressed steadily and most of the striking laborers found other employment.

As the strike wore on the state press increased its criticism of Nance and Boyd. The *Bee* mixed sarcasm with syllogism.

The present military invasion of Omaha in many respects is more ludicrous than the bloodless Indian scare of 1864. More men have time and again been knocked down in an Omaha beer garden in three minutes on a Sunday afternoon than were in the so called bloody riots during the past week.

Not only were the troops unnecessary, according to the *Bee*, they were in Omaha illegally. The Sheriff and Mayor had made no effort to co-operate with each other in raising a sufficient force to keep the peace. Besides, said the *Bee*, no regular member of the police force or sheriff's deputy had been forcibly resisted in the performance of his duty. Therefore, if the military be subordinate to the civil authority, then no troops could be used until the civil constabulary was powerless to protect the laws.⁷⁵

The *Nebraska State Journal*, critical for the first time, had its own remedy. The Militia law should be changed "at the expense of the fat and lusty citizens who prefer to do their fighting by proxy." Editor Gere proposed a system of billeting the state militia upon the well-to-do classes of the community which they were called upon to defend.⁷⁶ The smaller papers tended to exonerate Nance and blame the city officials of Omaha for having lost their heads. Most agreed that a bad example had been set and an un-

⁷⁵ *Omaha Daily Bee*, March 13 & 15, 1882.

⁷⁶ *Daily Nebraska State Journal*, March 15, 1882.

necessary expense incurred.⁷⁷ Only the *Herald* favored keeping the soldiers in Omaha until the "backbone of riot and disorder here is broken in its very center."⁷⁸

Several newspaper dispatches were received from outside the state commenting on the strike, but reaction varied from heartfelt praise for the use of troops to open condemnation.⁷⁹ The Amalgamated Trades and Labor Union of New York sent a special message to Governor Nance censuring the use of "armed forces of the United States and the State of Nebraska . . . to overawe and intimidate the workers into submission. . . ." The Union further sent a copy of the message to President Arthur, requesting the withdrawal of federal troops from Omaha.⁸⁰

There did seem to be little to occupy the companies assembled there. Toward the latter part of the week the U.S. troops guarded the workers while the militia spent a good deal of time in drilling and dress parades. The Guards tended to do off duty what most soldiers do in a strange town and several incidents were reported. But most of the men were anxious to return home as soon as possible. By the beginning of the second week they were gradually withdrawn. The National Guard companies were ordered to return to their quarters on March 21 and the troops from Sidney left the same day.⁸¹

Nearly a week after the troops were withdrawn from Omaha, Governor Nance received a congratulatory letter from Mayor Boyd for his prompt action in sending troops to aid in the enforcement of the law.

No reasonable man in the City of Omaha disputes that had it not been for the expeditiousness with which the impending

⁷⁷ Comments from the Plattsmouth, Fremont, Central City, Seward, York, Orleans and Sutton presses, for example, may be sampled in the *Daily Nebraska State Journal* for March 16, 1882 and the *Omaha Daily Bee* for March 17th and 27th, 1882.

⁷⁸ *Omaha Daily Herald*, March 15, 1882.

⁸⁰ Amalgamated Trades and Labor Union to Albinus Nance, March 17, 1882, Exec. MSS, File Box 11.

⁸¹ Special Order No. 6, *Rep. of the Adj. Gen., 1881-1882*, p. 39. *Omaha Daily Herald*, March 21, 1882.

⁷⁹ *Daily Nebraska State Journal*, March 16, 1882.

danger was treated every important industry would be at a standstill to-day and that the course pursued was the right one.

