The Suppression of Alleged Disloyalty in Kansas During World War I

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THE IMPACT of the United States' entry into World War I and its effect on the final outcome of the war have been studied, discussed, and debated by many historians and military experts, but an area of study which has not been as thoroughly investigated is the impact of the war on public attitudes and the social and political climate within the various states. Essential to the study of the social and political aspects of the home front is the consideration of what was loyal or disloyal. The loyalty-disloyalty phenomenon analyzed in this article involved the positions people took on major war issues, the organizations and activities considered by many Kansans to be loyal, the people who were suspected of disloyalty or of being pro-German, and the methods used to suppress alleged disloyalty.

During World War I loyalty was measured by what a person said and by what he did to promote the war effort. People who did not contribute to various war funds, buy bonds, conserve and produce food, join the country's armed forces if eligible, and participate in various patriotic organizations were often branded as disloyal or pro-German. Suppression of suspected disloyal activities and individuals was carried out by federal, state, and local governments, by private organizations, and by extralegal groups and many overzealous individuals.

Kansan's major newspaper editors and political leaders had a variety of views on major war issues, such as preparedness, the declaration of war, and the draft, and a number of them failed to adopt the so-called loyal, or pro-administration, attitude on one or more of these issues. A substantial number of Kansans opposed all three of these issues right up to the United States' entry into the war. After the declaration of war, supporting the President and the nation's war effort was the only alternative available to those who considered themselves loyal, patriotic, law-abiding

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1. Based on a survey of representative Kansas newspapers.

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citizens, and dissent and criticism of the government’s programs met with much intolerance.\(^2\)

Being a loyal American, or a loyal Kansan, meant not only supporting vocally, important national policies but also participation and involvement in various kinds of war work. Attendance at patriotic parades and rallies and display of the flag on businesses, residences, cars, and on hat bands and coat lapels were some visible expressions of one’s support for the President and the nation’s war effort. Some coal miners in southeast Kansas even went on strike until mine operators provided each shaft opening with a flag.\(^3\)

Subscribing to four wartime Liberty loans and one Victory loan was described by advertisements in Kansas newspapers and by Secretary of the Treasury William G. McAdoo as the patriotic duty of the people, and much pressure was exerted on reluctant individuals by Gov. Arthur Capper, United States Attorney Fred Robertson, and state and local loan committees which sought to sell their quotas of Liberty bonds. Nonsubscribers were occasionally subjected to physical as well as verbal abuse, and many eventually purchased bonds in order to escape the threatened consequences.\(^4\)

A substantial amount of coercion was used to force Kansans into aiding the work of the Red Cross by making bandages or socks for the troops and by giving money. Kansas newspapers pressured people by listing Red Cross donors and the amounts each had given, and Governor Capper sent personal letters to suspected nongivers, or slackers, and urged them to be patriotic and contribute as much as possible.\(^5\)

The Kansas State Council of Defense was set up in April, 1917, to promote loyal attitudes and coordinate war work, and the state council and its subordinate county councils provided many people with opportunities to serve in the war effort. The state council urged greater food production through the planting of Liberty

2. Ibid.
3. Pittsburg Sun, April 7, 12, 18, 1917, May 17, 1918.
4. Topeka Daily Capital, May 26, June 14, October 19, 1917, April 20, May 2, 1918; Sun, April 2, 27, May 3, July 10, 14, 1918; Wichita Beacon, April 22, 27, August 21, 1918; Topeka State Journal, July 1, 1918; U. S. attorney, Dist. of Kan., "Letters," v. 60, Fred Robertson to W. P. Waggoner, October 25, 1917, pp. 180-181, Fred Robertson to Joe F. Johnston, October 31, 1917, pp. 257-258, Kansas State Historical Society, archives division; Arthur Capper to Arthur B. Howson, April 25, 1918; Arthur Capper to Gust Holmdahl, April 25, 1918; Arthur Capper to Axel Carlson, April 25, 1918, Kansas State Historical Society, archives division, “Governors’ Correspondence.”
5. Topeka Daily Capital, May 1, June 22-24, 1917; Ellsworth Messenger, May 9, July 4, 1918; Emporia Weekly Gazette, February 7, 1918; Emporia Gazette, June 19-22, 1917; High School Spot Light, Lebanon, January 16, 1918; Topeka State Journal June 23, 25, 1917; Hoxie Sentinel, July 5, 13, 19, August 23, 1917; Barber County Index, Medicine Lodge, July 4, 1917; Sun, May 23, 24, 1918; Lee Jackson to Arthur Capper, June 8, 1918; Arthur Capper to Lee Jackson, June 11, 1918; Arthur Capper to Phil Grab, June 11, 1918; S. W. French to Arthur Capper, May 24, 1918, secretary to Governor Capper to S. W. French, May 29, 1918, Arthur Capper to Frank C. Hiles, June 7, 1918, “Governors’ Correspondence.”
gardens and an increased wheat acreage. It worked with the Federal Food Administration on food conservation, which included proclamations of meatless and wheatless days to make more of these products available for Allied and U. S. troops in Europe. People who used or stored too much wheat flour or sugar were prosecuted by the Federal Food Administration for hoarding. Providing young men with opportunities for supporting the home front were the home guard and its successor, the Kansas state guard, which were set up by the state council to help promote loyalty, raise and distribute funds, provide military training, and act as a constabulary force in case of public disturbances.

Many Kansans joined private organizations, such as the National Security League, American Protective League, Kansas Federation of Women’s Clubs, Navy League, the Kansas Anti-Horse Thief Association, and the Sisterhood of the National Guard and All Soldiers of Kansas, which worked to aid the war effort by raising funds to help soldiers’ dependents, by furnishing materials, like clothing and blankets, and by watching and even investigating people suspected of disloyal sentiments. The Department of Justice actually sanctioned the operation of the American Protective League, which conducted many loyalty or character investigations of civil employees, applicants for commissions in the Reserve Corps, and those going abroad for the Red Cross. In Kansas the work of the A. P. L. was handled by Ferdinand B. Voiland, the director of the State Council of Defense, and by Frank W. Blackmar, another member of the council and a University of Kansas professor.

Kansas schools, colleges, and universities also became involved in many forms of patriotic activity. Elementary and secondary school children participated in the campaign to sell Liberty bonds and Thrift stamps and in Junior Red Cross organizations where they raised funds and made gun wipes, shot bags, bandages, caps, and sweaters. Faculty members from Kansas State Agricultural


9. High School Spot Light, January 16, 1918; Topeka Daily Capital, May 11, 1918; Emporia Weekly Gazette, February 7, 1918; Ellsworth Messenger, May 9, 1918.
College, Kansas University, and other institutions were an important element in wartime leadership. A number of them left for full-time military or government work, and many of those who remained in Kansas served as patriotic speakers and organizers of local councils of defense. Students at the various colleges and universities helped raise funds for the Red Cross and Y.M.C.A. and helped plow up their campuses to plant gardens. Bethany College students in Lindsborg even threatened to strike if two instructors who were accused of pro-German statements were not dismissed.

Thus, patriotic activities and organizations provided Kansans with a chance to aid the war effort, and nonparticipants were considered unpatriotic. On the other side of the loyalty question were the people who were suspected of disloyalty and suppressed because they did certain things, had certain characteristics, or belonged to a group, organization, or nationality whose language, general attitude, or goals were considered by many to be disloyal and pro-German.

One of the largest groups of people suspected of disloyalty to the United States was the Americans who were immigrants, or descendants of recent immigrants, from Germany and Austria or who spoke the German language. Aliens from enemy lands were the target of Presidential regulations which said that they could be arrested and detained for the duration of the war if suspected of being a danger to public safety or about to violate a law. They were also forbidden to go within a half mile of government military installations and firms with war contracts. Internment was the Department of Justice’s weapon for disposing of aliens from enemy countries who violated these regulations, engaged in disloyal activities, or expressed pro-German views.

