

Case Study: Coxey's Army Tests Limits on Protest (1894)

Jacob Coxey was a successful businessman. Although he was wealthy, he was greatly concerned about the millions of unemployed Americans suffering during the economic depression in the 1890s. He created a plan for the government to issue \$500 million in Treasury bonds, a type of loan that allows the government to raise money and pay it back over time at a pre-determined interest rate. With the money raised, the government could fund a massive program to improve and expand the nation's roads and guarantee all the workers hired a living wage of \$1.50 per day. This plan would have increased government spending by 75 percent, and most federal officials ignored it or made fun of it.

Coxey's believed marching to Washington, D.C., with his supporters – whom he called the “Industrial Army” -- would force federal officials to look at his proposals and consider them more seriously. Coxey and his followers believed this action would be protected by the First Amendment. Although the march did not attract as many men as Coxey had hoped, newspapers across the country closely followed its progress. Nothing similar had happened in the nation's history.

Weeks before the marchers reached Washington, the Washington police superintendent warned that Coxey and his men would not be allowed to present their petition on the U.S. Capitol grounds. He stated that the 1882 Act to Regulate the Use of the Capitol Grounds very clearly prohibited any such activity. President Grover Cleveland supported this position.

Some politicians spoke out in support of Coxey's march. Sen. William Peffer of Kansas introduced a resolution calling for a committee of senators to officially receive Coxey and consider his petition. The resolution also questioned the constitutionality of the 1882 law, warning that threats to or arrests of the marchers “would be a clear violation of their constitutional and inalienable right.”

On May 1, 1894, the marchers approached the Capitol led by Coxey's daughter, who was dressed in white to symbolize peace. Thousands of spectators gathered to watch the parade move down Pennsylvania Avenue. By the time the men reached the Capitol, the crowd was thick. Coxey made his way to the building's steps and prepared to deliver a speech, but he was quickly interrupted by police. He was arrested and charged with violating the 1882 law.

Following Coxey's arrest, most of the members of Coxey's Army gave up and left Washington. Those who did not were forcibly driven from their camp by police.

Coxey's attorney was Sen. William Allen of Nebraska, one of the congressmen who believed that Coxey and his followers should be received with respect at the Capitol. Allen argued that Coxey's actions were protected by the First Amendment, but Coxey was found guilty of trespassing and sentenced to 20 days in jail and a \$5 fine. Following the sentence, *The New York Times* wrote approvingly, “The right to assemble and petition for a redress of grievances is not a right to assemble in any place where lawful business, public or private, will be disturbed by the assembly.”

On May 1, 1944, Jacob Coxey, then 90 years old, was invited to return to the Capitol and give the speech that was interrupted 50 year earlier. Although he was finally allowed to share his ideas from the Capitol steps, as he'd envisioned, the Capitol Grounds Act was still law, and his speech was only allowed by special permission from the speaker of the House and the vice president. The Capitol Grounds Act was not overturned until 1972. Many saw Coxey's 1894 march, though not fully successful, as the first step toward overturning that law and transforming Washington into the preferred

high-profile gathering place for marchers supporting all kinds of causes.

SUGGESTED FURTHER READING

Please find more information about this debate on NewseumED's [Coxey's Army Pinterest Board](#).

- "American History: Labor Unrest Grows as Cleveland's Measures Fail to Ease Recession." VOA Learning English. June 23, 2010. <http://learningenglish.voanews.com/content/cleveland--fails-to-ease-recession-97009034/115869.html>.
- Haynes, Charles C., Sam Chaltain, and Susan M. Glisson. *First Freedoms: A Documentary History of First Amendment Rights in America*. Oxford: Oxford UP, 2006. Print.
- "The Silver Panic | Lawrence W. Reed." FEE Freeman Article. 1978. <http://fee.org/articles/the-silver-panic/>.
- "Major and Superintendent (December 1896 - July 1898)." Metropolitan Police Department. <http://mpdc.dc.gov/biography/william-g-moore>.
- "Jacob S. Coxey - Ohio History Central." Jacob S. Coxey - Ohio History Central. http://www.ohiohistorycentral.org/index.php?title=Jacob_S._Coxey.