Nance forwarded a copy of the letter to President Arthur, explaining that Boyd was "one of the heaviest property holders and also one of the most substantial citizens of Omaha." Nance felt that Boyd's letter conclusively demonstrated that a strong military force had been necessary to "sustain the civil authorities and suppress mob violence," and thanked him in behalf of "every law-abiding citizen of Nebraska."⁸²

Yet, within two months, the state legislature investigated the entire matter. Nance had called a special session of the Ninth Legislature for May 10, 1882. One reason given was "to provide for the payment of expenses incurred in suppressing the recent riots at Omaha and protecting citizens of the state from domestic violence."⁸³ On May 13th S. V. Moore, of York County, introduced a resolution for an investigation of the conditions surrounding the mobilization of the state militia. Charges had been voiced that Nance's action was premature and un-called for and could establish a dangerous precedent. Moore felt it was the duty of the House to fully investigate the causes of "the late labor riot" and let the blame fall where it may. The House adopted the resolution and instructed the Committee on Claims to conduct the proceedings.⁸⁴

No provisions were made to pay the expenses of investigation or require the presence of witnesses, thus hampering any sound review of the facts from the start. The Committee informed Mayor Boyd of the hearings and asked him to appear along with other witnesses that he felt might be acquainted with the facts. Boyd replied by letter, answering curtly that he had neither the time to come to Lincoln nor the right to ask others. He presented an account of the strike in which he contended that the

⁸² Albinus Nance to Chester A. Arthur, March 28, 1882, Exec. Letter Book, 1882, p. 238.

⁸³ *House Journal*, 17th Sess., 1882, p. 94.

⁸⁴ *Ibid.*, p. 117.

demonstration of March 8th was premeditated and that the Labor Protective Union had refused all his advice in preserving order among its members.

I do not believe [he said] that 500 policemen would have protected men at their work, and the result shows that five companies of state militia [there were eight] could scarcely maintain their ground, and had not the regulars been here at the same time, I believe there would have been much conflict between the rioters and the militia and that much blood would have been shed.⁸⁵

According to the Report of the Committee of Claims, President Walsh, of the Protective Union, was also invited to appear and present his version, but, for some unknown reason, did not respond.

Colby and Alexander appeared before the Committee, however, and reported that, for several days after their arrival, "a collision and fight between the soldiers and the mob seemed . . . imminent." But the "patient forbearance" and "strict discipline" of the troops prevailed and "the mob gave way and submitted to superior force and became law abiding citizens. . . ."⁸⁶

Governor Nance's report to the Committee stressed Section Seven of the State Constitution, which gave him the power to call out the National Guard "in time of war, invasion, riot, rebellion or reasonable apprehension thereof. . . ." His account of the strike and conclusion regarding the need for troops were similar to Boyd's. Nance emphasized that the "civil authorities shall not appeal to me in vain when they are powerless to preserve law and order."⁸⁷ Nance submitted the letters and telegrams to the Committee that he had received prior to ordering out the militia. But, for obvious reasons, he omitted those two telegrams, from Mayor Boyd and the group headed by George L. Miller, which specifically asked that federal

⁸⁵ James E. Boyd to the Committee of Claims, May 15, 1882, in the *House Journal*, 17th Sess., 1882, pp. 139-141.

⁸⁶ Report of the Committee of Claims, *House Journal*, 17th Sess., 1882, p. 138.

⁸⁷ Message of Albinus Nance to the Legislative Committee, May 17, 1882, from the *House Journal*, 17th Sess., 1882, pp. 141-3.

troops and *not* the Nebraska militia be sent to Omaha. Nance knew he stood on tenuous grounds.

