
“May It Please the Court”

Trial of Communist Labor Party Commences. State Opens Its Side. Trial Expected to Last 6 Weeks.

by Jack Carney

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CHICAGO, Ill., July 12.— The case of the 21 members of the Communist Labor Party, who are charged with conspiring to overthrow the United States government by armed force, began in earnest today. The jury was selected last Friday [July 9, 1920], after 1200 men had been examined.

The state won a victory before Mr. Heth began his address when Judge Hebel ruled that the state could go back of the passage of the state section law a year ago this month for evidence against the defendants.

Judge Hebel permitted the defense to postpone its statement until later.

The defendants are W. Bross Lloyd; L.E. Katterfeld; Ludwig Lore, who helped draft the party platform and published *The Class Struggle*, a radical publication; L.K. England, member of the [Illinois] State Executive Committee; Jack Carney, member of the National Executive Committee and editor of the *Truth*; Samuel Ash, an attorney; and Dr. Karl F. Sandberg; Max Bedacht; Oscar Jesse Brown; M.J. Christensen; Edwin Firth; Samuel F. Hankin; Niels Kjar; Charles Krumbein; Joseph A Meisinger; Edgar Owens; Arthur Proctor; Perry H. Shipman; Morris A. Stolar; and John Vogel.

Cases against 3 others — John Nelson, Alfred Shuster, and Meyer Dobrowski — were nolle prossed.

The trial marks the first occasion since the Haymarket riots in 1886 that men have been tried

in a Cook County court for disloyalty to the state and nation.

It also marks the test of the Illinois law called the Overthrow Statute, which makes it unlawful for any person openly to advocate, by word of mouth, or by writing, the reformation or overthrow of the government by violence or any other unlawful means.

Forbids Distribution.

The law further forbids the publishing or distributing of any literature advocating violence, or the membership of any society that has the overthrow of the government as its purpose.

Representing the state are Special Prosecutors Frank Comerford and Harry M. Berger, and Assistant State's Attorneys Marvin Barnhardt and Lloyd D. Heth.

Clarence Darrow, William H. Forrest, and William Cunnea are directing the defense. Assisting them are Otto Christenson and Swan Johnson.

Assistant State Attorney Heth opened the case for the government. We are unable to give the full speech to our readers, so we shall give you the main portions of the remarks of Heth. In his opening remarks, Heth dealt with the attempt of the Left Wingers to capture the Socialist Party:

They were unsuccessful in their attempts to convert the leaders of the party, and then, after

they had either withdrawn or been expelled from the regular Socialist Party, these revolutionary socialists, from different sections of the country, elected and sent representatives to a convention in New York June 21, 1919, which was known as the Left Wing Conference. The avowed purpose of that meeting was to convert the Socialist Party and the world at large to revolutionary socialism.

The defendant William Bross Lloyd was a delegate to that conference. He was elected its permanent chairman.

The defendants Jack Carney and L.K. England were also delegates to that conference, and participated in its activities.

We are going to show that that congress was composed of revolutionary socialists from Europe, Asia, and America; that it was held for the purpose of forming a manifesto or program that would outline the means by which constituted government might be overthrown and dictatorship of the proletariat established, and all nations be governed from Moscow.

We are going to show that the Communist Labor Party is affiliated with the international body, and is an integral part of this Russian organization.

We are going to offer that Moscow manifesto in evidence and prove to you that it is part and parcel of the platform and program adopted by these defendants; that it was in the hands of the delegates and constantly referred to during the formation by them of the Communist Labor Party. It is signed by Lenin and Trotsky.

We are going to show that that document, like the Left Wing Manifesto, preaches the doctrine of hate against all existing forms of government; that it urges the proletariat of all lands to arise and mobilize and overthrow by force the government of the country in which they live.

That document states that the closing of the world war has forced a civil war on the laboring classes, and that they must now wage war against all government, answering blow for blow; that they must attempt to minimize the number of their victims, but above all to secure victory for the proletariat; that to make this possible, the laborers must arm themselves; they must disarm the bourgeoisie; they must form a communist army to protect the rule of the proletariat.