Kansas newspapers printed numerous accounts of German and Austrian aliens being arrested and interned without trials and often made their arrests into page one news as a warning to other aliens. Some German aliens were arrested and interned because they were suspected of being spies, enemy agents, or saboteurs, and others,
including a prominent Wichita doctor and hospital manager, Herman Philips, were interned for expressing sympathy for the Kaiser and the German cause. Another internment widely reported in Kansas was that of John Sattler, who was described by the Emporia Gazette as a wealthy Reading banker and landowner. Sattler, according to charges printed in the Gazette, had not purchased enough war bonds or given to the Red Cross and Y. M. C. A., had failed to register as a German alien, had fed wheat to chickens and pigs, and had expressed pro-German attitudes. After witnesses testified to these disloyal actions, the state district court judge, W. C. Harris, declared Sattler's first naturalization papers, or his declaration of citizenship, to be void, and Sattler was arrested on May 7, 1918, on a Presidential warrant as a disloyal enemy alien and interned at Fort Oglethorpe, Ga., in July.

German aliens and German-Americans in Kansas were considered by many citizens to be potential German spies, agents, and saboteurs. Kansas newspapers reported numerous instances of Germans being arrested by government agents as suspected spies. Some were arrested because they possessed maps, spoke German, or made pro-German statements, but thorough investigations often led to the release of the suspects.

One of the victims of the intolerance toward anything German was the National German-American Alliance, which had 45 state alliances and 3,000,000 members prior to the war. It began to decline rapidly after April, 1917, and many branches dissolved or adopted new names. Jacob Frohwerk, president of the state alliance in Kansas, was arrested in late 1917 or early 1918 and charged with violating the Espionage act because of some editorials and letters he had written for a Kansas City, Mo., German newspaper, the Neue Kansas Staats Zeitung. According to evidence presented before the subcommittee of the committee on judiciary of the United States senate, Frohwerk blamed the war on the Allies, claimed the Central Powers were merely defending themselves and asserted that the war was detrimental to the American people.

Another product of the anti-German sentiment was the campaign

13. Topeka Daily Capital, April 22, 1917; Wichita Beacon, May 1, 1918; Ellsworth Messenger, May 9, June 6, 1918; Kansas City Globe, May 1, 3, 1918; Sun, April 7, 1918.
against the teaching and use of the German language. One of the most vociferous opponents of the use and teaching of German in Kansas public schools was F. L. Pinet, secretary of the Kansas State Teachers’ Association and editor of the *Kansas Teacher and the Western School Journal*, which he used to promote the substitution of Spanish or French for German in the high school curriculum.\(^{17}\) A number of school districts, including Abilene, Hutchinson, and Douglass, eliminated the German language from the curriculum.\(^{18}\) A random survey by the *Literary Digest* revealed that while only 10 school districts out of the 37 surveyed in Kansas dropped German completely, many of the others, including Atchison, Emporia, and Kansas City, reported reductions in enrollment in German courses of up to 50 percent.\(^{19}\)

The Kansas State Council of Defense sought to discourage the use of German, and a war conference it sponsored passed resolutions in January, 1918, calling for the use of English only at public meetings. According to the state council’s report on Americanization, the public use of German was bad because it made the utterance of disloyal statements safe and provoked mob violence on the part of the superpatriots.\(^{20}\) Churches in German-speaking areas were encouraged to show their loyalty by eliminating the use of German from their services, and in Ellsworth county the executive committee of the county council of defense asked all churches in its area to cease using foreign language in their services by December, 1918.\(^{21}\)

Besides the aliens from enemy countries and all German-speaking people, certain other minority groups were suspected by some Kansans. Reports involving suspicious activities by Mexicans were numerous. On April 2, 1917, Wichita’s chief of police, Jack Hay, stated that he had been informed that local Mexican laborers were stiring up arms and ammunition for starting an insurrection when the United States declared war on Germany.\(^{22}\)


\(^{18}\) Hutchinson News, April 2, 1918; Topeka Daily Capital, April 10, 1918; Wichita Beacon, April 16, 1918.


\(^{21}\) Ellsworth Messenger, July 11, 1918; P. P. Wedel and J. M. Suderman to Arthur Capper, September 18, 1918, Arthur Capper to J. M. Suderman, September 29, 1918, “Governors’ Correspondence.”

\(^{22}\) Wichita Beacon, April 2, 1917.
on April 13, 1917, that Udall’s postmistress, Eunice B. Pontinus, had reported large numbers of Mexicans who had firearms near her town. 23 Incidents of Mexicans insulting or throwing rocks at a United States flag were reported in April, 1917, at Ottawa and in May at Junction City where 11 Mexicans were arrested after getting into a fight with three patriotic Italian-Americans. 24

A few Kansans suspected Negroes of disloyalty, but very little evidence exists of Kansas Negroes being involved in any form of suspicious activity. In a letter to Arthur T. Bagley, a federal agent, in July, 1917, Fred Robertson reported that the German-influenced anticonscription movement in Topeka was spreading to the Negro section. 25 The Kansas City Advocate, a Negro paper, insisted that Negroes were loyal to the United States, and the Emporia Weekly Gazette agreed in November, 1917, that black Americans were the most patriotic class of American citizens. In a report written after the war Governor Capper noted that Kansas’ 85,000 Negroes were “100 percent American throughout the entire war” and that no Negroes had sought exemption from the draft. 26

Conscientious objectors who sought exemption from any form of military service were another group which some Kansans viewed as unpatriotic. A Capital editorial in May, 1918, implied disapproval of the position of the conscientious objector but reminded its readers that the federal government legally recognized sincere religious convictions on this issue. 27 Governor Capper advised G. H. Stanfield of Alton to set aside his conscientious objections during the war and give his government wholehearted and loyal support. Stanfield, who evidently had been threatened or mistreated for his convictions, was informed by the governor that he could do nothing to help him. 28

Most recorded evidence regarding the mistreatment of conscientious objectors involved those inducted into the army. Out of 2,810,296 men inducted into military service, only 3,959 claimed exemption in the military camps as conscientious objectors. About 1,300 conscientious objectors accepted noncombatant service and

28. Arthur Capper to C. H. Stanfield, May 6, 1918, "Governors’ Correspondence."
another 1,200 were furloughed for civilian agricultural jobs. Those conscientious objectors receiving the most inhumane treatment were the 450 who were court-martialed and imprisoned by the army for refusal to obey a direct order, for being defiant of authority, or for attempting to propagate their convictions. Nearly 400 of these were imprisoned in the Disciplinary Barracks at Fort Leavenworth by December, 1918, when Secretary of War Baker ordered an investigation into charges that conscientious objectors there were being badly treated.

After investigating conditions in the Disciplinary Barracks, a reporter, Winthrop D. Lane, claimed in an article in Survey magazine that conscientious objectors were abused by the guards and that beatings, solitary confinement, and the handcuffing of prisoners to the bars of cells were still being used in February, 1919. Some of the most cruelly treated were several Hutterites who refused to wear uniforms or even work in a prison under military authority, and two of them, John and Michael Hofer, died in December, 1918, of pneumonia after being forced to stand in the cold for two hours in their underwear.

Certain religious sects and denominations were suspected of disloyalty because they opposed the war and the draft, spoke German, or did not contribute enough to war funds. Russellites, later called the Jehovah’s Witnesses, were the religious group most actively suppressed by the federal government because of their distribution of antiwar literature. Acting under the Espionage act, agents of the Department of Justice seized in Norton several copies of Charles T. Russell’s book, The Finished Mystery, which opposed war and killing. According to the Kansas State Guard’s official history, Guard personnel at WaKeeneey arrested two Russellites in 1918 for distributing antiwar literature, and the Jamestown state guard company prevented Russellites from lecturing or handing out literature alleged to be treasonable.

Another religious group often accused of disloyalty was the Men-

34. History and Roster, pp. 88, 173.
nones, a traditional peace church. Use of the German language in newspapers and church services, opposition to all wars and the draft, refusal of two thirds of their young men to perform military service, and reluctance to buy war bonds and give to the Red Cross and Y. M. C. A. were all activities and attitudes of the Mennonites, any one of which was enough to brand them as disloyal.

