

PERSECUTION OF UNION MEN IN CALIFORNIA

A brief story of Criminal Syndicalism and Petty Persecution

Looking backward for ten years, over the labor movements in this country, we cannot help but wonder if we have gone forward or backward.

In 1914, the year that will be remembered all through history, the competition among those who control the wealth of the world became so keen and new markets for the world's produce so scarce, that it became necessary to find outlets for these products, the workers of the world created.

The result was the world war, with all its atrocities and bloodshed, and the illegal restrictions of the rights of free speech, free press and the passage of certain war-time laws.

People, who during that time proclaimed and sanctioned the idealistic theories, which were used to lure men to kill men, must now from their innermost hearts ask themselves, "Where is the democracy we fought for?" "What results has this sacrifice in blood brought?"

We, the members of the militant labor movement, who have made a study of history and sociology, pointed out the cause of this greatest of human tragedies to those who would reason, and as a result drew on our heads the fire and hatred of those who would benefit by the war and more markets.

After the disorganization of international trade relations at the outbreak of the war had been overcome, we, the workers of this country, enjoyed a certain amount of prosperity, due to the sudden demand of the nations involved for war material and foodstuffs.

Workers Neglect Opportunity

The labor the workers had to sell being in great demand, it went up in price—the same as if you had five men trying to buy your house—instead of trying to sell it to one who did not need it.

The seeming prosperity of those years of war made the workers lax to their real economic, as well as social interests, being able to command new undreamed-of wages for their labor, they forgot about the strength that lies in co-operation, collective bargaining and unionism, while their employers perfected international organizations which would have been impossible, without the world war.

So at the end of the war the workers were disorganized, while the employers had become united.

The war ended, the world was made safe, for those who control the wealth of the nation. It was evident that the workers who suffered on the battlefields wanted some compensation for the misery they went through in making the world safe.

So the struggle went on, not for ideals, but for materialistic gain. The Open Shop movement was inaugurated about the same time as the work or fight slogan was developed. The cry of work or fight was used to win the war from the Central Powers, but the open shop movement was to take away the economic security the workers had been enjoying.

Struggle More Intense

Thus at the end of the war we find the struggle between classes—that is, the working class and the employing class—becoming more and more keen. The em-

ployers, well organized on the one side, trying to lower the wages and lengthen the hours of labor, and on the other side we find the workers, the producers of all wealth, only partially organized and struggling to hold what they already have and, if possible, to get more of what they produce, that their children might have better food, clothing and shelter.

The espionage law, passed at the height of the international struggle, was used almost exclusively, against members of the working class, who tried to improve their working conditions. Hardly any of the profiteers convicted under this special statute served more than a short sentence before they were pardoned or paroled.

First C. S. Law

At the end of the war, or near the end, Idaho passed the first Criminal Syndicalism law and other states soon followed. This law does not prohibit any crime but what is covered by the existing laws on the statute books, but it is drawn up so it is flexible and can be used against labor organizations that are not subservient to the employers.

Furthermore, it can be used and is being used or misused, as you wish, to convict working men, not for acts committed, but for their opinions, ideals and thoughts or what some one else thinks they may think.

C. S. Law Starts to Die

The Criminal Syndicalism law was short-lived in some states. It was declared unconstitutional in two states, while in others certain decisions by the higher courts took the teeth out of it, so it became impossible to get convictions and if convicted the convictions would not stand before the higher courts.

One after the other of the states stopped the persecution under the C. S. law, until California stands alone. California having arrested and sent more men to prison under this law than all the other states put together.

California Stands Alone

So California stands alone, and it is useless to review the persecutions of other states when we have such a glaring example before our eyes at home. It would be like the pot calling the kettle black.

These persecutions have fallen almost exclusively on members of the Industrial Workers of the World. Why? Have you ever tried to find the real cause? Have you ever looked further than the Capitalist controlled press for the cause?

If you have made an unprejudiced investigation, then you have found that it is not for things they have done or that the newspapers say they have done, but because they are progressive, organized workers, who are out to better the workers' conditions, and are organized industrially, patterned after the employers' own organizations. That is, industrial in character and international in scope. Well the employers know, that the workers of the world organized on those lines, capitalism with its wars, misery, hunger and crime would soon pass into the junk heap. So it is necessary that they resort to lies, persecution, torture and mob violence, to try and keep the present system going, that they might live from the toil of others, and keep the workers subdued.

California Persecutions

Now we will deal with the persecutions of California under the C. S. law and with the illegal raids, wholesale arrests, torture and mob violence, crippling and maiming of women and little children of Southern California, in particular.

The Criminal Syndicalist law went into effect early in 1919, in the state of

California. The arrests started soon afterward but there were no trials until late in the fall of 1919 and early in 1920.

