

ILD Cites Precedents for Reversal Of Oklahoma City Conviction

By Anna Damon

(National Secretary, International Labor Defense)

Ten years and \$5,000 fine for criminal syndicalism was the verdict handed down against Robert Wood on Oct. 11, by an Oklahoma jury, out for one hour at the end of a two-week political trial. The average sentence confirms the Oklahoma authorities' contempt for the Bill of Rights—a contempt clearly demonstrated by their every action since the original arrest of 18 men and women in these cases on Aug.

Mr. Wood will be formally sentenced on Oct. 25. The able defense attorneys, Stanley J. Belden and George Croom of Oklahoma, and David J. Bentall of Chicago who was sent in by the International Labor Defense, are already engaged

in laying the ground for an appeal to the Criminal Court of Appeals of Oklahoma.

The record in the Wood trial is so filled with violations of the constitutional rights of the defendant, of juridical errors, that the attorneys feel an excellent basis has been laid for winning a reversal. There are also good possibilities of securing postponement in the trials of the remaining seven still in jail facing similar convictions until after the decision in the Wood appeal. Steps towards the reduction and securing of bail, which at present amounts to \$124,000, will be taken as soon as the legal technicalities which now stand in the way of getting these men and women out pending the fight for their freedom are met.

The only issue in the Wood trial

was the Bill of Rights, free speech, free press and free assembly. Neither he or any of the other defendants—eight of whom have been in jail since August 17—are charged with the slightest act or the slightest wrong doing. To those who have watched with apprehension the development of a war-time hysteria by the forces of reaction, this case brings the grim realization that the repression of 1917-1918 which produced the Oklahoma criminal syndicalism law, among others, was only an amateur rehearsal of what the war-makers are planning now.

No amount of hysterical deception by the prosecution can obscure the fact that it is Democracy which is on trial in Oklahoma. Democratic procedure was practically

(Continued on Page 2)

ILD Cites Precedents for Reversing Okla. Jailings

(Continued from Page 1)

abolished by the authorities. They seized their victims in raids conducted simultaneously on five homes under LIQUOR SEARCH WARRANTS; they threw 18 men and women into jail without charges, held them incommunicado; set original bail as high as \$100,000 for each. They prevented defense attorneys from consulting with them, beat them, put them in stripes, before they were tried, threatened them with shooting.

The entire case of the state of Oklahoma against Robert Wood was based on printed books and pamphlets illegally seized from homes and from the Progressive Book Store which police rifled of some 7,000 volumes. Assistant County Attorney John Eberle who acted as chief prosecutor, and star witness Dan Hollingsworth, described as head of the "intelligence" bureau of the Oklahoma police, regaled Judge Ben Arnold and the jury (which treated the entire trial as a joke) with endless readings from classical works of political economy, school books designed for Russian children and hysterical red-baiting speeches, which had nothing to do with any evidence presented, about "Josef Stalin's interest in the United States."

Defense attorneys battled valiantly for the constitutional rights of the defendants, for the Bill of Rights. They challenged the prosecution to produce any evidence to prove that any criminal syndicalism had been committed by Robert Wood.

The only defense witness, a student, called to testify to the fact that all the books which made up the state's case could be found in the university library was ruled out by the judge who said in effect, that if Wood was guilty so was the library!

In spite of the staggering blow which Wood's sentence represents to all believers in justice and democracy, and despite the fact that Oklahoma authorities have already made it clear that securing the re-

lease of the 12 innocent victims will mean a tough fight, there is every reason to face this fight with confidence.

The Oklahoma Criminal Syndicalism law—a direct outgrowth of the World War Green Corn Rebellion in that state, is 21 years old. There have been only three previous convictions under it and all three were reversed by Oklahoma's higher courts.

The International Labor Defense has still another basis for facing the Oklahoma fight with confidence. In 1937, after a two-year fight the I.L.D. won freedom for Dirk DeJonge in the U. S. Supreme Court—in a criminal syndicalism case. DeJonge's seven-year sentence was set aside and as a direct result of this victory the Oregon Criminal Syndicalism law was itself REPEALED.

Defense Attorney Bentall said in comment to the trial courts:

"In recent opinions the United States Supreme Court has spoken strongly on the Bill of Rights, the right to print books and pamphlets, documents and leaflets, the right to free speech and free assembly. That right must not and shall not be taken away."

A tough fight lies ahead of us all in the Oklahoma cases, but the chances for victory are good, especially if no time is lost in a situation where days count. The greatest need of the defense at this moment is speed and strength in the fight, on a national scale. Since the ILD launched its first appeal, to which many people have already responded generously, it has become clear that a minimum of \$10,000 will be needed to cover the cost of legal expenses, attorneys, records, printing, briefs. We know that the public will never allow lack of funds to be an obstacle in the fight for freedom. Funds for the case should be sent directly to the national office of the International Labor Defense, whose address is 112 East 19th St., New York City. The people have responded in other cases which ended in success. They will respond this time too.