Marion county, which contained several large Mennonite settlements, was viewed by federal authorities as being one of the most disloyal counties in the state. In a letter to a federal agent in December, 1917, Robertson indicated that he had written hundreds of letters dealing with disloyalty and other trouble in Marion county. As early as June, 1917, Robertson wrote letters to the Hillsboro postmaster and to Roscoe King, the county attorney, and asked them to check on the number of flags displayed in Hillsboro and to investigate the Hillsboro Vorwärts, a Mennonite newspaper published in the German language, which allegedly printed unpatriotic articles.35

Kansas Mennonites met with much hostility because of their refusal to give to the various war funds. Many did compromise their stand against aiding the war effort and by early 1918 contributed to the Red Cross and Y. M. C. A. Severe pressure was brought to bear on many Mennonites to force them to buy war bonds, and although most took no part in the first two loan drives, by April, 1918, and the third Liberty loan many Mennonite churches had given in and permitted their members to buy bonds.36

Refusal to purchase Liberty bonds led to the tarring and feathering of at least three Mennonites in McPherson county during the third loan drive. Newspaper accounts greatly confused and exaggerated the facts of these incidents. A mob of about 40 men surrounded the house of Walter Cooperider in western McPherson county near Inman at 11:00 P. M. on April 22, 1918. They wanted to tar and feather him for not buying bonds, but allowed his son, George, to take his place, since he was not fully recovered from an illness.37 The same or a similar mob visited the homes of Charles Diener and his father, Daniel Diener, in eastern McPherson county

near Canton on the same night and tarred and feathered the two men. Both men had refused to buy war bonds and Charles Diener, a 30-year-old ordained minister, had removed a flag which someone had nailed to the door of the Spring Valley Mennonite church. The two Dieners were tarred and feathered again on the night of June 10, and this time their houses were ransacked, yellow paint was applied to the houses, and money and a watch were confiscated. Threatened with hanging and believing that continued refusal to buy bonds would result in the death of one of them, both Dieners bought some bonds later in June, 1918, although Charles Diener acknowledged in 1968 that he was still not sure that this was the right thing to do.  

Although the Canton Pilot assured its readers that the members of the April mob were not local residents, both Henry Coopridher, a younger son of Walter Coopridher, and Charles Diener indicated in interviews in 1968 that they had recognized some of the mob’s members as being neighbors and nearby residents of Inman and Canton. These actions and their wide reporting in a distorted fashion probably intimidated many people into buying bonds.  

German Lutherans, because they used the German language in church services and were recent immigrants or descendants of immigrants from Germany, were often viewed as potentially disloyal citizens. When United States Attorney Robertson received a report that the members of the Kensington German Lutheran church were guilty of disloyal conduct, he asked the Kensington postmaster in June, 1917, to investigate and send him a full report. A German Lutheran minister was chased out of Wilson for alleged pro-German views, and another was tarred at Worden near Lawrence for refusing to deliver sermons in English that supported the Red Cross and Liberty bond drives. The most costly mob action of the war was probably the burning of the German Lutheran church near Kensington early on the morning of November 8, 1918. On the evening of November 7 a mob forced the pastor to ring the church bell to celebrate the false armistice reports and later that night the church burned down. The Kensington Mirror indicated that it was generally believed the fire was
set, while the Capital reported that a crowd had set fire to the church during the “peace festival.”

Organized labor was viewed by some Kansans as a potential source of disloyalty. A propaganda booklet issued by the speakers’ bureau of the state council declared that the workers had “no more right to strike than . . . the soldier.” Coal miners in Cherokee and Crawford counties under the leadership of Alexander M. Howat, president of District 14 of the United Mine Workers, incurred the wrath of some newspapers and public officials when they went on strike briefly in early November, 1917, to protest the automatic strike penalty clause, which United States Fuel Administrator H. A. Garfield insisted must be placed in their contracts. In a meeting with two other districts of United Mine Workers in Kansas City Howat’s delegates favored a full-fledged strike but were outvoted by the other two districts and forced to give in and sign the contracts which contained the penalty clause. Paul Jones, editor of the Pittsburg Sun, vigorously denounced Howat as a leader of unpatriotic, anarchistic foreigners who sought to frustrate the efforts of patriotic, thinking miners, and he described Howat as having “anarchistic, Bolshevik tendencies.” The Sun predicted that this incident would result in Howat’s downfall, but Howat was reelected as president of District 14 in December, 1917, by a vote of 4,791 to 330.

The Non-Partisan League was founded by Arthur Townley in North Dakota in 1915, and by early 1918 it had expanded to several other states, including Kansas. Those who opposed the league’s economic program, which called for state-owned grain elevators, flour mills, and packing houses, state hail insurance, and rural credit banks, took advantage of the wartime reaction against liberals and radicals and branded the N. P. L. as disloyal and un-American. Newspapers, vigilante groups, and federal and state police forces aided in suppressing the league. Denouncing the N.-P. L.’s organizing efforts among Kansas farmers, the Emporia Weekly Gazette referred to it in November, 1917, as the “Hun-partisan League,”

42. Kensington Mirror, November 14, 1918; Smith County Pioneer, Smith Center, November 14, 1918; Topeka Daily Capital, November 9, 1918.
44. Sun, November 14-16, 18, 1917; Topeka Daily Capital, November 3, 6, 1917.
45. Sun, November 16, December 13, 1917.
which disguised "its pro-German pacifism with an economic program." 47

Investigations of N.-P. L. activities occurred on both the federal and state levels in Kansas. The United States attorney asked two men in Marion to report to him what A. E. Bowen, a representative of the Non-Partisan League, had said in a speech there on October 8, 1917.48 Governor Capper ordered an investigation of the N.-P. L. in Marion, McPherson, and other counties, and he directed county councils of defense to report to him any disloyal actions or statements by N.-P. L. members. Despite the complaints made about the league, Capper acknowledged on April 30, 1918, that he had received no proof of its disloyalty.49 Nevertheless, many Kansans continued to campaign for the League's suppression, and a front-page editorial in the Topeka State Journal on July 3, 1918, demanded that Topeka citizens follow the lead of other Kansas communities, such as Salina, Smith Center, Colby, and Ellsworth, in physically ejecting all Non-Partisan League organizers.

Socialists were suspected of disloyalty in Kansas because of their views against the war and the draft. Two Socialist weekly newspapers, the Workers' Chronicle of Pittsburg and the Appeal to Reason published in Girard, had antiwar, antidraft issues barred from the mails, and Socialists were arrested by federal agents for antidraft activity.50 At Ransom on April 8, 1918, a mob of 60 persons decided that freedom of speech and assembly did not apply to Socialist speakers and prevented one from giving a public lecture by blocking the entrance to the local opera house.51 The effect of the war on politics was evident in the decline of the number of votes for Socialist candidates for governor—from 24,767 in 1912 and 22,552 in 1916, down to 12,731 in 1918.52

The organization most thoroughly and violently suppressed during the war was the Industrial Workers of the World, a radical union which was founded in 1905 and specialized in organizing unskilled, migrant workers. Its major organizing efforts in Kansas

47. Emporia Weekly Gazette, November 8, 1917.
51. Salina Evening Journal, April 10, 1918.
HALT the HUN!

BUY U.S. GOVERNMENT BONDS
THIRD LIBERTY LOAN

One of the numerous posters issued in World War I to promote this nation’s war effort. Pressures—even tar and feathers—were sometimes applied to those who were slow to contribute.

