

effectively their ideas, but to put them in force by violence. In the course of his speech Mr. Lloyd said:

We want to organize so if you want to put a piece of propaganda in the hands of everybody in Milwaukee you can do it in three or four hours. If you want every Socialist in Milwaukee at a certain place at a certain time with a rifle in his hand or a bad egg, he will be there. We want a mobilization plan and an organization for the revolution. You want to get rifles, machine guns, field artillery, and the ammunition for it; you want to get dynamite. . . . You want to tell off the men who are to take the dynamite to the armory doors and blow them in and capture the guns and ammunition there so that the capitalists won't have any. Dynamite the doors of the banks to get the money to finance the revolution.

This man, the son of Henry D. Lloyd, the late economist and reformer, and thirty-eight others were indicted for conspiring to advocate the overthrow of the present form of government in America by violence, and to that end unlawfully and wickedly and feloniously to engage in various forms of propaganda, including selling and distributing books, aiding in the organization of the Communist Labor Party, assembling in meetings, and raising flags and banners and other insignia.

The indictment was in twelve counts and was brought under the law of the State of Illinois which makes such offenses punishable by imprisonment. That law was passed on June 28, 1919—a few days more than five months after Lloyd's speech from which we have quoted. Of course neither he nor his fellow-conspirators were indicted for this speech. They were indicted and twenty of them were arrested, tried, and convicted for acts subsequent to the passing of the law. This speech of Lloyd's, however, together with other words and evidence as to the activities of some of the accused prior to the passage of the law, was introduced as evidence to show the intent of these men in advocating the doctrines that they did advocate after the passing of the law.

The jury was satisfied that the men they convicted were guilty of a conspiracy to overthrow by violence or other unlawful means the representative form of government now secured to American citizens.

Punishment of the convicted was delayed by the elaborate technical objections of their counsel; so it was not until the latter part of November that Lloyd and some of his co-defendants began to serve their prison sentence. Almost immediately Governor Len Small, of Illinois, commuted the sentences and the men were released.

Probably this case would have gained

no such notoriety except for the fact that among those indicted was one man, Lloyd, who is reputed to be a millionaire, and another, John Reed, a Harvard graduate, who after the indictment died in Russia and is accounted as a hero by the Bolsheviks.

LEGALITY AND EXPEDIENCY

THAT these men were legally convicted there can be no doubt. Every imaginable technical objection, as well as every effort which to a non-legal mind would seem reasonable, was employed by the counsel of the accused to prevent conviction. A reading of the case might suggest to a satirist a subject for an operetta as pertinent to the complexities of the law as Gilbert's "Pinafore" was pertinent to the official red tape of the British navy. Into these technical objections it is not necessary to go. It is sufficient to say that they were for the most part overruled by the trial Court and rendered unavailing by the Supreme Court of Illinois on appeal. The counsel for the accused petitioned the United States Supreme Court to act in the case, but Justice Sutherland refused a writ of error on the ground that the matter was one for the Illinois Supreme Court to handle.

From the decision of the State Supreme Court one of the justices of that Court dissented on the ground that the so-called Overthrow Statute, which these men were convicted of violating, was "so vague and general and so clearly against the American doctrine of freedom of speech as to be held unconstitutional." In reaching this decision he was not swayed merely by Constitutional considerations, for he acknowledged that one question about which he was exercised was whether drastic penalty for these men was "the best way, from a public standpoint, to counteract the tendency of their views."

It was evidently because of doubt as to the justice and expediency of the law against the advocacy of violence that Governor Small released the prisoners. At any rate, in releasing them he said: "These men are not criminals." And he added that they had already suffered severely and that no great good could come from longer incarceration.

Very possibly in England these men would not have been imprisoned, or even tried. The length to which violent speech can go with impunity in that country often astonishes Americans. Conditions there, however, are not parallel to those here. National security in Great Britain does not rest upon loyalty to any theory of government; it rests upon the traditions of the British people. In this country loyalty is not to a tradition, but to an ideal, and to destroy that

loyalty is to destroy the substance of the Nation itself. To put a man like William Bross Lloyd in prison may not be the best way to safeguard the institutions which he attacks (and which, most illogically, he appeals to for refuge when he is caught trying to destroy them); but the instinct which frames laws against the activities of such foolish and reckless men is a sound instinct. Free governments have the right to protect themselves. The Lusk Law in New York, which puts all schools and school-teachers under the burden of proving their loyalty, is an unwise if not unjust method of exercising that right; the Overthrow Statute of Illinois is not in the same category with the Lusk Law, and is much more defensible, but we are not convinced that the Overthrow Statute is in every respect a wise method. There are some objects which can best be obtained, not by repression, but by patient and wise education.

AN INTOLERABLE FILIBUSTER

By employing obstructive tactics a minority in the Senate has forced the majority to withdraw from consideration, and from any practical chance of passage, the Dyer Anti-Lynching Bill.

We are not greatly concerned over the failure of the Anti-Lynching Bill to become a law. Even at best it would have been an experiment. We believe it is an experiment that ought to have been tried. It is a reproach to the whole American people that lynching, with the connivance of officers of the law, can continue in this country without any action on the part of the Nation itself. If the States which have tolerated lynching in the past will eradicate it without Federal action, so much the better. But they have not eradicated it. Perhaps some better measure than the Dyer Bill can be devised. Perhaps it is necessary to wait until indignation against the lynching evil becomes so overwhelming that no reasonable doubt about National legislation can remain.

What does give us concern, and we believe should give all American citizens concern, however, is that a minority in the Senate can with impunity dictate to the Senate by means of such a filibuster as was employed by the Democrats with the approval of so conservative a leader as Senator Underwood. What the Democrats did was to interpose a practically endless series of frivolous motions. One motion, for instance, was to insert the chaplain's prayer. Another was to insert in the journal the time at which the President *pro tempore* of the Senate gave up the chair to Vice-President Coolidge. Another method was to insist upon the reading of the journal in full. Motions of this sort, which were frankly

THESE DOMESTIC AND PARTICULAR BROILS

(King Lear, Act V, Scene 1)

Perry in the Portland Morning Oregonian



IT SEEMS TO HAVE GONE TO HIS HEAD

From Grace E. Cooper, Corvallis, Oregon

Fitzpatrick in the St. Louis Post-Dispatch



THE NOVEMBER STORM

From J. Fleming, St. Louis, Missouri

Morris for the George Matthew Adams Service.
(Geneva Daily Times)



WHAT A DIFFERENCE A FEW MILES MAKE!

From Mary H. Dox, Geneva, New York

Perry in the Portland (Oregon) Morning Oregonian



HIGH TIME

From Joseph P. Montag, Portland, Oregon