

THE SHAME OF PENNSYLVANIA

The story of how
Pennsylvania leads
the states in police
violence and brutal-
ity, prosecutions for
opinion, and war on
strikers and radicals

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The Shame of Pennsylvania

ACCORDING to the published records, more police violence, brutality, violations of civil rights, prosecutions for opinion, and corporation control of workers' lives exist in Pennsylvania today than in any other state of the Union. During the first four months of 1928, for instance, twenty-three cases of police assaults and prosecutions for opinion were reported to the American Civil Liberties Union from Pennsylvania as against eight for the entire country—exclusive of Colorado, where the coal strike temporarily produced an unusual crop of cases.

But Pennsylvania did not always stand out, as it does today, as the one state in the Union where such practices stack up greater in volume and severity than in all the rest of the United States together,—as shown by the reports compiled by the Civil Liberties Union. Not many years ago certain western mining states distinguished themselves by a similar record. For several years California led the field in wholesale prosecutions under her criminal syndicalism law.

Today Pennsylvania is the only state in the Union in which a sedition or criminal syndicalism law is still actively used. It is the only state with so highly organized a state police force, conspicuous for its brutalities against strikers. It is the only state in the Union with thousands of private policemen doing public duty, as do the coal and iron police in the mining and steel districts. Added to them are hundreds of privately paid deputy sheriffs. It is the only state in which coal and steel companies so completely dominate so many communities.

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These facts alone are enough to put Pennsylvania in a class by itself. Behind these evidences of control by corporations lies the amazing corruption of the political life of Pennsylvania, notorious for decades, reaching its climax in the huge campaign expenditures in the senatorial campaign of 1926. One of the dominant factors in Pennsylvania politics is the dominant personality in Pennsylvania industry, Joseph M. Grundy, president of the State Manufacturers' Association. At both ends of the state, Pittsburgh and Philadelphia, two enormous political machines, one financed by bankers and industrialists (the Mellon interests), the other by contractors (the Vare interests), dominate political life. Political issues in Pennsylvania tend to be a struggle between great corporate interests on the one hand and smaller corporate interests on the other,—both in politics for what they can get out of them.

While the most numerous attacks upon the rights of citizens in Pennsylvania are to be credited to the state police and the coal and iron police, they are aided by judges, prosecutors, and city authorities. The American Civil Liberties Union has a long record over the past five years in its files covering, for instance, the prohibition in scores of cities of meetings which the police officials or mayors do not happen to like; the forcible deportation of speakers who came to town to deliver talks; the arrest of persons for entering "closed" towns; sweeping injunctions by courts, forbidding any organizing or strike activities whatever; prosecutions for "rioting," "inciting to riot," or "sedition" on the flimsiest of excuses, just because the people concerned happened to be labor leaders or radicals.

Another form of control commonly used in Pennsylvania is a sheriff's proclamation, under which in any time of public disturbance, the sheriff, on his own discretion, has the power to prohibit meetings, people

congregating together on the streets, or almost anything else he doesn't happen to like. Such proclamations were issued in the counties around Pittsburgh during both steel and coal strikes. Violations are punishable in the courts.

There is no use in recounting all the details of the story of police lawlessness and violation of rights in Pennsylvania; they would fill a book. It is only possible to give some of the outstanding facts and events.

Police Violence

IN a long series of political administrations subservient to corporations there has been only one break,—the administration of Gifford Pinchot from 1923 to 1927. Governor Pinchot took note of police violence and repression. He appointed a commission to investigate the violation of citizens' rights in the 1922 coal strike. No official investigation had been made of the charges of brutality against the state police and the private coal and iron police, although charges and complaints had been lodged with governors for years. The only inquiry of any sort was made by the State Federation of Labor at the instance of its president, James H. Maurer, in 1914. Their findings, under the title of "The American Cossack" were widely distributed. A member of Governor Pinchot's 1923 commission, John P. Guyer, himself published a book of the evidence gathered by the commission, under the title of "Pennsylvania's Cossacks."