And yet, based only upon the testimonies of Nance, Boyd, Alexander and Colby, the Committee drew the conclusion that all blame "properly belongs to the instigators and encouragers of the riot." The action taken by Boyd was "timely and wise" and only the immediate response of Nance prevented "murder and bloodshed and the destruction of property in Omaha. . . ."⁸⁸

The Republican Legislature apparently felt the Committee's report conclusive and voted \$11,050 to defray the expenses incurred by the militia. The *Bee*, however, strongly objected to "the payment of the expenses incurred by the excursion of General Alexander, the Great, to Omaha." It charged that the payment of the railroad fare for the transportation of the troops was especially unfair, since the troops had been called in to protect railroad property.⁸⁹ The convention of the Anti-Monopoly party, held in Lincoln on June 21, 1882, objected to both the action of the railroads and the handling of the strike. As part of its platform it resolved:

That the military should be subordinate to the civil authority, and the employment of the army in any locality where the civil process has not been obstructed, is a dangerous invasion of liberty.⁹⁰

The objection seemed to strike home. Although Omaha continued to experience strikes throughout the 1880's and early 1890's, the Nebraska National Guard was not called to serve again as a strike-breaking force until the great Packing Plant Strike in South Omaha during August of 1894. By this time the strength of the Guard was well

⁸⁸ Report of the Committee of Claims, *op. cit.*, pp. 138-9.

⁸⁹ *Omaha Daily Bee*, May 11, 1882.

⁹⁰ Nebraska State Anti-Monopoly League Platform of 1882, *Nebraska Party Platforms, 1858-1940* (Lincoln, 1940), p. 93.

established and the strike was broken without the assistance of the regular army.⁹¹

In retrospect, then, the years 1879 to 1882 can be seen as a period of transition in the development of the Nebraska militia system. Prior to these years the majority of companies lay along the frontier and were organized only in pragmatic response to Indian attack. During the administration of Albinus Nance, however, the militia assumed an "Eastern" orientation, close to means of rapid transit, and its organization was rationalized along the lines of the regular army. Nance and Alexander became concerned about the state's dependence upon federal troops to quell civil disturbances and worked toward an increase in the strength of the local military organization. Support, heretofore private, became public. The use of troops in the Omaha strikes of 1880 and 1882, while evoking strong criticism from some, brought a new basis upon which to justify military preparedness.

But any basis for the comparison of the revived Nebraska militia with its Eastern prototype is limited. While the function of the state troops in both areas during the early 1880's was indeed strike-breaking, historians of the Eastern militia argue that the militia captains were strongly allied with corporate interests and that these vested interests favored the use of state troops over the regular army in suppressing strikes because the militia was more amenable to local control. Moreover, they argue that corporate interests could persuade state legislatures to appropriate money for state organizations while they could not persuade Congress to enlarge the army. Yet we

⁹¹ *Rep. of the Adj. Gen., 1893-1894*, p. 8. However, by 1895 the Populist-Democratic alliance in the Legislature, led by Edgar Howard of Columbus, attacked the militia unmercifully. Howard wrote to Governor Silas A. Holcomb: "I am opposed to the state militia root and branch. I regard it a constant menace, rather than an aid to the public peace. The state soldiery throughout the union has been organized always at the behest, and often at the dictation of corporate capital, which asks that the state plunge its bayonet into the breasts of organized labor in order to force compliance with organized capital's demands." Edgar Howard to Silas A. Holcomb, June 6, 1895, Exec. MSS, File Box 41.

have seen that the officers of the Nebraska militia, while prominent in their local communities, hardly sought position in the Guard to protect the property of vested interest groups in Omaha. At the same time, men like Boyd, Holdrege and Millard preferred the use of federal troops over state militia in times of civil disturbance because of their familiarity with the greater efficiency of the regular army during recent frontier upheavals. These men of finance were little interested in Nebraska's fledgling military organization and the State legislature gave only grudging support.

It can hardly be said that the need for an industrial police was critical in the revival of the Nebraska militia. Instead, the key factor was the prestige that the organization of a company offered its members in the towns and communities of Nebraska and the patronage and power that the granting of commissions and use of troops offered those in key positions in Lincoln—Albinus Nance and Samuel J. Alexander. It was due almost entirely to the precipitous actions of Alexander in 1880 and the determined insistence of Nance in 1882 that state troops were used in Omaha's two strikes. Both men saw the need for a strong military constabulary in a state that had yet to throw off the last vestiges of frontier life.