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# L.A.K. Martens Not Deported; Allowed to Go: Former Labor Secretary Now Gives New Explanation.

by Laurence Todd

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WASHINGTON (Federated Press).— Secretary of Labor [William B.] Wilson, in relinquishing his office, made public an official announcement that Ludwig C.A.K. Martens, Russian government representative in the United States, was not deported, but was granted permission to leave this country at his own expense, in order that the rapidly changing conditions in Russia and the United States, which may lead to a new Russian policy by the new administration, may not be embarrassed.

Moreover, Secretary Wilson asserts that it was by his own direct order, and not by order of Assistant Secretary [Louis F.] Post that the useless deportation order against Martens was cancelled after Martens reached Moscow.

Thus the people of the two republics are permitted to learn at the last moment that the whole deportation proceedings instituted by the Bureau of Immigration at the insistence of Attorney General [Mitchell] Palmer's red-raiding forces, and the angry letter of denunciation of Martens' activities sent out by Secretary Wilson after the President had decreed the deportation order, were brought to a final, though thoroughly secret, anti-climax. The administration played to the galleries of reaction, but when it made up its own record for history and for the criticism of future generations it cleaned its own skirts. The American Secretary

of Labor, a trade union man, declares himself innocent of having driven from the land of the free the first envoy of a workers' republic.

## **Alibi is Offered.**

The alibi is in the form of a memorandum addressed to former Assistant Secretary Post and commissioner General of Immigration [A.] Caminetti. It recites that the Moses Resolution adopted by the Senate, asking the Attorney General for an opinion and information on the cancellation of the deportation order — “asks a department of the government that does not have the custody of the records to transmit the evidence in the case. It asserts as a fact that a warrant of deportation issued against L.C.A.K. Martens has been cancelled through the action of Louis F. Post, Assistant Secretary of Labor, while, as you know, the warrant was cancelled by the direct instructions of the Secretary of Labor. It asks for information from the Attorney General as to whether such cancellation will operate to permit the return of the said Martens to this country, while the law specifically places the admission and deportation of aliens under the jurisdiction of the Department of Labor.”

Former Secretary Wilson says that “The cancellation of the warrant has no effect upon the

case whatever. The deportation decision has not been cancelled, nor was the deportation warrant cancelled until it was known that Martens was in Russia, to which country the warrant directed that he should be deported. A warrant of deportation to Russia would be of no value with Martens in Russia. The same reasons which resulted in the deportation would bar him from admission to the United States.

### **Pay His Way.**

“The decision against Martens did not end Martens’ legal resources. He could still have recourse to the courts on habeas corpus proceedings. Under such circumstances it would have been months before Martens could have been deported, if at all. Consequently the Secretary of Labor permitted Martens to leave the United States without executing the deportation warrant on condition that he would leave not later than Jan. 22, 1921, and proceed to Russia at his own expense instead of at the expense of the United States. The effect of that permission did not grant to Martens any right to reenter the United States.

“The act of Oct. 16, 1919 makes it a felony punishable by imprisonment for a term of not more than 5 years for any person deported under that act to return or to enter, or attempt to return or to enter the United States at any time in the future. Conditions in Russia are changing. Conditions in the United States are also changing. A new administration is about to take charge of af-

fairs. The effect of the permission granted Martens to leave the country without execution of the deportation warrant is that the new administration will be free to work out its own Russian policy in the light of changing conditions unencumbered by the threat of criminal prosecution hanging over the heads of the agents of the unrecognized Russian government.

### **Martens’ Entrance Taken Up.**

“That, of course, has nothing to do with the cancellation of the warrant and has only relation to the permission granted to Martens to leave the country at his own expense without executing the warrant of deportation.”

It is to be noted that former Secretary Wilson seems to regret that the Russian government recalled Martens, instead of going into the American courts under habeas corpus proceedings to try to save its official spokesman from the hysteria of organized reaction in this country. Because Moscow took Secretary Wilson at his word when he ordered its envoy to go, he was forced into a position from which he extricated himself by failing to execute the deportation warrant. And the order is cancelled because its nonfulfillment against Martens would be discovered by the Harding administration.

Woodrow Wilson has once more been outmaneuvered by [People’s Commissar of Foreign Affairs Georgii] Chicherin.

*Edited by Tim Davenport.*

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