Governor Pinchot tried to clean up both the state police and the coal and iron police, by firing state policemen who were proved guilty of brutality and lawlessness, and by revoking the commissions of coal and iron policemen who had abused their powers. Thirty-six policemen out of a total of about 350 either were fired or quit as a

result of the expose made by Gov. Pinchot's Commission. Of the 6,639 coal and iron police commissions secured or applied for up to October 1923, over half—3,670—were recalled or refused. This private army now numbers about 3,000. Governor Pinchot was prompt to act on complaint of any specific brutality. But his efforts did not clear up the evils which have long marked both police forces.

Of the coal and iron police, Governor Pinchot's Commission said:

"The coal and iron police . . . carry the power of the state as police officers but they manifestly cannot be expected to be neutral. They represent one side of the controversy and when we consider that the vast majority of the cases which arise are those in which the police officer comes close to being not only policeman, but judge, jury and appellate court, we can appreciate the seriousness of the lack of neutrality. . . ."

John P. Guyer of Governor Pinchot's investigating commission of 1923 said,—and the situation is unchanged today,—

"The methods of terrorism and abuse described in this publication are strikingly similar to those employed during the early days of the constabulary's history. Perhaps a bit more violent and cruel in some particulars. Yet the general character of incidents is about on a par with the past performances of the vicious element of the force."

He cites the praise of the state police by officials, employers, and the press as one of the greatest organizations of policemen in the country, but he tells the other side of the story, which, he says, has "never been completely written save in the hearts of humble men and women whose heads and bodies have suffered from the clubs and hands of its vicious element, whose actions have degraded and disgraced the state's power in the minds of the workers. It is a story of cruel clubbing of men and

even women and children. Usually clubbings by irresponsible members of the force who joined for an adventure, but frequently they were the deliberate actions of brutal, drunken, or depraved characters who have systematically used bloody methods in executing the orders of their superiors.

“Men held merely as witnesses have been so brutally treated that they signed fake confessions or committed suicide to end their agony. Still others have been persecuted for weeks as the cossacks of the force sought to vent their anger at the victims’ resentment of their oppression and ill-treatment.”

Mr. Guyer pays tribute to the many decent men on the force. Of the coal and iron police he says:

“The Pennsylvania employers’ private army has long been a source of trouble for the citizens of industrial communities. Commissioned by the state, this army is recruited from whatever source it is possible to secure men of a character which permits them to viciously club and shoot men who are entire strangers, —peaceful pickets. The majority of those encountered by the workers in time of strike are of the type which the commission found had been recruited from resorts in Chicago, Cleveland, Pittsburgh, and other cities which produce gunmen and union-wreckers.”

I**N** the coal strike in the soft coal fields of Western Pennsylvania, which began in 1927 and is still in effect, amazing stories of violence, shootings by the police, beatings, illegal arrests, have been told by responsible eye-witnesses. Some of the most striking of them were brought out before a committee of the United States Senate appointed to investigate conditions in the coal fields of West Virginia, Pennsylvania and Ohio. Their findings are an ar-

raignment of the whole system. Summarizing the evidence the committee said:

“Everywhere your committee made an investigation in the Pittsburgh district we found coal and iron police and deputy sheriffs visible in great numbers. In the Pittsburgh district your committee understands there are employed at the present time between 500 and 600 coal and iron police and deputy sheriffs. They are all very large men; most of them weighing from 200 to 250 pounds. They all are heavily armed and carry clubs usually designated as a ‘blackjack.’

“Everywhere your committee visited they found victims of the coal and iron police who had been beaten up and were still carrying scars on their faces and heads from the rough treatment they had received. . . .”

