
Sidelights on Toledo Free Speech Fight. [events of March 30, 1919]

by Thomas Devine

Unsigned account, attributed to Toledo Councilman Thomas Devine from content, published in *The Ohio Socialist* [Cleveland], whole no. 63 (April 9, 1919), pp. 2-3.

Memorial Hall at Toledo was again closed to Socialists after having been rented Sunday, March 30 [1919]. Closed by orders of Mayor Schreiber because he himself became determined to select the speakers for Toledo, and among those barred from the Mayor's list is Eugene V. Debs — our own Gene. Barred by the Mayor although the entire population demanded a Debs meeting and 10,000 people turned out in the slush and snow on Sunday to prove it.

Lying ill at Akron, unable to fill the engagement, Gene knew nothing of the rumpus in Toledo where the Socialist were staging the grandest act that this Golden Rule and Rule of Gold City ever witnessed.

State organizer Baker had been sent to Toledo to fill the Debs engagement. The crowd gathered early and learning that the hall was closed gathered across the street in Courthouse Park.

Orders had been issued by Mayor Schreiber to allow no speaking and there were 200 police present to enforce the order.

At 2:30 pm, Secretary Michael Toohey opened the meeting from McKinley's Monument and was immediately nabbed by the police. The crowd closed in. The police lost Mike, who once more mounted the monument steps and once more was embraced by two of "Toledo's finest" and escorted amid cheers to one of the city's own limousines (patrol wagons) and entertained until 7 more brave and congenial companions were singularly marched by uniformed liverymen to the yawning gasoline wagons and hence to the new temporary headquarters of the Socialist Party — the City's Bastille.

There was a goodly sprinkling of soldier boys among the 10,000 who had gathered, and one, an upright, clean, intelligent young man, Frank Serafin, stepped to the monument and began to speak: "Ladies and gentlemen, Comrades all" — when he said "Comrades," the police looked at one another. The soldier continued: "I have just returned from across the seas where I went to fight for *Democracy*." The police looked fierce now and held a little confab — they seemed to think the word Democracy their cue to arrest anyone, but they hesitated as the voice of the boy in khaki rang out. "And I will continue to fight for Democracy at home." The police here asked Serafin to stop, but again he turned to the multitude and said: "I went over the top—"

"Over again for you," said a big burly, and one more seat in limousine No. 2 was occupied.

The crowd stood awed and amazed as the blue coats grabbed and roughly hustled the khaki-clad boy through the cordon of police. They could not understand. Some of them thought the Socialists were being arrested for insulting the soldiers, as the Mayor and the newspapers claimed. And here they were roughly hustling a soldier boy off to jail; a soldier, too, who had bravely faced death for freedom, and now he could not even speak to them. Shouts of protest went up on all sides. The crowd was getting ugly. The police were getting excited and brutal. Women cried in sympathy for the boy in khaki. Quiet for just a moment reigned; then from the distance came a voice: "Ladies and gentlemen (*this was as far as many of the speakers got as they were kanged off the monument as soon as the first*

word was spoken. But this voice did not come from the monument) Keep cool, fill the jail. The Declaration of Independence gives you the right of Free Speech. Your forefathers died for this right.”

Every head turned toward the sound of that voice and there a half a block away, standing all alone and ankle deep in the snow and slush, stood the speaker — where the overfed police must run to get him. Two police broke through the crowd, accompanied by a brown-clad motor cop. The speaker got in about 3 minutes, then got in the Black Maria. This speaker was the writer of this article and right here — as I did there — I want to enter a protest against the motor cop whose gun was drawn on me as he approached, running and excited.

We kept our heads to a man — they, many of them, lost theirs. These same cops who on their knees suppliantly beseeched us councilmen to vote them another loaf of bread for their families — who complain to us that they are afraid to speak right out for their rights — use their billies and guns (we don't have clubs in Toledo) when we ask that right.

I was convict No. 57, one of the many varieties yet to come on a tour of inspection of one of the filthiest jail holes in the entire US. A jail for which I recently voted in favor of a very substantial appropriation for repairs and fumigation — and when I asked Sunday for evidence of the expenditure of this money I was informed it was in the offices, not the jail — some few minor changes only having been made for prisoners.

In the jail the boys amused themselves singing the workers' songs and cheering as the door opened incessantly and clanked on another whose only offense was saying, “Ladies and gentlemen.”

By this time Organizer Baker had gone to the Socialist headquarters with a number of comrades and there 150 pledged themselves to be calm but to insist upon their rights.