DR. EVA HARDING, a prominent physician and welfare worker of Topeka, spoke against the draft, and was said not to “care a rap whether the whole town and country were against her.”
Some German-Americans were more interested in getting their farm work done than in arguing the wisdom of the war, and if it took a display of the flag to accomplish it, so be it.
took place among the wheat harvest workers with an additional abortive effort in 1917 to unionize the oil field workers of Butler county.53

Even without the wartime suppression of leftist organizations which opposed the war and the draft, the I. W. W.'s open advocacy of the use of direct action, including strikes, boycotts, and sabotage, its doctrine of class warfare, some wartime strikes, inflammatory statements by overzealous members, and its goal of overthrowing the capitalist economic system and of having the workers take over all industries were enough to insure vigorous attempts to suppress the union.54 Local authorities in Kansas attacked the I. W. W. by simply running suspected members out of town or by arresting and trying them under local vagrancy ordinances and under the 1917 state vagrancy law, which defined as a vagrant anyone without visible means of support who refused to work at "fair wages." 55

Federal and state laws and local ordinances were used to suppress those suspected of disloyal statements and actions. But many Kansans were not satisfied with the speed of the due process system and acted without authority, or extralegally, in forcing contributions to war funds by such means as applying yellow paint and tar and feathers, and destroying property. Although Kansans did not lynch anyone during the war, violence was still a serious problem, and many people probably supported the war and purchased bonds or gave to the Red Cross because of the threats of violence and even death which were made against them.

Besides keeping under surveillance those who failed to participate in specific patriotic activities and those groups suspected of disloyalty because of certain characteristics, the federal government sought to suppress disloyal activities by enforcing the Espionage act, Draft act, and the act punishing anyone who threatened the


President. The federal agency most involved in suppressing disloyalty was the Department of Justice under Attorney General Thomas W. Gregory. Its 300 to 400 investigators were swamped by the thousands of complaints of disloyalty and suspicious activity which the department's branches received every month. By June 6, 1918, the department had processed 1,181 cases involving Espionage act violations, and of those persons investigated, 335 had pleaded guilty or been convicted, 174 had been dismissed or acquitted, and 672 cases were pending. To augment its own forces the Department of Justice relied on members of the American Protective League, a volunteer organization with up to 250,000 members, to make loyalty investigations.  

Department of Justice attorneys had the responsibility for seeking out and prosecuting violators of the new war statutes, and by late 1918 they were burdened with prosecutions. In Kansas the United States attorney, Fred Robertson, reported on April 13, 1917, that he already had hundreds of reports of disloyalty in Kansas but acknowledged that most did not have any substance to them. Robertson's correspondence on disloyalty cases and other items reached a peak in early June, 1918, when his office sent out more than 90 letters on some days, and his wartime staff of stenographers was increased from two to four to handle the greater workload.

In late November, 1918, Robertson notified the attorney general that he had 26 cases pending against enemy aliens for violating the President's proclamation of April 6, 1917, 106 cases involving Selective Service act violations, five indictments pending under the Espionage act, and 294 individuals under investigation for possible Espionage act violations. He reported that he had indictments which involved violations of the Draft and Espionage acts pending against 51 members of the Industrial Workers of the World and that he was working on one case of suspected sabotage at the Armour Packing Company in Kansas City.

In detecting persons who might engage in disloyal activities Robertson sought the help of public officials and encouraged private citizens to inform on their neighbors and acquaintances. He sent form letters to county attorneys in Kansas asking them to cooperate

59. Ibid., v. 84, pp. 327-329.
in frustrating unfriendly plots or disloyal acts of any kind. Governor Capper’s office cooperated with Robertson by sending to him numerous letters from Kansans reporting incidents of alleged disloyal conduct. Robertson expected local postmasters to serve as spies or informants for his office, and on April 13, 1917, he acknowledged receiving reports of unpatriotic acts from postmasters at Independence and Norcatur. In letters on June 20, 1917, Robertson chided the postmasters in Rexford and Kensington for not promptly reporting to him instances of obvious disloyalty in their cities.

The United States attorney both received and solicited information and complaints on disloyal or pro-German activities from many private individuals. He forwarded copies of complaints to the attorney general and asked his informers to continue their reports. When advised by Governor Capper’s secretary of a report that a farmer’s hired hand near Buffalo Park was of draft age and had failed to register, Robertson wrote letters on October 19, 1917, to two possible witnesses asking for details to verify this charge. In some cases additional correspondence by the United States attorney was sufficient to clear individuals who were suspected of disloyalty.

Robertson wrote directly to some individuals who were suspected of disloyal statements or activities and asked them to explain the reasons for their conduct. On June 3, 1917, the federal attorney asked seven residents of Lindsborg to inform him immediately as to whether they had urged young men not to register for the draft on June 5 and to explain their reasons if they opposed the draft.

Besides warning suspects about violating the Espionage act, Robertson’s staff prosecuted a number of violators, but the number of cases actually reaching the court dockets in Kansas was very small compared with nearly 300 cases still under investigation in late November, 1918. With the exception of the 30-odd Industrial Workers of the World who were indicted for conspiring to violate

60. Ibid., v. 52, Fred Robertson to W. H. Anderson, April 3, 1917, pp. 189-190; Fred Robertson to attorney general, April 3, 5, 1917, pp. 204-208, 253; Fred Robertson to Oscar Ostrum, April 6, 1917, p. 271; Fred Robertson to Charles H. Sessions, April 13, 1917, p. 442; Arthur Capper to Fred Robertson, April 12, 1917, Fred Robertson to Arthur Capper, April 14, 1917, “Governors’ Correspondence.”


62. Ibid., Fred Robertson to attorney general, April 3, 5, 1917, pp. 211-212, 250, 256-257; Fred Robertson to J. S. Fosdick, April 3, 1917, p. 209; Fred Robertson to Frank R. Forest, April 7, 1917, p. 315; v. 50, Fred Robertson to G. S. Shirley, October 19, 1917, p. 40; Fred Robertson to Mrs. Floyd P. Smith, October 19, 1917, p. 41; sec. to governor to Fred Robertson, October 12, 1917, “Governors’ Correspondence.”

63. U. S. attorney, Dist. of Kan., “Letters,” v. 54, Fred Robertson to Victor Gunnerson, June 3, 1917, p. 118; Fred Robertson to Clarence Obin, June 3, 1917, p. 119; Fred Robertson to Oscar Nebun, June 3, 1917, p. 120; Fred Robertson to Oscar Erickson, June 3, 1917, p. 121; Fred Robertson to Lawrence Claren, June 3, 1917, p. 124; Fred Robertson to Arvid Rosander, June 3, 1917, p. 125.

64. Fred Robertson to attorney general, November 26, 1918, ibid., v. 84, pp. 327-329.
the Espionage, Draft, and Lever Food and Fuel Control acts, eight Kansans were brought to trial for violating the Espionage act, but only one, I. T. Boutwell, was found guilty and sentenced to five months in the Shawnee county jail and a $500 fine. The other cases were dismissed, discharged, or nolle prossed. About 25 other Kansans were arrested and brought before United States commissioners for preliminary hearings regarding suspected violations of the Espionage act, but the charges against them were dismissed or eventually dropped.

I. T. Boutwell was arrested in Topeka on June 16, 1917, the day after congress passed the Espionage act, for distributing to soldiers a leaflet containing Jack London's article, "A Good Soldier," which described the soldier as "a blind, heartless, soulless, murderous machine." He was charged with trying to cause insubordination, disloyalty, mutiny, and refusal of duty in the armed forces of the United States, and on January 15, 1918, the jury returned a verdict of guilty.

Other people arrested in Kansas for suspected violations of the Espionage act were Sherman Potts, a traveling street preacher who had denounced United States' involvement in the war and called President Wilson a "darnable hypocrite," Charles A. Wesson, a Topeka tailor who wrote hundreds of crank letters including some which were "violently pro-German and abusive" of government officials, and the Rev. Harvey E. Phillips, a guest minister at Topeka's Central Congregational church who declared in a sermon on August 18, 1918, that the idea of a war for democracy was a fallacy since a king would rule eventually and that the Germans were sent to punish the Allied nations. Charges against these individuals were eventually dropped due to lack of evidence or because of the suspected insanity of the defendant.