Among the incidents testified to before the U. S. Senate Investigating Committee in 1928 was the shooting into a schoolhouse in Broughton, Pennsylvania, near Pittsburgh, while the school was in session. The shooting was done by strike breakers on and off during a whole afternoon. A New York newspaper reporter, a Mr. McCrory, who was nearby, testified:

“It just happened that I was here that day, when the examination by Squire O’Rourke of that negro who was picked up at a local railroad station when waiting to go away occurred. And he later willingly made a confession to Squire O’Rourke, and in that statement said that the coal and iron police said they would give him and his buddy, a man named Thomas Worrell, \$25 apiece to shoot into the barracks windows.”

Another bit of evidence: A miner’s wife, Mrs. Engert, testified that in January, 1928, a crowd of school children who saw strike breakers going down the railroad track called “Yellow dogs!” at them. Her graphic descrip-

tion of just what happened is typical of scores of stories of these coal and iron police.

"There were several colored fellows in the group that shot into the crowd of school children. There must have been fifty children in the crowd. One of my boys heard a bullet just pass by his head, and another little fellow fell to the ground, and we thought he was hit. That aroused us women, and you people know how a woman will fight for her children, and we came out and hollered at them, and then five coal and iron police came, and they hid until they could come in and get hold of us. We were up there about 100 yards from the railroad track. Then when the coal and iron police said something to us, and we didn't know exactly what, I said: 'Go on; you are nothing but scab drivers yourselves or you wouldn't hold the position you hold now.' And I said, 'Anybody that would come here and take the bread out of our children's mouths like you fellows do ain't worth anything.'

"So, of course, the coal and iron police came into the crowd, and they grabbed Mrs. Costa and me. He got me here on my left arm and twisted it and said: 'Hey, you, I want you.' He tore my coat sleeve and paralyzed my arm, so that it just dropped down, and I was just that mad that I up with my right fist and struck him in the face. When I did that he caught me by my coat sleeve and said, 'I'll fix you,' and he was then pulling at my coat sleeve, and I staggered and it pulled out of the socket.

"When he seen what had happened, and saw I hadn't lost control, he hit me in the back of the head either with a blackjack or something that knocked me out. I fell to the ground unconscious, and when I came to myself again he was on my stomach, and I could feel the handcuffs going around my wrists. And he called for help to another coal and iron policeman to come there, and he come."

These stories just cited concern the coal and iron police. A flagrant case of brutality by the state police took place at Cheswick, Pennsylvania, on August 22, 1927, when a big meeting of miners, their wives, and children was

gathered together in a private orchard in the afternoon to protest the execution of Sacco and Vanzetti, which took place that night. The meeting was proceeding peacefully when a number of mounted state troopers charged the crowd, ordering them to disperse. In the confusion scores of men, women and children were trampled upon. Twenty-four miners were arrested on charges of rioting and refusing to disperse. Although indicted, they were not tried. Appeals to Governor Fisher for an investigation of the troopers' brutality were ignored, and most of the Pennsylvania papers suppressed the facts.

City Police Control of Meetings

MORE than in any state in the Union, Pennsylvania mayors and chiefs of police assume the power of prohibiting public meetings they don't like.

The most complete system in the United States has been in effect in Philadelphia for years. Under it no public meeting can be held without advance notice to the police of the subject and speakers. The system works without authority of law, and so smoothly that it has been impossible to get a case into court testing it until this year.

The method is very simple. The chief of police secured a gentlemen's agreement from hall owners not to rent halls for meetings except on notice to the police and with their approval. When the police don't like a meeting they tell a hall owner, who refuses to rent his hall, or cancels the lease if made. The hall owners naturally do not want to antagonize the police, who can make life miserable for them in many ways when they want to. When a courageous hall owner was found to rent his hall without notifying the police, and the police were told that this was a test meeting, the superintendent of police refused to make any arrests, because he knew the issue

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would go to the courts, where he might be beaten. So he let the meeting go on. But such hall owners are rare.