During the year of 1920 there were about a dozen members of the I. W. W. convicted and sentenced to from one to fourteen years. During the year of 1921 and 1922 there were approximately twenty convictions, resulting in the same long sentences, but the year of 1923 is the year that will go down in history to the discredit of California as the year of the most persecutions of the working class ever known up to that time.

During 1923 there were over one hundred members of the I. W. W. tried and about seventy-five convictions, under the C. S. law with sentences running from one to twenty-eight years. Now, bear this in mind.

Nearly One Hundred in Prison

There are still nearly one hundred men in the prisons of California sentenced under the C. S. law. Others have finished their time and many others have been released through decisions of the higher courts, and NOT ONE has been convicted or even charged, and records will bear out this statement, with an overt act. They have been convicted through prejudice, for their opinions and through the testimony of hired professional witnesses, who claim they were at one time members of the I. W. W. and committed certain unlawful acts, not by the orders of the organization, but from their own desire to commit them. It will be noticed that each of these men hold down a soft job now with certain corporations or the district attorney's office who were back of the persecutions.

In Los Angeles alone, during the year of 1923, there were fifty-seven men tried and thirty-nine of them were convicted and sentenced to one to fourteen and two to twenty-eight years in the prison.

Convictions Reversed

Each of these thirty-nine convictions were reversed by the higher court after the men had been in prison more than a year, and in most of the cases the higher court stated that there was not a scintilla of evidence to convict them on. The last twenty-seven of these reversals have been carried to the Supreme Court, where they are now pending, and the men are still in San Quentin, and it may be many more months before it is decided.

During the trials in Los Angeles and other places, members of the I. W. W. attended court wearing their buttons and showing their cards, and openly stated that if their fellow members were sent to prison, they should be sent also, because they were alike, innocent or guilty.

But the police would not charge them with C. S. because they desired to choose their victims.

Many cases outside of Los Angeles County were reversed by the higher courts, until it was evident to those back of the persecutions that it was a costly business to have long trials, and when they managed to get convictions, to have them reversed.

Try New Tactics

They also began to see that the I. W. W. organization was growing in spite of the persecution. So they decided to try something else, something they thought would be less costly.

Superior Judge Busick of Sacramento issued an injunction against the members of the I. W. W. prohibiting them from organizing, distributing their literature or

in other words, giving the judge the power to sentence members to six months in jail, without a jury trial.

This infamous injunction has failed to stop the work of organization, and in the past eight months since it went into effect there have been only five convictions. One of them has been reversed and others are pending and will be decided in the near future.

But the injunction has been used for some of the most dastardly, outrageous persecutions imaginable. Of this I will touch on later.

I will now go into the petty persecutions of Southern California, during the period of 1923 and 1924.

Petty Persecutions

During December, 1922, a strike was on—out of Fresno. The workers attempted to picket the employment offices in Los Angeles. The police began arresting the pickets and early in 1923 there were some three hundred men confined in the City Stockade charged with vagrancy, blocking the traffic and other foolish charges.

Hardly any of these men were tried, but were held for weeks awaiting trial—then dismissed.

During the strike of the seamen and longshoremen in San Pedro in May, 1923, wholesale arrests were again made by the police and men lay for weeks without a trial, only to be dismissed when their case was called. Members of the police department have taken the witness stand and testified that it was the most peaceful and well conducted strike they ever saw. Yet they were a part of the ones who conspired to crush the I. W. W., even though they had to use unlawful means.

In July, 1923, another strike was called in San Pedro as a protest against the persecution and railroading members of the I. W. W. to jail. This strike was met with more wholesale arrests. At one time there were over six hundred men and women in jail.

The men were beaten and abused, the women insulted, and still the I. W. W. committed no violence, but continued to organize as best they could. Their supplies were confiscated, their paper boys arrested and their papers seized. Speakers were pulled down and thrown into jail, but this did not dismay the workers.

Now bear this in mind, all these arrests and confiscations were made without a warrant or due process of law.

Police Use Violence

In March, 1924, the police of San Pedro raided the union hall, where a peaceful meeting was in progress, and arrested the members, destroyed the furniture and supplies and even went so far as to steal the money from a box that was hung inside for contributions.

Armed Mob Commit Outrage on Children

The most diabolical outrage (one that should make every man and woman shudder with horror, one that should make every one of us ask ourselves, Is this the place we boast of being the home of the free? Is this the democracy we fought for?) was pulled off in San Pedro on June 14th, 1924. An entertainment was in progress to raise funds to pay the funeral expenses of two members who were killed by a train.

