courts, and commanding all persons engaged in resistance to the laws and the process of the United States courts to disperse.'

On the 8th of July, 1894, the President issued the following proclamation:

"Whereas, by reason of unlawful obstructions, combinations and assemblages of persons, it has become impracticable in the judgment of the President to enforce by the ordinary course of judicial proceedings, the laws of the United States within the State of Illinois and especially in the city of Chicago within said State;

"And, whereas, for the purpose of enforcing the faithful execution of the laws of the United States and protecting its property and removing obstructions to the United States mails in the State and city aforesaid, the President has employed a part of the military forces of the United States;

"Now, therefore, I, Grover Cleveland, President of the United States, do hereby admonish all good citizens and all persons who may be or may come within the city and State aforesaid, against aiding, countenancing, encouraging, or taking any part in such unlawful obstructions, combinations and assemblages; and I hereby warn all persons engaged in or in any way connected with such unlawful obstructions, combinations and assemblages to disperse and retire peaceably to their respective abodes on or before twelve o'clock noon on the ninth day of July instant.

"Those who disregard this warning and persist in taking part with a riotous mob in forcibly resisting and obstructing the execution of the laws of the United

1 See Winthrop's Military Law and Precedents, p. 1351.
States, or interfering with the functions of the Government or destroying or attempting to destroy the property belonging to the United States or under its protection, can not be regarded otherwise than as public enemies.

"Troops employed against such a riotous mob, will act with all the moderation and forbearance consistent with the accomplishment of the desired end; but the stern necessities that confront them will not with certainty permit discrimination between guilty participants and those who are mingled with them from curiosity and without criminal intent. The only safe course therefore for those not actually unlawfully participating is to abide at their homes, or at least not to be found in the neighborhood of riotous assemblages.

"While there will be no hesitation or vacillation in the decisive treatment of the guilty, this warning is especially intended to protect and save the innocent."

And on the 9th of July the President issued the following proclamation:

"Whereas, by reason of unlawful obstructions, combinations and assemblages of persons, it has become impracticable in the judgment of the President, to enforce by the ordinary course of judicial proceedings the laws of the United States at certain points and places within the States of North Dakota, Montana, Idaho, Washington, Wyoming, Colorado, and California and the Territories of Utah and New Mexico, and especially along the lines of such railways traversing said States and Territories as are military roads and post routes and are engaged in interstate commerce and in carrying United States mails;
"And, whereas, for the purpose of enforcing the faithful execution of the laws of the United States, and protecting property belonging to the United States or under its protection, and of preventing obstructions of the United States mails and of commerce between the States and Territories, and of securing to the United States the right guaranteed by law to the use of such roads for postal, military, naval, and other government service, the President has employed a part of the military forces of the United States;

"Now, therefore, I, Grover Cleveland, President of the United States, do hereby command all persons engaged in, or in any way connected with such unlawful obstructions, combinations and assemblages, to disperse and retire peaceably to their respective abodes on or before 3 o'clock in the afternoon, on the tenth day of July instant."

It deserves notice that, as appears by the proclamation of July 8th itself, the military forces were called into use before the proclamation was issued. Whenever, in the judgment of the President, it becomes necessary to use the military forces under the title of the Revised Statutes to which section 5298 belongs, he is required, by section 5300, to issue his proclamation commanding the insurgents to disperse and retire peaceably to their respective abodes within a limited time. But it might be that the object of the employment of troops would not be the dispersal of insurgents but the overcoming and arrest of persons violating and defying the laws and judicial proceedings of the United States, or the protection of the instrumentalities of the United States, such as its treasury or mails, and that the immediate use of the troops