A case finally came up in Philadelphia on February 12, 1928, when a meeting of the unemployed was broken up on the ground that they had no permit. Those arrested were fined. The case is on appeal on points which involve the right of the police to censor or break up meetings in private halls.

In Scranton and Wilkes-Barre the mayors have assumed the power to censor meetings by the same system of bringing pressure to bear on hall owners. In Wilkes-Barre the mayor announced in 1924, after a Communist meeting was broken up by the American Legion at the point of rifles, that he would not permit any meeting in Wilkes-Barre which was not approved by the American Legion. Similarly, in 1928, the same mayor refused to permit an insurgent miners' group to meet, saying that he would not allow any meeting which was not approved by the Central Labor Union. It has been so far impossible to get this gentleman into court, but the Civil Liberties Union was able to hold a meeting in Wilkes-Barre without the approval of the Legion.

In Pittston, a few miles out of Wilkes-Barre, where a struggle has been going on between insurgent miners on the one hand and contractors backed by union officials on the other, a case arose in March, 1928, when the mayor caused the arrest of Powers Hapgood and his wife, Mary Donovan, for walking on the street with arm-bands mourning free speech. The mayor had prohibited any meetings in Pittston, following the strife in the union. Hapgood was chairman of a committee to raise funds for the defense of three of the insurgent miners involved in the strife. When the mayor prohibited the meetings, Hapgood and his wife and another miner walked on the street in front of the

meeting place, wearing arm-bands reading "We mourn free speech," "Free speech is dead in Pittston," and "Civil Liberties." They were at once arrested for "rioting."

Some idea of the attitude of the authorities can be gathered from the fact that the judge of the Court of Common Pleas refused to admit them to bail until forced to do so by a writ of habeas corpus. Despite the fact that the hearing on the writ showed that they had only worn arm-bands on the street, he held them in \$2,500 bail each and threw in \$2,500 more bail each for them to keep the peace. The grand jury indicted them for rioting, and they were tried in Wilkes-Barre a month later, where the same judge who held them in bail had to acquit them because the prosecution made out no case at all.

The Pittsburgh police have also assumed the power to issue permits for meetings. Numerous instances of trouble arising from their refusal have occurred in the last five years. Two Workers' Party speakers were refused a hall in September, 1926, and the police ordered the doors locked, to be sure no meeting would be held. When the speakers attempted to talk on the steps of the locked hall they were arrested and fined for holding a street meeting without a permit. The case was taken to a higher court on a writ of habeas corpus to get them out of jail, and there was won.

Although Socialists have become fairly well tolerated and are not usually molested by the police, they occasionally get the treatment accorded other "reds." In Old Forge, Pennsylvania, a mining town near Scranton, two Socialist Party speakers, both American citizens, were twice ejected forcibly from the town and put over the county line by order of a mayor who had once been a

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Socialist himself. The mayor delivered himself publicly of these words:

"I will keep the Socialists from speaking here now and forever. The conditions in our community are fine. People are in good humor and making plenty of money. I refuse to have agitators, covered under the name of socialism, who are radicals in the sense that they preach the red flag, come into the community and make speeches. I questioned them and when they admitted they came to make socialistic speeches, I deliberately ran them out of town."

The two speakers prepared damage suits against the officials, and for months efforts were made in vain to find a local lawyer in Lackawanna County willing to file them. Not until almost a year later, was an attorney found who would risk the consequences. Following the filing of the suits the mayor withdrew his objections and the two speakers who had been deported before were allowed to speak. This passing victory, however, did not change the situation greatly. Arbitrary official control of meetings continues in Old Forge today, as in many other Pennsylvania cities.

Way back in the steel strike in 1920 the issue of the right to hold street meetings arose in cities of western Pennsylvania and was tested out by the American Civil Liberties Union in Duquesne. Rev. William M. Fincke of the Union and a number of strikers were arrested for trying to hold a meeting. The case was carried to the Supreme Court of the state where a decision was handed down giving local officials complete control over all meetings in public places.