The entertainment had just begun when a mob of hoodlums—some in Naval uniforms—broke in the doors and windows and with guns, clubs and iron bars began beating the men, women and little children. Men were beaten unconscious, women were trampled on and beaten, little children were trampled under foot and

scalded (some of them deliberately) in large pots of coffee that was to be served at the entertainment.

There were about forty people injured, about half of whom were little children under the age of thirteen.

Lena Milos, aged nine, says: "I told the man he was pushing me into the hot coffee," and he says, "that's all right, I will fix you so you won't take part in any more Wobbly entertainments." Then he picked me up and eat me down in the pot of hot coffee.

Little Lena is marked for life and will always live in horror of that night. May Sundstedt, a little girl of twelve years, was burned so badly that at the present time (almost three months later) she is still confined to a bed of pain and it is doubtful if she will ever recover.

I have mentioned only two of the little victims, but there are many more of them.

Six men were loaded into a truck and taken into the country, beaten and tarred and feathered. Their clothes were destroyed and their money taken. One was robbed of \$70.00.

Several of these monomaniacs were afterward positively identified as members of the mob. One policeman was identified as being there.

The above mentioned facts were not all the depredations committed that night. The furniture was smashed, including a piano that belonged to a ladies' Prison Comfort Club; windows were smashed, toilets and plumbing torn out, pictures, papers and supplies were destroyed and everything that would burn was carried to the street and set on fire.

Did the people of San Pedro, as a whole, protest? They did not. Were the guilty culprits punished for this outrage? They were not.

Grand Jury Sanctions Mob Violence

About the time the Grand Jury was to make an investigation, the police began throwing the members in jail, on trumped up charges, so they could not appear before the Grand Jury. Thus, only a few of the witnesses and the ones that could identify the mobsters were allowed to appear.

Did the Grand Jury indict any one? They did not. They whitewashed the whole affair and by so doing they sanctioned the action of the mob.

One of the most brutal of the mob was identified and arrested but released by the police on his own recognizance.

This was the state of affairs, working men and women beaten and abused, then when they try to identify the ones responsible for the outrage they are thrown into jail and their bonds set at one and two thousand dollars, while the mobsters were released on their own recognizance.

No Retaliation by I. W. W.

Did these outrages cause the I. W. W. to retaliate with violence? It did not. Here the police and the ones who have repeatedly charged the I. W. W. with violence come out and commit assault, robbery, arson and many other crimes and the I. W. W. go to jail while these criminals walk the street free.

Since the raid, the police are using the injunction to assist them in their persecution. In the past two months there have been more than sixty arrests for alleged violation of the Busick Injunction. If they are released on bail, they are rearrested as soon as they show up on the street.

Some members have as many as three different injunction charges against them.

Their trial is set six or eight weeks ahead and then when they are called for trial their case is dismissed and in a day or two they are rearrested.

Thus they are forced to do their time, before they are brought to trial, and the police and judges know there is not a chance to convict them when they are arrested. It is reported that one officer stated, "that he knew they could not make the injunction stick, but they would make the Wobblies do nine months out of twelve waiting for dismissals."

What have these men done that they are forced to undergo such punishment? They have attempted to sell their papers, that are given second class mailing privileges by the Government. They attempt to speak on the streets of San Pedro or, in other words, they attempt to use the rights guaranteed them in the Constitution of the United States. The right of free speech, free press, and assemblage. All these have been denied the workers in California, and it is the duty of every man and woman who cares for freedom to get behind these men in this fight.

If you cannot take a part in the front line, then it is your duty to support them with protests and financial aid.

Four illegal raids on private homes and illegal confiscation of property have taken place in San Pedro in the past two weeks. The stockade is full of our members who have been lying there for weeks awaiting trial, and most of them will be dismissed when they are called to court.

Injunction Defined

An injunction is a law made by a judge; and its penalties are fixed by the same judge; and the offenders are tried before the same judge; and the verdict is rendered by a jury of one man—the same judge; and the sentence is pronounced by the same judge.

An injunction is a law that is found on no statute book. A law that has never been voted on by any set of legislators. A law that has never been signed by any governor or president. A law that exists without the consent of the people. A law that came into being as the law of one man.

Your Help Needed

After reading this article, read it over again and consider it carefully and ask yourself if you do not owe these men your support. The rights of the people as a whole are judged by the rights of the individual.

If these men are allowed to be persecuted and crushed for their opinions, then you may be next. No man, woman or child is safe under an administration that allows such a state of affairs to exist.

Funds are badly needed to carry on relief work among the injured children and the men in jail. The men must be defended in the courts. Doctor bills must be met, and publicity must be gotten out to advertise California and her tyrannical methods of suppression and persecution.

Send funds and get further information from

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