Congress passed the Espionage act, which was signed into law on June 15, 1917, in order to give the government the power to deal with enemy agents, spies, traitors, and disloyal citizens. In reality the law became a means of suppressing any criticism of the government, the President, or the conduct of the war, and of limiting freedom of speech, press, and assembly. An administration-backed provision which called for a national newspaper censor was defeated in the senate by a vote of 39 to 38. Sen. Charles Curtis of Kansas led the opposition to the item, whereas Sen. William H. Thompson voted to keep the censorship provision in the Espionage act.69 Despite the defeat of this provision, press censorship was still made possible by two other provisions in the act. In Section three, Title I, of the Espionage act there was incorporated a clause making it unlawful to "willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies. . . ." Under a second provision in Section three, Title XII, the Post Office department could declare "nonmailable" any newspaper, pamphlet, book, or letter which violated any provision of the act. By liberally interpreting the first provision, which could be invoked against any statement opposing enlistments, the draft, or military efforts in general, the Post Office department officials could under the second provision bar any issue of a radical paper from the mails.70

Radical, Socialist, and foreign language newspapers which opposed the war and the draft were among those which had issues barred from the mails. The first Kansas paper to have an issue barred was the Workers' Chronicle, a small Socialist weekly published in Pittsburg. The Pittsburg postmaster submitted samples of its June 22, 1917, issue to the Post Office department solicitor, W. H. Lamar, who declared it "unmailable" because of its strong attack on the draft as an "Imported Prussian Idea." Although the order barring this issue from the mails was received after it was already delivered to all subscribers, the Chronicle did stop denouncing the war and conscription but continued to call for reforms and attacked wartime profiteering.71

United States Attorney Fred Robertson and federal agent Arthur T. Bagley were investigating Appeal to Reason, a nationally circulated Socialist weekly published in Girard in July, 1917, when Robertson heard via the Associated Press that the Appeal had been

71. Workers' Chronicle, June 22, July 20, 1917.
denied the use of the mails. The *Appeal*’s June 30, 1917, issue, which denounced both the “plutocratic press” for leading America into the war and the “reactionary rulers” in the United States, was barred from the mails after the postmaster at Savannah, Ga., submitted copies of it to the solicitor of the Post Office department. Delivery of this issue was nearly completed by the time the order was given, but later issues of the *Appeal* eliminated the direct attacks on the war and the administration.\(^72\)

Although the Espionage act was already being interpreted liberally enough to quash any open dissent against the war or the government, congress eliminated what remained of the freedom of speech and press by passing the Sedition act in May, 1918. This act was passed when the war hysteria or fever was at its peak, and it empowered the federal government to stifle all opposition to war and any criticism of its war programs. This law was never implemented in Kansas during the war, since the Espionage act proved adequate and the entire staff of the United States attorney was tied up in the investigative and secretarial work necessary for enforcing it.\(^73\)

During the war loyal Americans were expected to support the President, and those who were excessively critical of the President or cursed or abused him and the government risked arrest and confinement.\(^74\) To punish anyone who made threats against the President, congress passed a law which was approved on February 14, 1917, and which provided a penalty for violators of a fine not over $1,000 and/or imprisonment for not more than five years.\(^75\) Several Kansans, who verbally abused the President or said he should be shot or hanged, were arrested by federal officers under orders from the United States attorney, but of the four who were brought to trial for violating this act, only one was found guilty and sentenced to imprisonment. Pietro Pierre was arrested in late 1918, and he was tried, found guilty, and sentenced to 3½ years in the United States penitentiary at Leavenworth.\(^76\)


Another federal law which the Department of Justice was hard pressed to enforce was the Draft act of May 18, 1917. In Kansas about 140 cases involving violations of the Draft act were entered on the criminal dockets of the three divisions of the United States district court of Kansas. The large majority of the defendants who pleaded guilty or were found guilty were ordered to register and be inducted, and charges against them were dropped after they entered military service. Only about 20 of the defendants were actually sentenced to imprisonment or fined. Sentences ranged from as little as one day to as much as nine months in jail, but only two were sentenced to more than 30 days.\(^7\)

Several prominent Kansas Socialists, who had participated in a May 27, 1917, antidraft meeting at Topeka’s Unitarian church, were charged by federal authorities on May 31, with conspiracy to cause violation of the Draft act. They were Dr. Eva Harding, a prominent club woman and a pioneer for woman suffrage, Ike Gilberg, Fred Felton, Ernest Newman, and George Kleihege, the Socialist candidate for governor in 1914. At the time of their arrest on May 31 United States Attorney Fred Robertson claimed he had “a perfect case” against all of them, but charges against Felton were later dropped. The main speakers at the meeting, Mr. and Mrs. Raymond I. Moore and Earl R. Browder, were arrested and tried in Kansas City, Mo., where they faced other charges of opposing the draft.\(^8\)

The four remaining defendants were indicted by a grand jury in October, 1917, for conspiring to advise and persuade “divers and numerous male persons, whose names” were unknown to the grand jurors to unlawfully fail or refuse to register on June 5, 1917. The indictment accused Ike Gilberg of printing and distributing handbills on the meeting, Ernst Newman of presiding at the meeting, Dr. Harding and George Kleihege of urging the formation of an organization to encourage young men to refuse to register. Perhaps influenced by the judicious instructions of Judge Pollock, who urged the jury to consider only the evidence and not the defendants’ views on the war, the jury found all four not guilty on April 12, 1918.\(^9\)

Another area in which federal authorities were active was in enforcing the Lever Food and Fuel Control act and the regulations

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of the food administration under Herbert Hoover. Individuals who hoarded flour, bakers who failed to use the required amount of flour substitutes in bread, and flour mills which did not follow the food regulations or obtain a proper license from the food administration were all subject to prosecution. Charles Robinson, a Potter banker, was arrested in July, 1918, and held for the federal grand jury on $2,500 bond for concealing two 98-pound sacks of flour.\textsuperscript{80}

Bakers who failed to use the required one pound of substitutes with every three pounds of wheat flour in bread were usually forced out of business. In July, 1918, William Slovey's partner in the Quality Bakery of Newton was allowed to buy him out after he was ordered to cease business for the duration of the war. Satorious Bakery in Newton had to discharge its head baker, Sam Tuch, and the Hanson Bread Company of Hutchinson was closed for the duration of the war for similar violations.\textsuperscript{81} The Hern Mill and Elevator Company of Hutchinson was the first mill in Kansas ordered to close down by the enforcement division of the United States Food Administration for operating improperly.\textsuperscript{82}

State officials and agencies in Kansas also took various steps to help suppress disloyalty. When the Socialist paper, \textit{Appeal to Reason}, applied to the state charter board for a charter to incorporate the paper, the board refused to approve it on September 5, 1917, reportedly due to patriotic reasons.\textsuperscript{83} Governor Capper used the prestige of his office to pressure those suspected of not buying Liberty bonds or of not giving to the Red Cross. When Lee Jackson, county attorney for Ottawa county, told Capper in June, 1918, that Phil Crab of Ada had refused to give to the Red Cross, the governor wrote to Crab and urged him to give to the war funds and not to be a disloyal citizen. Some suspected slackers who received Capper's warning letter were evidently falsely accused, since S. W. French of Carlton and Charles C. Butcher of Russell both informed the governor in May, 1918, that they had participated in the various war drives.\textsuperscript{84}


\textsuperscript{81} Topeka Daily Capital, July 16, September 20, 1918.

\textsuperscript{82} Wichita Beacon, March 8, 1918.