Similar trouble occurred repeatedly in McKeesport where the Civil Liberties Union again in 1923 staged a test of the mayor's arbitrary refusal to permit any meetings in private halls of which he disapproved. A private lot was hired to which speakers adjourned after they had

been locked out of a private hall at the mayor's direction. The speakers were arrested for holding a meeting without a permit, although there was no ordinance. The convictions were appealed to the county court where they were not only sustained but the fines increased. Another appeal to a higher court was thrown out on a technicality. McKeesport is still closed to meetings the mayor does not like.

Prosecutions for Sedition

PENNSYLVANIA, like most other states, has a new law which punishes, among other things—

“ . . . any . . . publication . . . utterance . . . or conduct . . . which tends . . . to encourage any person . . . to take any measures . . . with a view to overthrowing . . . by force . . . the government of this State or of the United States; . . . to incite any person . . . to commit any overt act with a view to bringing the government of this State or of the United States into hatred or contempt . . . ; to incite . . . any person . . . to do personal injury or harm to any officer of this State or of the United States.”

In addition, “. . . any publication or utterance which advocates . . . the duty, necessity, or propriety of engaging in crime, violence, or any form of terrorism, as a means of accomplishing political reform or change in government” is penalized. Membership in an organization advocating these doctrines, and the distribution of “seditious” literature is made a felony. This has been on the statute books since 1919.

Efforts were made in the Pennsylvania legislature to repeal the Sedition Act, without attracting any support whatever beyond the radicals and a small section of organized labor. The act was slightly amended in one legislature, with the intent to draw its teeth by changing legal phraseology. The courts managed to put the teeth back in.

Although in all other states laws of this character have become dead letters, Pennsylvania still resorts to it in an effort to stop the activities of the Workers' Party. No prosecution under such laws has been brought anywhere in the United States since 1924 except in Pennsylvania. With a few exceptions, all of the several hundred prosecutions in other states have been directed against members of the I. W. W. In Pennsylvania every prosecution has been directed against Communists.

The Supreme Court of Pennsylvania has never passed upon the constitutionality of the sedition law. The only decision on appeal was handed down by the Superior Court in a case involving the distribution of literature by an alien. The court sustained the act and the conviction under it, holding incidentally that an alien does not have the same rights as a citizen. This holding affecting aliens' rights is contrary to decisions by the U. S. Supreme Court. It is being tested in other cases which are being carried to the Pennsylvania Supreme Court. One of them raises the sole issue whether mere membership in the Workers' Party is a crime.

Beginning with the first prosecution under this law in 1919, 12 persons have been convicted. Nobody is in prison in Pennsylvania at present under this act, for the convictions have all been appealed. The only four persons imprisoned under it were paroled in 1924.

The prosecutions under the sedition act have taken place chiefly in Western Pennsylvania and were directed against Workers' Party organizers among the coal miners.

Cases have been brought practically every year since 1923. In that year nine persons were prosecuted at Pittsburgh as a result of a May-Day raid on Workers' Party headquarters. Two were convicted but neither went to jail; one was paroled and the other is still at large on a motion for a new trial. The other seven cases were dropped four years after they were started.

In 1925 the Workers' Party was again the object of police raids at Farrell near Pittsburgh where six men were arrested. One was convicted, but is out on bond pending appeal.

Eleven persons were arrested in 1926 at Aliquippa where they were attending a meeting of the Workers' Party. They were released. Damage suits against the police for this unlawful raid resulted in a verdict for the chief. Shortly after, another raid was made at Woodlawn near Aliquippa where twelve Workers' Party members were arrested, eight of whom were indicted for sedition. Four of them were convicted in 1927. The convictions were appealed to the Superior Court where they were sustained. They will be appealed.

