

BERGER INDICTED FOR CONSPIRACY

Ex-Congressman and Three Chicago Socialists Accused of Spreading Disloyalty.

JURY CITES 26 OVERT ACTS

Irwin St. John Tucker, J. L. Engdahl, and William Kruse Codefendants with Berger.

CHICAGO, March 9.—Victor L. Berger, former Congressman from Wisconsin; Adolph Germer, National Secretary of the Socialist Party; Irwin St. John Tucker, a Chicago Socialist; J. Louis Engdahl, and William F. Kruse have been indicted by the Federal Grand Jury here, charged with obstructing recruiting, encouraging disloyalty, and interfering with the prosecution of the war.

The indictments which were returned on Feb. 2, but withheld by District Attorney Clyne, charge twenty-six overt acts. The men are accused of having conspired to violate the Espionage act by speeches and articles printed in certain publications.

Engdahl, who edited The American Socialist before it was thrown out of the mails last September, now publishes The Eye Opener, a Chicago Socialist paper. In a statement tonight he declared "every word in The American Socialist was put there to promote the best interests of the great mass of people," and that if "that is unlawful then freedom of thinking in the United States is dead."

Kruse is editor of the Young People's Socialist Magazine, which is also published here.

R. Berger, who is candidate for nomination on the Socialist ticket for United States Senator in Wisconsin, in announcing his platform this week, said that if elected he would work for the passage of a resolution by Congress directing the President to summon the warring countries to an immediate armistice and a peace conference. His platform also calls for the withdrawal of American troops from Europe to procure absolute "security for this country." The Wisconsin Senatorial election will be held on April 2.

Seymour Stedman, counsel for the National Socialist Party, issued a statement tonight in which he expressed the view that "war profiteers and monster capitalists are the most interested in this prosecution."

"The books, papers, and documents of our national office have always been open to party members and public officials," said the statement. "For six months the Federal authorities have been watching to find something of a criminal nature to be used against officials of the party. Apparently it is considered necessary to place the American Socialist Party on trial. If the truth comes forth as a result of this case, I believe the public will realize that the war profiteers and monster capitalists are the most interested in this prosecution."

"Socialists are the one class of citizens who believe in a lawful, orderly change through education and political action. They are presumptuous enough to believe that the policy of the Government in war and out, the attitude of the President in war and out, are subject to criticism. Socialists the world over have opposed war and the system that makes war inevitable. We do not consider opposition to a condition or policy as equivalent to breaking or violating the laws of the country."

Relative to suppression of the indictments, Mr. Clyne said "the Government felt that the announcement should be made at this time to develop other angles of the case."

Pamphlets alleged to have been distributed by the men to hamper the Government are made part of the indictment, which consists of forty-one typewritten pages. Besides public utterances, Berger, as editor of The Milwaukee Leader, a Socialist newspaper, is alleged to have been responsible for articles appearing in the publication which it is alleged violated the Espionage act.

MILWAUKEE, Wis., March 9.—"It is a political move, pure and simple," said Victor L. Berger when informed tonight of his indictment by the Federal Grand Jury in Chicago. "They were afraid of my candidacy for United States Senator in Washington and took this step to see that I was not elected. But instead of injuring my chances they have made my election certain."

Berger had not been arrested early tonight.