\textsuperscript{84} Lee Jackson to Arthur Capper, June 8, 1918, Arthur Capper to Lee Jackson, June 11, 1918, Arthur Capper to Phil Crab, June 11, 1918, S. W. French to Arthur Capper, May 24, 1918, sec. to Governor Capper to S. W. French, May 29, 1918, Arthur Capper to Charles C. Butcher, May 24, 1918; Charles C. Butcher to Arthur Capper, May 25, 1918, “Governors' Correspondence.”
A common practice of local Red Cross committees was to assess each family head an amount determined by the value of his taxable property. Various citizens, hard pressed to meet the demands of their local committee, wrote to the governor and asked him to define the legal authority of Red Cross solicitors. Although Capper's reply to some simply evaded the question, he did inform Frank C. Hiles of Burlington that Red Cross contributions were supposed to be voluntary but that before the war ended everyone would have "to give until it hurts." 85 Although Capper opposed the use of force to collect contributions, he did instruct a Clyde resident to use community pressure on nongivers by having a committee of leading citizens visit the slackers and show them that the community meant business and would not stand for slackers. 86

A number of people complained to Governor Capper about harassment and threats of mob violence by Red Cross solicitors. F. E. Hunting of St. John called on the governor to stop the mob activities by lawless individuals against those unable to give to the Red Cross and declared that he had been threatened with tarring and feathering and damages to his property by a member of his local Red Cross committee. Governor Capper's reply seemed rather impersonal and naive; it offered no hope of relief for those who were threatened or intimidated by overzealous solicitors. Explaining that the quota set for Stafford county was up to the local committee and not the governor, Capper urged Hunting to sacrifice and make a small contribution in order to show his patriotism. 87

County councils of defense in Finney, Gray, Ness, Osborne, and Saline counties recorded in the official history of the state council that they had used pressure of some form to persuade nongivers to contribute to the war funds and to buy bonds. 88 Some state guard units used not only verbal pressure but physical force to obtain contributions from reluctant individuals. According to an account in the Topeka State Journal, Fred Fiel, an alleged pro-German who lived near Blue Rapids in Marshall county, was forced by members of Capt. Arthur J. Brices Blue Rapids company to kiss a flag and sign a check for $100 to the Red Cross. The State Journal also

85. "County Activities of State Council," History of the Kansas State Council of Defense, pp. 97, 112; Mrs. Ira Reed to Arthur Capper, April 4, 1918, Oliver O. Mundhenke to Arthur Capper, May 22, 1918. Frank C. Hiles to Arthur Capper, June 2, 1918, sec. to Governor Capper to Oliver C. Mundhenke, June 1, 1918, Arthur Capper to Frank C. Hiles, June 7, 1918, "Governors' Correspondence."

86. Arthur Capper to J. M. Best, May 4, 1918, ibid.

87. F. E. Hunting to Arthur Capper, May 23, 1918, Arthur Capper to F. E. Hunting, May 29, 1918, ibid.

reported that R. C. Cooley, a farmer from near Talmage, claimed that an Abilene state guard company had attacked and forced him to sign a check for $25.89

Showing proper respect for the flag was viewed as very important during the war, and state and local authorities did have some legal means to insure a patriotic attitude toward the flag. Although a federal law punishing disloyal and abusive statements about the flag did not exist until the signing of the Sedition act on May 16, 1918, the United States attorney had instructed county attorneys in April, 1917, to prosecute such acts under a Kansas law passed in 1905.90 This law made it unlawful to “publicly mutilate, deface, defile, or defy, trample upon, or cast contempt, either by words or act” upon the flag, and violators were subject to a fine of not over $100 and imprisonment for not more than 30 days.91 According to the Ellsworth Messenger, in mid-October, 1918, Frank Nienke, an Ellsworth county resident and an alien from an enemy country, was arrested after he attended a flag raising at a schoolhouse and suggested that the outhouse behind the school was a more appropriate place for the flag. He pleaded guilty in the local court, to showing contempt for the flag, was fined the maximum of $100, and avoided a jail sentence by contributing $300 to the Red Cross.92

In the name of patriotism numerous extralegal actions were undertaken by Kansans to insure proper respect for the flag. After a McPherson schoolboy failed to salute the flag properly, other youths with the sanction of a school board member soaked him under a hose using “American water.”93 In April, 1918, an Italian coal miner, Agetno Loffititi, who refused to buy a Liberty bond or salute the flag, was thrown by other miners into the reservoir at mine No. 18 of the Western Coal and Mining Company near Pittsburg, hanged for a few seconds, and then dumped into a barrel of grease. He was jailed at Girard with a broken nose and other injuries.94

Some Kansas colleges took the matter of disloyalty very seriously and sought to suppress any student or faculty member who was suspected of unpatriotic activity. In April, 1918, Fort Hays State Normal School expelled John Noll, a prominent student who

89. Topeka State Journal, February 25, 1918, January 6, 1919; History and Roster, p. 137.
92. Ellsworth Messenger, October 17, 24, 1918.
94. Wichita Beacon, April 26, 1918.
exceled in dramatics, oratory, and debate, for allegedly telling a fellow student that people had to pretend to support the war in order to get by. The press also emphasized the fact that he had failed to march in a draft parade in the fall of 1917, had never worn a flag emblem or button, and had never given to any war fund.95 Two German natives who taught modern languages at Kansas colleges were dismissed in March and April, 1918. Dr. Frederick Konrad Krueger’s dismissal from the faculty of Midland College in Atchison followed his internment as an enemy alien. Federal agents who had searched his rooms found a number of papers and documents containing statements derogatory to the American government.96 Another professor, Johanna Pirscher, was fired in April, 1918, by Pres. S. E. Price of Ottawa University for making a pro-German propaganda statement in the classroom.97 Loyalty and disloyalty became issues in the political campaign of 1918 on both the national and the state levels, and politicians sought to use the war hysteria by labeling opponents as disloyal. Despite Wilson’s statement that “politics is adjourned” during wartime, the National Security League formulated a list of eight “acid test” measures, including the armed ship bill and the declaration of war, and it worked to defeat congressmen who voted “incorrectly” on these measures and failed to meet its standards of loyalty. The league’s publicity on these measures did not seem to affect the voting pattern of Kansans in the fall of 1918. Republican congressmen, such as D. R. Anthony, Philip P. Campbell, and Edward C. Little, who had voted contrary to the league’s stand on the armed ship bill or the declaration of war, were reelected. Democrat John R. Connelly, who had voted against the declaration of war, was defeated by 8,000 votes, but Democrat Jouett Shouse, who came closest of all Kansas congressmen to the correct stand on the National Security League’s test measures, was also defeated by 10,000 votes. It was a Republican year and only one of the four incumbent Democrats survived.98 Thus, the loyalty issue had little effect on the lower house races.

During the summer and fall of 1918 the Democrats tried to con-

95. Ibid., April 19, 1918.
96. Ibid., March 12, 1918; Sun, April 4, 1918.
97. Topeka Daily Capital, April 25, 1918; Ottawa Herald, April 24, 1918; Hesston Gazette, May 3, 1918.
vince the public that loyal voters would support their candidates, and they flooded Kansas with campaign literature urging voters not to elect a hostile congress which might disorganize the war program.99 On October 29, 1918, the Daily Journal-World printed an advertisement by the Democratic state committee which contained a letter by President Wilson thanking Senator Thompson for his "constant loyalty" and accusing the Republican leaders of being antiadministration. Republicans sought to assure the public of their loyalty, and editorials in the Journal-World on October 29 and 31 attacked the President's partisanship and claimed he had questioned the loyalty and patriotism of Kansas' Republican congressmen.