The cases still pending in Pennsylvania under the sedition law are:

Edward Horacek (citizen), convicted in 1925—motion for new trial still pending.

Peter Muselin (citizen) and three others, convicted in 1927—conviction sustained by Superior Court. Appeal to state Supreme Court to be taken.

Tony Kovacovich (alien), convicted in 1925—rehearing denied; awaiting sentence.

Andy Kovacovich (alien), convicted in 1924—motion for a retrial pending.

Rebecca Grecht (citizen), arrested March, 1928—held on sedition charge for grand jury.

The effort of the operators to break any union movement in the bituminous fields has made particular targets of the leaders of the Save the Union Committee, a rank and file organization opposed to the union officials. John Brophy, former president of District No. 2, and Pat Toohey, a coal miner, are two officers of this committee. When holding a meeting at Renton in March 1928, they were arrested by state police on a charge of inciting to

riot, after having addressed the audience for over two hours, when Toohey criticized the sending of American troops into Nicaragua. The grand jury indicted them on charges of rioting and inciting to riot. Both are now out on bail.

Injunctions

SWEEPING injunctions restricting the rights of strikers are not peculiar to Pennsylvania, but it is as easy, if not easier than elsewhere to get them from Pennsylvania courts in times of industrial conflict.

One of the most picturesque injunctions issued was that by Judge Langham of Indiana County in Western Pennsylvania during the 1927-28 coal strike. It even forbade the members of the Magyar Presbyterian Church in Indiana County to sing hymns and pray in their churchyard, on the ground that they might intimidate the strike-breakers in a mine located 1,500 feet away. The United States Senate committee investigated Judge Langham's injunction, finding "so much bitterness against it, especially that part prohibiting the singing . . .," that they decided to visit the church and try to find out just what manner of hymns the miners had been enjoined from singing. ". . . Reverend Phillips was asked to give the titles of the hymns that were sung in the open by the miners, and was asked to sing some of them." The hymns were: "The Victory May Depend On You," "Sound the Battle Cry," "Nearer My God to Thee," "Stand Up for Jesus," and "I'm On the Winning Side," the title of which "the Rev. Phillips admitted they had changed to 'We're On the Winning Side.'"

The committee adjourned to the grounds back of the church, where the hymns had been sung. After inspection they considered it "doubtful whether the words of the hymns could be distinguished in the company's office unless the winds were very favorable."

Governor Fisher of Pennsylvania was afterwards reported as saying that the senators who joined in the hymn singing should have been cited under the injunction.

Judge Langham, by the way, was charged with having a \$60,000 interest in a mine affected by his injunction. He denied this, saying that his interest amounted only to about \$6,000!

Closed Towns

SCORES of coal towns in Pennsylvania are practically owned by a single corporation. The public offices are on the corporation's property; the schools are on their land; the churches belong to them. Police officials are either paid by them or do their bidding.

One of the most notorious of the closed towns of Pennsylvania is Vintondale, which the United Mine Workers have repeatedly tried to organize without success. It was closed for years to any "outside agitators" by means of armed guards. The American Civil Liberties Union took up the issues in 1922 at the request of the miners. Arthur Garfield Hays, New York attorney, went down with a group of union mine officials and newspaper men to break it open. Mr. Hays tells his story as follows:

"There were three assaults made on Vintondale. The first was in May, 1922. At that time the party, consisting of lawyers, union men, and some newspaper officials, were ridden down by the coal and iron police. We left the town and in the afternoon appeared with warrants for the arrest of six of the members of the mounted police and of the secretary of the Vinton Colliery Company. These men were later indicted for assault and battery, were tried before a jury, were found guilty and fined.

"A few weeks subsequent to this we obtained an injunction preventing interference with a meeting which was held in Vintondale on property of the United Mine Workers. The coal and iron police

patrolled the center of the street; across the way were hundreds of curious miners interested in this unusual spectacle. Mr. Justice Kephart of the Supreme Court of Pennsylvania, fearing bloodshed and violence if the meeting were permitted, stayed the operation of the injunction, but this was too late to prevent the meeting. The stay was later vacated, but the injunction case was never tried.

