

## The Escape of Crime

THE best lawyers and judges complain of the intricacies and delays of the law and its frequent failure to secure justice equally for the rich, who can buy costly counsel to entrap justice, and the poor, who cannot. Here is the case of those just convicted of the monumental frauds in the building and furnishing of the State Capitol at Harrisburg, including the contractor, J. H. Sanderson, ex-Auditor-General W. P. Snyder, ex-State Treasurer W. L. Mathues and ex-Superintendent of Public Buildings J. M. Shumaker. They were sentenced to prison, but were immediately bailed out for \$25,000 each on appeal to a higher court. Poor men could not have raised that amount of bail. Of their guilt there can be no doubt. This is one example of the failure of equal justice.

Another example of the failure of justice, but for a different reason, is in the escape thus far of those guilty of murder, arson and robbery in the case of the Springfield, Ill., riot.

We regret to say that no conviction of those who have been indicted for crimes in connection with the riot of last August has been secured up to the present date, altho prosecutions were conducted *via*-

ously and persistently until the expiration of the State Attorney's term of office about two weeks ago. His successor has expressed his determination to push the trial of the remaining cases as rapidly as possible, but it is now nearly four months since some of these men were imprisoned; it is reported that they will claim release on the ground that a trial must be had within that period.

Immediately after the riot a special grand jury was convened and over a hundred indictments were framed. If these had been simply for riot, it is probable that convictions would have followed, but the punishment would have been insufficient for the serious crimes which had been committed. Public sentiment as reflected by resolutions of the Chamber of Commerce, Business Men's Association, Ministerial Association and other bodies demanded that an effort be made to secure convictions for murder, arson, malicious destruction of property and similar offenses subject to imprisonment in the penitentiary. The first trial was that of Abraham Raymer, a young Russian Jew who had been driven from his home by persecution, and who showed his gratitude for the protection he was receiving in this country by persecuting negroes. He was indicted for murder in connection with the lynching of the aged negro Donegan. The prosecution did not attempt to prove that Raymer had cut the throat of the victim, or had helped to hang him, but proved conclusively that he was one of three or four leaders of a mob which started toward Donegan's house with the intention of lynching him. He was undoubtedly a leader of this mob till it reached a point about four blocks from Donegan's house, but there is some confusion of testimony as to the leadership beyond that point; yet by his own admission he was in the mob, claiming to be merely a spectator, when the lynching occurred. The judge charged that the leader of or participant in a mob was responsible for the acts of the mob, but in spite of this charge the jury returned a verdict of not guilty. Raymer and others were also tried for malicious destruction of property. The accused was abundantly identified, but the jury disregarded their evidence on the ground that their testimony did not

agree as to the manner in which he was drest.

After this trial it was evident that convictions could not be expected with the regular panel made up of jurymen selected by the supervisors to pay political debts. When special jurymen were summoned there was at first some disposition shown to evade the service by claiming prejudice on one side or the other. Strong editorials were written and sermons were preached on the subject, resulting in an awakening of public sentiment and an expression of willingness on the part of the best citizens to discharge this duty, but most of these were challenged peremptorily and set aside by the defense. The prosecution then showed unlawful procedure in the method of selecting jurymen; all names were removed from the wheel and others were substituted. It was the delay occasioned by this change which prevented an earlier trial of the rioters. Only one or two cases have been tried by the new jurors, but these have resulted in acquittal, much to the disappointment of the law-abiding element of the community. Springfield feels deeply humiliated over the result of these trials. There has been a sincere and earnest effort on the part of prosecuting officers, aided by many citizens, to obtain convictions, but it is much harder to find witnesses who can identify rioters than is commonly supposed, and none too easy to get an honest and competent jury. The question is, whether in a Northern or a Southern city it will be possible to convict a rioter who has killed a negro citizen.