Joseph L. Bristow, former United States senator and candidate for the Republican nomination for the senate in 1918, was the Kansas political candidate most widely attacked as being disloyal. Bristow owned and edited the Salina Evening Journal, and his editorial attacks on President Wilson's conduct of the war, the draft, and the war profiteering of big business led to his being branded as disloyal by some Kansans as early as May, 1917. Although an editorial in the Marshall County News, a Republican paper, asserted that those who charged Bristow with disloyalty or treason did so only for political reasons, the Emporia Gazette, Kansas City Star, and Topeka State Journal all viewed him as being unpatriotic and as giving aid to the German cause.100 On April 19, 1918, Bristow was prevented from speaking in the Ellsworth town hall by the county council of defense and the local home guard, and in August he was denied the use of the Norton city hall and forced to give his speech in the street. According to his biographer, Bristow's critical attitude toward the President and the war effort cost him much political support, and in the primary election of August, 1918, Bristow came out a poor fourth behind Arthur Capper, governor of Kansas, Walter Roscoe Stubbs, a former governor, and Charles F. Scott, a former congressman.101

Democrats tried to use the loyalty issue against Governor Capper's bid for the United States senate seat occupied by Democrat William H. Thompson. During the primary campaign in July, 1918, the Topeka State Journal launched an attack on Governor Capper and Ferdinand Voiland, director of the State Council of Defense. The Journal claimed that after Voiland was appointed in April, 1918,

Capper’s office began sending letters with complaints of disloyalty to Voiland instead of forwarding them directly to United States Attorney Fred Robertson. The *Journal* quoted Robertson, who was a Democrat and a law partner of Capper’s future Democrat opponent, as saying that Voiland and Capper had no authority to investigate disloyalty cases, and it even printed comments by some anonymous Topeka lawyers who believed Capper and Voiland may have violated the Espionage act by soliciting and accumulating hundreds of letters on disloyalty. Capper’s *Capital* stated that Voiland was working with federal authorities and denounced the *Journal*’s article as being “pro-German.” Despite the charges, Capper won the primary in a landslide.\(^{102}\)

Robertson’s office continued to investigate Capper, and in late August, 1918, he asked Arthur T. Bagley, the head federal agent at Kansas City, to investigate Capper’s alleged dealings with German Lutherans in Washington county. In late October, 1918, Fred Robertson openly criticized Capper’s handling of disloyalty complaints and his so-called dealings with German Lutherans in an article of four installments which were printed in the Topeka *State Journal*. The United States attorney released to the press affidavits which his agents had secured from Washington county residents. The *Journal* claimed that these affidavits showed Capper had told the Washington County Council of Defense that the German Lutheran parochial school should be closed and that he had told the German Lutherans that their school could remain open. Robertson’s final attack, which was issued on November 2, noted that Kansas was the only state whose governor was investigated by the Department of Justice because of complaints over his dealings with German elements.\(^{103}\)

Governor Capper wisely remained silent during most of Robertson’s barrage. In a brief, strongly worded statement in the *Capital* on November 3 he referred to the federal attorney’s attacks as “cheap political claptrap” and spoke of one who made unfounded charges of disloyalty as a “contemptible renegade.” Capper’s strategy proved correct, and the popular governor was elected to the senate on November 5 by a nearly two to one majority over Thompson.\(^{104}\)

Local governments and organizations also had a role in sup-

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\(^{104}\) Topeka *Daily Capital*, November 3, 1918; *Twenty-First Biennial Report*, p. 85.
pressing disloyalty. Their main legal efforts involved using local ordinances or the state vagrancy law against members of the Industrial Workers of the World, and if they did not care to bother with legalities they would simply run people suspected of disloyalty out of town—this included I.W.W.'s, Non-Partisan League organizers, Socialists, and German aliens or German-Americans believed to be in support of the Kaiser.\textsuperscript{105} Suppressing the use of the German language was a task undertaken by some local organizations, including the Halstead Loyalty League, which asked people to stop using German in all public places and placed cards in stores asking people not to speak in German.\textsuperscript{106} Hutchinson public schools banned the "Blue Danube Waltz" and substituted a patriotic song for it in late 1917.\textsuperscript{107} Thus, Kansans sought to prove their loyalty by attacking anything which seemed to symbolize the German cause.

Two private nationwide patriotic organizations were somewhat active in Kansas; however, very little evidence exists as to what they did to suppress disloyalty. The National Security League established a branch in Topeka and Shawnee county in late April, 1918, for conducting an educational campaign to combat "pro-Germanism."\textsuperscript{108} The second organization, the American Protective League, had over 250,000 members in the United States by 1918. F. W. Blackmar's official history of the Kansas State Council of Defense claimed that the investigative work of the Kansas branch of the A. P. L was carried on secretly by Ferdinand Voiland, director of the state council, and Blackmar, himself. According to this account, wherever this organization was established in the state it was impossible for open disloyalty to exist without information being sent directly to the Department of Justice.\textsuperscript{109}

Mobs, various other loosely organized groups of superpatriots, and individuals used a variety of methods in Kansas to punish or make examples of disloyal individuals. Forcing people to kiss the flag was an extralegal action used throughout the nation. In


\textsuperscript{106} Topeka Daily Capital, September 14, 1918.

\textsuperscript{107} Ibid., December 9, 1917; Hoxie Sentinel, April 26, 1917; Inman Review, April 19, 1918.

\textsuperscript{108} Topeka Daily Capital, June 24, 1917, April 26, October 6, 1918; Henry L. West, executive secretary of the National Security League, to Arthur Capper, January 23, 1918, "Governors' Correspondence"; The National Security League, p. 1; Ellsworth Messenger, August 22, 1918.

March, 1917, Joseph Schoendaller, a Rush county farmer, referred to the flag as a “red rag” and was knocked down by Hays butcher Frank King. A crowd that gathered forced him to kneel, apologize to the United States, and kiss the flag. After refusing to salute the flag during a celebration at Hutchinson on November 11, 1918, Jacob Schrogg of Burutton was forced by townspeople to kiss the flag and give $200 to the Red Cross.

The application of yellow paint to the property and person of suspected disloyalists was another nationally popular activity of American superpatriots. In Kansas the largest number of yellow paint applications occurred between April and September, 1918, and the most common justification for the action was the failure of the victims to give enough to the Red Cross or to buy sufficient Liberty bonds. Three male employees of the Union Pacific railway's shops in Kansas City had yellow streaks painted on their bodies and were driven from the shops by fellow employees on April 16, 1918, after they refused to buy bonds and said, “To hell with the Liberty loan.” In the same month failure to give to war funds or to buy bonds resulted in yellow paint applications to the house of I. E. Stone, a Caney banker, to a bank at Beloit, and to Schlassman's meat market in Westmoreland.

Instances of mob action, including lynchings and tarring and featherings, increased in number throughout the nation as the war progressed until they peaked in the spring and summer of 1918. There were no recorded lynchings in Kansas during the United States’ involvement in the war, although a murderer had been lynched as late as September, 1916, at Olathe. Some of the worst reported instances of mob violence in Kansas involved the tarring and feathering of several Mennonites, the dunking and beating of coal miners who refused to salute the flag or buy war bonds, and the setting afire of the German Lutheran church at Kensington.

Some Kansans spoke out against the tendency to use mob violence to suppress suspected disloyalty. The Wichita Beacon on May 30, 1918, denounced tar parties and other mob actions as having no

111. Hutchinson News, April 22, 1918; Sun, May 23, 1918; Topeka Daily Capital, November 12, 1918.
112. Topeka State Journal, April 3, 1917; Peterson and Fite, Opponents, p. 197; Wichita Beacon, April 16, 22, 24, 1918; Topeka Daily Capital, April 27, 1918.
114. Canton Pilot, April 25, 1918; Hesston Gazette, May 3, 1918; Wichita Beacon, April 26, May 1, 1918; Kansas City Globe, May 1, 1918; Kensington Mirror, November 14, 1918; Topeka Daily Capital, November 9, 1918; Smith County Pioneer, November 14, 1918.
place in Kansas. Governor Capper warned Kansans, both publicly and in private correspondence, against overzealous soliciting and the use of mob violence on those suspected of disloyalty. The quieting influence of these statements was probably somewhat negated by those of Capper, other state leaders, and the press calling for informing on, investigating, shooting, and hanging of spies, traitors, disloyal individuals, and pro-Germans and denouncing noncontributors to war funds as slackers and disloyal persons.

Fred Geckler, proprietor of an Independence boot and shoe store, was the target of restrained mob action after he reportedly told soliciters that he would not give "a damn cent" for the Y. M. C. A. and that he regretted giving to the Red Cross. Early Saturday morning August 18, 1917, about 200 soldiers and townsmen applied brown and yellow paint to Geckler's store and covered the windows with placards, which carried such slogans as: "Geck Saves His Coin for the Kaiser" and "Not a damn cent for Soldiers." Later in the morning an excited crowd gathered in front of Geckler's store to express approval of the paint job, and the Independence Daily Reporter noted that the town had not experienced such "a fever of excitement" since a lynching in the early 1880's.

