

JOY FOR THE TRAMP

A Remarkable Circular Issued by
Governor Lewelling.

HIGHLY SENSATIONAL LETTER.

He Pictures the Distress Existing in
the Country.

AN ORDER TO POLICE BOARDS.

He Declares That Tramps Are Made
Municipal Slaves.

ROCK PILES TO BE RELEGATED.

TOPEKA, KAN., Dec. 4.—Governor Lewelling today gave out one of the most remarkable circular letters ever issued by a State executive. The letter is addressed to all Boards of Police Commissioners in the State and will probably cause an endless amount of trouble. The letter is as follows:

EXECUTIVE LETTER.

To All Boards of Police Commissioners:

"In the reign of Elizabeth the highways were filled with the throngs of the unemployed poor, who were made to 'move on,' and were sometimes brutally whipped, sometimes summarily hanged, as 'sturdy vagrants,' 'incorrigible vagabonds.' In France, just previous to the revolution, the punishment of being poor and out of work was, for the first offense, a term of years in the galleys; for the second offense, the galleys for life. In this country, the monopoly of labor-saving machinery and its devotion to selfish instead of social use, have rendered more and more human beings superfluous, until we have a standing army of the unemployed numbering even in the most prosperous times not less than 1,000,000 able-bodied men; yet, until recently it was the prevailing notion, as it is yet the notion of all but the work-people themselves and those of other classes given to thinking, that whosoever, being able-bodied and willing to work can always find work to do; and section 571 of the general statutes of 1889 is a disgraceful reminder how savage even in Kansas has been our treatment of the most unhappy of our human brothers.

"The man out of work and penniless is, by this legislation, classed with 'confidence men.' Under this statute and city ordinances of similar import thousands of men, guilty of no crime but poverty, intent upon no crime but that of seeking employment, have languished in the city prisons of Kansas or performed unrequited toil on 'rock piles' as municipal slaves, because ignorance of economic conditions had made us cruel. The victims have been the poor and humble for whom Police courts are courts of last resort—they can not give bond and appeal. They have been unheeded and uncared for by the busy world which wastes no time visiting prisoners in jails. They have been too poor to litigate with their oppressors, and thus no voice from this under-world of human woe has ever reached the ear of an appellate court, because it was nobody's business to be his brother's keeper.

"But those who sit in the seats of power

are bound by the highest obligation to especially regard the cause of the oppressed and helpless poor. The first duty of government is to the weak. Power becomes fiendish if it be not the protector and sure reliance of the friendless, to whose complaints all other ears are dull. It is my duty 'to see that the laws are faithfully executed,' and among those laws is the constitutional provision that no instrumentality of the State 'shall deny to any person within its jurisdiction the equal protection of the laws.' And who needs to be told that equal protection of the laws does not prevail where this inhuman vagrancy law is enforced? It separates men into two distinct classes, differentiated as those who are penniless and those who are not, and declares the former criminals. Only the latter are entitled to the liberty guaranteed by the constitution. To be found in a city "without visible means of support, or some legitimate business," is the involuntary condition of some millions at this moment, and under the law we proceed to punish them for being victims to conditions which, we as a people, have forced upon them.

"I have noticed in Police court reports that 'sleeping in a box car' is among the varieties of this heinous crime of being poor. Some police judges have usurped a sovereign power not permitted the highest functionaries of the State or of the nation, and victims of industrial conditions have been peremptorily 'ordered to leave town.'

"The right to go freely from place to place in search of employment, or even obedience to a mere whim, is part of that personal liberty guaranteed by the constitution of the United States to every human being on American soil. Even voluntary idleness is not forbidden. If a Diogenes prefer poverty; if a Columbus choose hunger and the discovery of a new race rather than seek personal comfort by engaging in 'some legitimate business,' I am aware of no power in the legislature or in city councils to deny him the right to seek happiness in his own way, so long as he harms no other person.

"If men commit offenses let them be arrested and punished, whether rich or poor, but let simple poverty cease to be a crime.

"In some cities it is provided by ordinance that if Police court fines are not paid or secured the culprit shall be compelled to work out the amount as a municipal slave, and rock piles and bull pens are provided for the enforcement of these ordinances. And so it appears that this slavery is not imposed as a punishment, but solely as a means of collecting a debt.

"Such city ordinances are in flagrant violation of constitutional prohibitions. The rock pile and the bull pen would never have been used in defrauding the friendless and poor. Let these twin relics of the departed auction-block era cease to disgrace the cities of Kansas. And let the dawn of Christmas day find the 'rock-pile,' the 'bull pen' and the crime of being homeless and poor, obsolete in all the cities of Kansas governed by the metropolitan police act.

"It is confidently expected that their own regard for constitutional liberty and their human impulses will induce police commissioners to carry out the spirit as well as the letter of the forgoing suggestions."

L. D. LEWELLING, Governor."