

The People.

VOL. IX.—NO. 52.

HENRY KUHN, NAT'L SEC'Y, S.L.P.

NEW YORK, SUNDAY, MARCH 25, 1900

PRICE 2 CENTS.

FIRST EDITORIAL

TAMMANY HALL IMPOTENTLY FIGHTING THE *DAILY PEOPLE*.

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The attention of comrades and friends throughout the land is called to certain events that are occurring in New York; events serious enough to bespeak their full earnestness, and yet of such nature as to spur them to increased activity, aye{,} to inspire them with renewed ardor.

Mr. Justice TRUAX rendered last Monday a decision whereby the members of the National Executive Committee, Socialist Labor Party, are held guilty of alleged “contempt of Court,” and a fine of \$250 is imposed upon each, or imprisonment until paid. The decision is preposterous and ridiculous, from a legal as well as from a commonsense point of view, and cannot stand.

Yet, what does it mean?

It will be remembered how placemen and understrappers of Tammany Hall, aided, abetted and armed by the Volkszeitung Corporation, attempted a raid upon the Party premises on the midnight of last July 10, for the purpose of seizing by physical force the Party’s archives and English organ, *THE PEOPLE*, and that the bandits were beaten back.

It will be further remembered how, that attempt to throttle the Party having failed, the Volkszeitung Corporation thereupon resorted to the Courts, expecting to carry out there the scheme in which it had failed on July 10. The Corporation instituted legal proceedings intended to deprive the Party of its English organ, and to that end sued for a permanent injunction, and asked for a temporary injunction pending the trial of the case. Against whom did it start these proceedings? Against the Socialist Labor Party, the only body against which such proceedings would have any sense? No. The Volkszeitung Corporation could not do that without admitting the fraudulency of an alleged Socialist Labor Party organization, that, in pursuit of its fraudulent scheme, it had set up as *THE S.L.P.*, and which, by an uninterrupted

series of five decisions, has since been branded as fraudulent, besides being roundly exposed at the polls last election. The Volkszeitung Corporation could not, accordingly, proceed against the Party. Being thus barred by its own meshes from moving in that direction, it tried a bluff. The action which it started was instituted against the members of the N.E.C. individually; the complaint expressly declared that these Comrades falsely claimed to be acting for the Party, but were issuing THE PEOPLE on their own private responsibility: The idea was to get the temporary injunction, and then trust to luck that the Party would be silly enough to consider itself bound by an injunction against individuals, in an action that expressly ignored it, and even denied its existence. It was a scheme, the low cunning of which was quite in keeping with those who got it up.

It will be further remembered that the first part of the scheme went through successfully. Despite the circumstance that all the material facts in the case were contested, and that temporary injunctions are not usually granted in such instances, Mr. Justice FITZGERALD issued the order for the temporary injunction applied for by the Volkszeitung Corporation. The injunction order was null and void for more reasons than one; it was full of blotches, the principal one being that it was signed outside of the State. But despite this primal success, the expected fruits did not ripen.

The complacency of Mr. Justice FITZGERALD turned into the barrenest of victories for the Volkszeitung Corporation,—just the same as the present complacency of Mr. Justice TRUAX will. The Socialist Labor Party was not silly enough to consider itself bound, as had been hoped. Whatever injunction might bind the hands of some of its individual members, sued in their capacity as individuals, the Party itself remained free; and, by the unanimous consent, and with the unanimous approval of its constituencies, it continued, as it continues now, to publish its English organ, with the paper's own and honored name flying as ever at the foremast, unterrified by all threats of "fines and imprisonments for contempt of Court," that proceeded from the camp of the baffled foe.

In the meantime, the original action, upon which the temporary injunction was granted, began to turn up on the calendar. The case is a hollow pretence. It cannot stand; and they know it. The N.E.C. members have been anxious to have it tried; not so the Volkszeitung Corporation. A case, on which a temporary injunction is granted, is not allowed to be postponed; nevertheless, the case was time and again postponed, and the identical Mr. Justice TRUAX, who now renders the decision on

contempt, was the judge who perpetrated the last serious delay, setting the case over several months, with full knowledge of all the facts, as the motion to punish for contempt had been under his consideration for over a month.

Finally, last Monday, after a delay of over four months, the present decision is rendered, a decision, which, in preposterousness and ridiculousness, from all points of view, beats anything of its kind. It will be appealed from, and, if necessary, the appeal will be taken to the Court of Appeals, where its head will be staved in, as it deserves. The Party in the mean and all the time remains untouched and unbluffed.

Again, we ask, what does it mean?

It means simply this: Tammany Hall, having failed, thanks to the resolute stand of the S.L.P., to kill the Party's weekly English organ last summer, and finding itself now menaced by a still greater danger—THE DAILY PEOPLE—has become merely spiteful, and, even at the expense of the dignity of its "organization Judges," is now foolishly seeking to harass the Party members, bleed them, and thus, if possible, delay thereby the appearance of the Party's daily.

All of which, again, means redoubled energy and ardor on the part of the class-conscious proletariat, together with all decent elements in the community, to place THE DAILY PEOPLE speedily in position, to the end that the "Organized Crime" of our city and country, with whom the Party is now in a hand-to-hand conflict, may all the sooner be cannonaded out of existence.

Let to-day's DAILY PEOPLE Festival, at which occasion speakers will deal with this matter, be stimulated into a mammoth demonstration, bringing out the emphatic need of our daily and the emphatic determination to set it uttering its thunder notes.

Transcribed and edited by Robert Bills for the official Web site of the Socialist Labor Party of America.

Uploaded May 2005