

COMPANY TOOLS TESTIFY AGAINST PAPCUN IN TRIAL

Inject Religion Into Case for Prejudice

(Special to The Daily Worker)

UNIONTOWN, Penn., July 1.—The third day of the Papcun trial witnessed a continued battle between the attorneys for the defense and the prosecution, while the case assumes greater and greater proportions.

Cross-Examine Willar.

Corporal Willar, who testified against Papcun, was subjected to a long cross-examination in regards to applying third degree methods to compel Papcun to answer questions.

When Papcun was arrested last January Willar presented to him a list of questions which Papcun refused to answer. Willar himself filled in the answers. Willar testified that he was receiving the "Young Worker" by mail during the last several months but never called the attention of the authorities to the paper.

Testimony of state witnesses shows that the state police were paying special attention to the miners' strike in Republic last fall and were used to spy on the strikers.

Inject Religious Issue.

William Nelson, twenty three, employed by the Hillman Coal Co. testified for the state about a meeting held last December at Cardale, where Pat Toohey and Papcun spoke. He charged the defendant with saying, "We must get a new government and after we get our new government, we would not have to live in dirty filthy cowsheds." The same witness charged Papcun with attacking the ministers by calling them bible pounders and Jesus-Jazzers. This was brot in to prejudice the jury. The attorney for the defense, Isaac E. Ferguson, strenuously objected against bringing religion into the case but was overruled by the judge.

Assistant District Attorney Newels asked the witness to refresh his memory in regards to other statements made by the defendant.

Refreshes Memory.

This was a signal to Nelson who added, "Since you refreshed my memory I wish to add that Papcun said that they had a way of training these young men with guns and ammunition." This statement was necessary for the prosecution as the testimony of all previous witnesses was too weak to get a conviction. It is remarkable that this witness happened to live in Croatian Hall where the strike headquarters were located and where Papcun was arrested. He lived there for four months apparently to get information.

One of the witnesses, Stanley Kitta, made every effort possible to show that Papcun was against the United Mine Workers' Union and that during the strike Papcun did not want to have anything to do with the union. This soon fell flat when the next witness for the state, Frank Terrace testified as a farmer, but in reality a well-known bootlegger in Republic took the witness stand for the state. This is the same Frank Terrace who attempted to frame-up Tom Ray and who was quickly exposed as being a spy himself. During the miners' strike he managed to get elected as chairman of the strike committee.

He testified that Papcun in a speech said, "If these yellow dogs, meaning the deputy sheriffs, happened to stop you from picketing, club the hell out of them," and that Papcun wanted leaflets and papers distributed near company houses.

He quoted Papcun as saying that they would overthrow the government and incorporate it with Russia. Under cross-examination he had to admit there was no violence and that the whole purpose of the strike was to get a better scale of wages. He was one of a committee of three with Papcun to negotiate with the district office of the United Mine Workers about organizing a local in the striking region. The prosecution tried to make an issue that at the meeting at Cardale no American flag was displayed. This was stricken out of the minutes by the insistence of the defense attorneys.

Use Red-Baiter Lennon.

The prosecution thought they surprised the defense when they produced the infamous Harry J. Lennon to testify as an expert on Communism. This is the same Lennon who testified in other sedition cases. He is a clerk in the office of the department of justice in Allegheny County and formerly was connected with the bureau of investigation of the department of justice. He has been seen in Uniontown for the last two weeks apparently preparing for the case. He began his testimony the same way as in previous cases, giving a detailed history of the Workers Party since 1919. The case is expected to continue for several more days.