Further mob action occurred that morning when a prominent Socialist, Walter Salathiel, allegedly remarked to someone in the crowd that the soldiers were not looking for the Y. M. C. A. but the "red light district." He was struck by one man and chased away by the crowd. Later in the morning the mob prevented two Negro cleaning men from removing the paint on the store, and after again growing to nearly 200 in number it confronted and threatened William Meyer, a clerk at the Baden Clothing Store, who had reportedly called President Wilson a traitor. It took the combined police and sheriff's force to prevent serious violence and to rescue Meyer and disperse the angry mob. The Independence Daily Reporter said nothing against the mob action but ended its lengthy article on the days events by declaring that it was not a time for criticism and bickerings but a time for praise, unity of action, and support for the soldiers and the government.

115. Topeka Daily Capital, July 14, 1918; Arthur Capper, "A Warning to Disloyalists," p. 85; Arthur Capper to H. W. Landreth, May 27, 1918, Arthur Capper to Frank C. Hiles, June 7, 1918, see. to Governor to I. Terrill, June 20, 1918, "Governors' Correspondence."

116. Topeka Daily Capital, May 1, 21, June 12, 14, 1917, April 22, 1918; Wichita Beacon, April 3, 1917, April 22, 1918; Emporia Weekly Gazette, September 27, 1917; Topeka State Journal, July 1, 1918, Sun., April 2, 1918; Congressional Record, 65th Cong., 1st Sess., v. 55, pt. 5, p. 4465; Arthur Capper to Axel Carlson, April 25, 1918, Arthur Capper to Gust Holmdahl, April 25, 1918, "Governors' Correspondence."

117. Independence Daily Reporter, August 18, 1917; Wichita Beacon, August 20, 1917; Pittsburg Kansan, September 1, 1917.

Wichita's wild night of mob activity started shortly after 9:00 P. M. on April 17, 1918, when people leaving the theaters discovered the street cars were not working. This malfunction insured a sizeable audience for the patriotic demonstration which led to mob action. When Howard Swartzman, operator of a peanut and popcorn stand, allegedly refused to erect a flag over his stand, the mob tore it apart and later made a bonfire of it. The anti-German demonstration continued, evidently without official or police opposition, and a procession followed two men carrying a flag to the home of H. J. Roetzell but left after learning that Red Cross and Liberty loan stickers were in the windows of the front door. The mob then formed an automobile parade nearly a mile long and visited several residents suspected of not contributing to war funds but were offered evidence of Red Cross contribution or Liberty bond subscriptions at each home. The mob broke into the Ernest Wolfe residence but left after being shown Liberty loan buttons. Following their departure, Mrs. Wolf discovered that her purse was missing. City officials did not approve of the mob's actions but took no legal action against the "demonstration's" leaders, who promised more such displays unless everyone bought Liberty bonds and acted like loyal Americans. The Wichita Beacon, which reported the night's events in detail, made no editorial comment on the mob action, although it denounced mob actions in general in an editorial on May 30, 1918.119

Mob action was threatened by a band of night riders in Barton county in April, 1918. Handbills were posted, especially in areas with large numbers of people of German origin, and they warned that German spies and sympathizers and slackers would be visited by the riders. The Pittsburg Sun described the situation in a headline on April 19 which declared that the "Ku-Klux-Klan" was now after "pro-Huns," but it offered no proof that the night riders were actually members of the Klan.120

What some Kansas newspapers described as wild demonstrations or celebrations occurred in a number of Kansas towns after the receipt of false or premature peace news on the evening of November 7, 1918. The Smith County Pioneer stated that "many seemed to lose their heads," and it reported that fires, which destroyed two buildings in Smith Center and the large German Lutheran church at Kensington, were set by rioting citizens. The Capital described Topeka's peace riot as a "mad orgy of a make-believe

119. Wichita Beacon, April 18, 1918.
120. Ibid., April 19, 1918; Sun, April 19, 1918.
celebration" and reported that it "nearly wrecked Kansas Avenue." On the morning of November 8 many bullet holes were found in windows, awnings, automobiles, and roofs of businesses. Two sisters were injured in an automobile accident, and one woman was struck and injured by a stray .22 caliber bullet. To prevent further damage and injury Chief of Police Frank S. Harbaugh announced that only blank ammunition could be fired in the future, and the Topeka Chamber of Commerce adopted a resolution calling for future demonstrations to be kept safe and orderly.\(^{121}\)

The obvious purpose of the campaign by the press, public leaders, and many private individuals in arousing patriotism was to get the great mass of Americans involved in the country's war effort and to insure their conformity to the hastily erected, quickly adhered-to stereotype of the loyal American. This goal was achieved but at the expense of individual rights and freedoms and constitutional liberties. Rational thinking was overwhelmed by emotional responses, and much bitterness and tension between different ethnic groups resulted from pressure being exerted on people of German, Austrian, and Mexican background. The participation of public leaders in this campaign of attacking disloyalty eroded the dignity of authority and brought the loyalty-disloyalty issue into the political arena where candidates stooped to identifying their opponents as disloyal. Radical or liberal organizations, such as the I. W. W. and N.-P. L., suffered vigorous persecution, both legal and extralegal. People who were "guilty" of not participating in war activities, and others who were aliens, German-speaking, eccentric, or just different from the majority of Kansans were also pressured and threatened by those superpatriots who expected everyone to conform to their idea of a loyal American.

Constitutional freedoms of speech, press, and assembly were limited by the enforcement of war statutes and by the action of extralegal groups. State guard units, county councils of defense, Red Cross and Liberty bond solicitors, local officials, and patriotic organizations abused the rights and privileges of many individuals, including those refusing to buy bonds or give to the Red Cross, religious groups opposed to war, German-speaking people, aliens from enemy countries, Socialists, Non-Partisan League members, I. W. W.'s, and nonworkers, who were viewed as disloyal or pro-German. The Kansas press and public leaders were partly responsible for the intolerance and near mass hysteria which developed by mid-1918. Newspapers and public speakers spread unfounded

\(^{121}\) Topeka Daily Capital, November 9, 1918; Kensington Mirror, November 14, 1918; Smith County Pioneer, November 14, 1918.
rumors about alleged German atrocities in Europe and sabotage attempts in the United States and put the total blame for the war on Germany. Governor Capper and United States Attorney Robertson contributed to the highly uncertain, emotional atmosphere by denouncing slackers, pro-Germans, and I.W.W.'s, and by urging Kansans to spy on and to inform the authorities about neighbors suspected of disloyalty.

Since those who did not contribute to the Red Cross were publicly condemned as pro-Germans and slackers, a certain element of Kansans reached the conclusion that these offenders should be punished and physically forced to give. Intimidation and threats by night riders and actual violence were a part of Red Cross and Liberty loan drives. The governor and Fred Robertson did little to combat the numerous incidents of mob violence and to prosecute those who participated in them, although Capper did publicly denounce the use of force. Kansas had its share of extralegal activity during the war, but at least no one was lynched or murdered in the name of patriotism. Perhaps one positive point is the fact that Kansas did not try to use the war as an excuse for suppressing Negroes as possible traitors; instead, most Kansas newspapers and the governor referred to blacks as a very patriotic group of Americans.

Although the wartime suppression of alleged disloyalty seems irrational, unnecessary, and even unconstitutional today, nearly all leading Americans supported it or at least did not openly oppose it at the time it was taking place. Government leaders and many Americans apparently believed that restrictions or limitations on the freedom of speech, press, and assembly and the suppression of dissent against and criticism of the war, the draft, and the administration were necessary during the war for military reasons and to maintain public morale. Those who did not agree with these limitations usually kept quiet about it for fear of reprisals and because they expected the end of war to bring a return to a saner, more rational attitude toward personal liberties.