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# National Defense Committee News

## [May 1921 Report]

by Edgar Owens

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The National Defense Committee is in possession now of practically all the details concerning interferences with scheduled May Day celebrations. Numerous arrests were pulled off; some under the various state "Criminal Syndicalist" statutes; some by agents of the federal Department of Justice (?); and some were merely arrested, held for a few hours, and released without being booked. Needless to state, in most cases the authorities were themselves the most flagrant violators of their own laws. Homes were entered without warrant, and papers widely heralded as "evidence" seized without even a semblance of legality. Law and order must be maintained, even though every law be smashed by the constituted authorities.

In New York City A. Jakira, I. Amter, and E. Lindgren were arrested April 29th [1921]. Bail was first set at \$50,000 each; later reduced to \$25,000; cases dismissed by the magistrate owing to lack of evidence, whereupon they were kidnapped by the police and held illegally while a grand jury hastily issued indictments against them. When arraigned for alleged violation of the New York Criminal Anarchy statute, bail was set at \$5,000. Lindgren was also charged under a federal act with sending seditious literature through the mails. On being brought before Federal Judge Learned Hand, a copy of *The Communist* [UCP] was offered by the district attorney in support of his contention that bail should be set at \$10,000. It was at this time that Judge Hand stated that "Institutions that cannot survive this sort of criticism are already lost," and placed Lindgren's bail at \$2,000.

Three women, M. Kalman, T. Jerson, and Mrs. Leisman were also indicted for alleged violation of this infamous New York statute and held for trial under bail of \$5,000 each. Bail has been secured in all in-

stances now and the comrades are at liberty.

Philadelphia had the largest number of arrests. April 25th [1921] 48 men and women were arrested, some in their homes, others on the streets. They are charged with having in their possession, and circulating, literature of a supposedly seditious character. Thirty-eight of them have been indicted under the Pennsylvania anti-sedition act and bail has been set at \$2,500, which has been secured for most of them. In one instance a home was entered wherein a group of people had come together; they were arrested without warrant and hustled off to jail. In ransacking the place the police found some homemade wine and proceeded to get gloriously drunk and indulged in a fight among themselves to demonstrate their respect for law and order.

The Secretary of the Midwestern Division of the National Defense Committee sends the information that Pittsburgh, Pa., and Akron, Ashtabula, Warren, Cleveland, and Dayton, Ohio, contributed victims — 20 in number — to the fear of the capitalist class of an uprising of the workers. As usual, the charge is "Criminal Anarchy."

A number of arrests were reported from the Chicago Division. Most of these did not have serious results. However, there were two cases in which the distribution of alleged seditious literature is involved which has been brought before the Immigration Department and deportation proceedings instituted.

Milwaukee Division reports the arrests of 4 men charged with the distribution of literature that urged "force and violence" for the overthrow of government. Three were released on account of lack of "evidence," but the fourth is being held by the federal authorities.

In Kansas City 10 men and women were hold-

ing a committee to make arrangements for May Day. Enter the police. It appears there is no criminal anarchy statute in Missouri — an oversight which will probably be remedied at the next session of the legislature — but a couple of copies of Margaret Sanger's pamphlets on birth control were found, so the charge in this case was "obscene literature," which calls to mind Aesop's fable of the Lamb and the Wolf.

San Francisco reports one arrest on April 29th [1921]. The comrade was charged with posting stickers. He was found guilty and sentenced to 30 days in jail. On May 8th Floyd Ramp and William Costley were arrested for speaking in a hall meeting. They were held in jail overnight and released on bail next day. When they came up for trial the detective making the arrests charged them with taking a collection to finance the revolution, but the magistrate ruled the "evidence" was insufficient to hold them and the case was dismissed.

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The status of the cases previous to May 1st in which the **National Defense Committee** is assisting are about the same as stated in the last report. The 5 New York cases, that is, Larkin, Gitlow, Winitsky, Ferguson, and Ruthenberg, are pending on appeal. Certificates of reasonable doubt were denied, which means

the comrades will have to remain in prison pending the disposition of their cases in the higher courts. Printing of records, which must be done before the cases can go forward, involves a printing expense of \$6,000. Comrade Ferguson, who is an able attorney, has prepared the briefs in these cases in his spare time in prison, which cuts down expenses considerably. But nothing further can be done until funds for printing the records are forthcoming.

The Chicago Communist cases go to the State Supreme Court in August [1921]. In this instance 20 men were convicted last August on a conspiracy charge and sentenced to prison for terms ranging from 1 to 5 years. The two Southern Illinois cases, Carr and Hewlett, will go to trial at an early date.

In San Francisco, the trials of Reed and Ragsdale have again been continued.

The appeals of Jack Carney and J.O. Bentall, who were convicted in the federal court in Minnesota for violation of wartime legislation, will probably be decided this summer. Deportation proceedings against A.E. Georgian of Minneapolis will be reviewed by the United States Supreme Court on a writ of Certiorari.

Numerous deportation proceedings are pending in many quarters. Workers are defending these cases. Your help is needed. Send all remittances to Edgar Owens, 7 Bank St., New York City.

*Edited by Tim Davenport.*

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