We are going to show that this document

again and again advocates the annihilation of the apparatus of all governments as it now stands, the displacement of all judges, and the banishment of all the greater bourgeoisie; that document issues a call to all proletarians to the final life and death struggle, and urges them to make use of the means of battle, and thus meet the governmental machinery in open combat.

We are going to show that these defendants, besides stating that they stand by the Moscow manifesto, also expressly state in their platform and program that they stand for the overthrow of the government of the United States and all states, the capture of the power of the state, and vesting it in the dictatorship of the proletariat.

They state that in accomplishing this end, the use of the political machinery is only of secondary importance; that not one of the great teachers of socialism has ever said it is possible to achieve the socialist revolution by the ballot.

They advocate mass action — in other words, proceeding from the shops and factories to capture and annihilate the apparatus of government. They tell the workers the constitution of the United States can not be amended in their behalf, and therefore it must be destroyed.

We are going to show that among the delegates who sat in the convention that drafted that platform and program are the defendants: William Bross Lloyd, Winnetka; L.E. Katterfeld, Kansas; Max Bedacht, California; Edgar Owens, Moline; Perry Shipman, Moline; L.K. England, Rock Island; Jack Carney, Minnesota; Ludwig Lore, New York; Oscar J. Brown, DeKalb; Karl F. Sandberg, Chicago; Charles Krumbein, Chicago.

That platform and program was adopted by unanimous vote. We are going to show that the members of that convention repudiated the Stars and Stripes and adopted the Red Flag instead; that they opened and closed their daily sessions by singing of "The Red Flag" and giving the yell of the Bolsheviks.

We are going to show that they adopted as the seal of their party the seal of the Bolsheviks and that they are now aligned with the Bolshevik government of Russia.

The court reporter who took down the minutes of the Left Wing Conventions, Detective-Ser-

geant Brown, and Nathan Elkins, the publisher of *The Revolutionary Age*, gave evidence of the connection of Lloyd, England, and Carney with the Left Wing Manifesto. After they had given their evidence and legal objections had been made and discussed, Heth proceeded to read the Left Wing Manifesto. We cannot describe the wonderful manner in which Heth recited this manifesto, because we happened to fall asleep and woke up under the Dictatorship of the Proletariat — I mean, that section of the manifesto. You will excuse us!

George F. Comerow, Special Agent of the Department of Justice, was then called to stand. Comerow is a “Special Agent;” read what Judge Anderson of Boston says about Special Agents. His description of them is correct and according to that description Comerow is undoubtedly a “Special Agent” of the Department of Justice. The more I watched Comerow, the more I believed in the law of Soviet Russia: “Unless a man works, neither shall he eat.”

Comerow “watched” the CLP convention. He knew everybody and everything. He identified the defendants. He told of the committees they sat upon. He paid us a compliment. It transpired during the discussion of the party that one [John] Zimmerman of Indiana objected to the name of the party being the CLP. According to Comerow,

one Jack Carney, the same august personage who edits *Truth*, jumped up and made a speech against the name being any other than the CLP. Comerow stated after that speech the name was adopted. So you see it was worthwhile being arrested, but we strongly object to the conspiracy of silence, in behalf of the capitalist press. Comerow was still telling the jury how we behaved at the convention, etc., when the Judge (God bless him) moved the adjournment of the court until tomorrow morning.

This concludes our story for this week, next week we will have a full page story upon the trial. We urge you all to buy at least 10 copies and circulate them, because the state of Illinois will introduce some good material and in the interests of JUSTICE it is necessary for you to know what we are being tried for. In case any more long manifestos are read, we cannot guarantee to remain awake.

We forgot to tell you the Convention Yell. We had all forgotten, but the “Special Agent” of the Department of Justice reminded us:

Bolshevik, Bolshevik, Bolshevik, Bang!
We belong to the Gene Debs gang.
Are we rebels? We should smile!
We're for the Soviets all the while.

Edited by Tim Davenport.

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