They marched to McKinley's Monument and one after another arose — were arrested, and driven to jail, Comrade Baker among them.

The crowd at the square then divided. Comrade Schwartenfeld had climbed a tree, hoping to get in a few words before they got him — he did — they did — he was one of the vintage of '76.

Reports were now coming in of Negro cops being rushed to the scene and of rough treatment. Officer

Pappenfuss (white) was taken to the hospital alleged to have been hit by a fellow officer, who missed his intended victim.

Another officer drew his gun and a soldier laughingly said, “Little Bertha, fade away,” and slapped him on the wrist. The crowd, catching the spirit of the soldier's playfulness, pushed and pulled the cop until he ran up a nearby alley in fear of being himself arrested for indecent exposure. They say he looked like Theda Bara in one of vampire acts *a la dishabille*.

Then came the beginning of the end — of a Perfect Day.

After one and a half hours of voice culture in the municipal “Booby Hatch,” and after having declined to discuss his release simply because he was a councilman, the writer was sent for by Chief of Police Herbert and with Secretary Toohey was taken thereto.

Arriving in the chief's office we found Comrade Solon Klotz, attorney; Brother Ebright, organizer of the Machinists of Toledo; and others who had been discussing the affair and now knew better than we the alarming situation at Courthouse Park.

The chief impressed upon Devine the fact that he, Devine, was a city official, stated that the police were unable to further handle the situation, and asked if Devine would do him a favor — go to Courthouse Park, address the multitude who were becoming hostile, and disperse them.

Toohey and Devine informed the chief that our men were orderly, that if there were any disorder it came from his department and not from our boys.

The chief was requested and consented to retire a moment and the comrades held a private conference, agreeing we had won a victory inasmuch as the police department, which had arrested us for speaking were now asking us to address the people, and as we had nothing to gain by riot and bloodshed, which every moment was threatening greater proportions, we agreed that if all prisoners were released we would disperse the meeting.

We then went into the jail and Mark Anthony's oration over the body of Julius Caesar was baby's prattle compared to the flow of oratory in the prison before the 70 comrades already incarcerated.

Devine, Toohey, and Baker addressed the prisoners and were then taken in the chief's own machine from the jail, but never reached the courthouse for the

crowd of thousands were now but a block from the city jail, coming to demand the release of the prisoners. We met them and talked to them for perhaps a half an hour and the police now were keeping order for us by directing traffic and we used the chief's automobile as our soap box.

As an evidence of how orderly that vast assemblage could be (and I never saw a larger crowd), we asked them to stand quiet at attention like trained soldiers until we were sure every prisoner was released and the way they stood was a credit to the Socialist movement and a lesson in diplomacy to the police department of Toledo, where what was termed a mob of fanatics stood fully ten minutes without a murmur and smiled, and later cheered as Comrade Soldier Serafin was released and lifted bodily upon the shoulders of the crowd and carried to the automobile where, bowing to the cheering crowd and making a very brief talk, we thus "came to the end of a perfect day."

No More Arrests Says Mayor.

As evidence of how completely the mayor and police department have backed up on their program of denial of free speech to Socialists, the following let-

ter of the mayor to Safety Director Mall is illuminating:

The police, in making arrests last Sunday of persons in Courthouse Square, fearlessly performed what they considered to be their duty. Yet they acted mistakenly and in excess of their authority. In justification of that mistake, I realize that in the then impending crisis it was perhaps difficult for them to exercise the mature judgment simple enough on the morrow. The mistake, however, must not be repeated.

I have already clearly stated my views on the subject of free speech. This right of free speech is a fundamental right, clearly guaranteed by the constitution of the United States, and one to be jealously guarded. It prevails everywhere, both in public and in private places.

The order issued from the executive department closed Memorial Hall to Eugene V. Debs, but that was the full extent of the order. This order was issued because Memorial Hall is essentially of patriotic origin, and because Mr. Debs has been convicted of treasonable speech by a jury of his peers, and the conviction sustained by the highest court in the land. In Ohio conviction of a felony, by law, deprives the person convicted of the right to either vote or hold office.

I write this letter at this time because future meetings will no doubt be held, and for that reason the police department should receive from you definite instructions to safeguard the right of each citizen to freely speak his mind.

You will therefore kindly see to it that the injunctions herein set forth are conveyed to the department of police and by it fully observed.

Edited by Tim Davenport.

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