“Following this on the evening of the trial of the gunmen, I, with two newspaper reporters, went to Vintondale to hold a meeting. The attitude of the coal and iron police had changed. I was asked to delay the meeting until an officer could communicate with the burgess as an ordinance had been passed prohibiting meetings without a permit. I refused to postpone the meeting, and there was no interference. All three of us who were in the party thereupon proclaimed to one another the Bills of Rights of Pennsylvania and the Declaration of Independence. The night was cold and dark, and the meeting did not last very long, but there was no interference.”

The account sounds more successful than the events. Vintondale was promptly closed again through an ordinance prohibiting meetings without a permit from the mayor, and has remained closed since. Mr. Hays' suit against the Vinton Colliery Company for damages because of assault by officers, and for illegal arrest, was thrown out of court because the jury concluded that he had provoked the assault!

Smash the Union!

THE big factor behind the struggle in Pennsylvania is the concerted effort of employers to break up the United Mine Workers' organization, which has organized the anthracite fields 100% and which had organized a large part of the bituminous field. The anthracite field, being a monopoly, is not subject to competition from coal elsewhere. With its union agreement separate from the agreements in the bituminous fields, the anthracite field has maintained

its organization; indeed, the operators have made no serious effort to break the union there.

In the bituminous fields most of the coal operators, because of competition from the non-union fields in West Virginia and the South, broke their agreements with the union early in 1927 and began a campaign to run their mines exclusively with non-union labor.

The suffering and starvation, and most of the strife between union miners on strike and strike-breakers, have taken place in the bituminous fields in the past year. These conditions were the direct cause of the U. S. senatorial investigation.

The coal operators have been aided by other corporations, notably by the railroads, and among them notably by the Pennsylvania Railroad, which, according to testimony before the Senate Committee, refused to buy coal from operators who ran union mines. In one case the railroad was reported to have torn up its spur tracks leading to union-operated mines. Other testimony showed that the Pennsylvania had loaned to the coal operators the head of its private police force in order to help them better organize their own private police. Companies which kept their contract with the union were warned by their bankers not to do so. One Pittsburgh coal company which tried to operate on a union basis despite bankers' threats had its mortgages foreclosed and was forced into bankruptcy. The president of the company said it was a case of hundreds of thousands against millions, and that his company was not big enough to stand out against the big combine.

What to Do?

THE industrial conflict in Pennsylvania will continue to be marked by bloodshed and violence so long as the thousands of public and private police are allowed to abuse their powers without inquiry or punishment. Only a fear-

less governor has the authority for disciplinary action. Public opinion is apathetic. The legislature can do nothing (except abolish the police, which is not conceivable). Local officials are practically powerless, and in the coal districts most of them are under the domination of the operators anyhow.

Publicity and protests against known cases of brutality; inquiries like that of the United States Senate committee; threats of political action by organized labor—may accomplish something in mitigating the brutality. But such steps will not go far. A demand must be built up for the abolition of the private coal and iron police, and public sentiment must be created for taking the state police away from police duty in industrial conflicts. Local police ought to be sufficient everywhere to handle any disturbances which arise.

We are not recommending the usual policing of strikes, which has little to be said for it from the point of view of protecting citizens' rights. We hold that there is no justification for the extraordinary measures taken in Pennsylvania and that practices there at least can be reduced to the level of other states.

The sedition law should be repealed. That failing, a public sentiment at least should be created which would make resort to it impossible,—just as public sentiment and the futility of the prosecutions have made resort to it impossible in all other states since 1924.

The first step toward getting these remedies in Pennsylvania is to demand an inquiry by the legislature or the governor into the charges against the state police and the coal and iron police, with a definite view to curbing their lawless activity.

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