

**THE 13TH JUROR:
THE INSIDE STORY
OF MY TRIAL**

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The 13th juror: the inside story of my trial by Steve Nelson

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STEVE NELSON

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A Word to the Reader

It is with pleasure that the Committee to End Sedition Laws brings you this special edition of *The 13th Juror*, by Steve Nelson.

I first met Steve on the Jarama front in Spain, eighteen years ago, when the forces of democracy—which included 3,500 American volunteers of diverse national, political, and religious backgrounds—joined with the heroic Spanish people to stem the fascist interventionist armies of Francisco Franco, backed by Hitler and Mussolini. I learned then, on the field of battle, the caliber of Steve Nelson.

I am proud to join hands with him again today in the continuing fight which Steve is waging to defend democracy at home, a fight of vital concern to all Americans. The Supreme Court of the United States has been asked to re-impose the 20-year sentence overruled by the State Supreme Court of Pennsylvania, which freed Steve. It is because this book tells the entire story of Steve's trial and conviction under the Pennsylvania "sedition" laws, and the additional sentence imposed on him under the Federal Smith Act, and because to an important degree the outcome of Steve's fight depends on the support of enlightened public opinion, that we send you this book and urge you to read it.

We are confident that you will share with us the excitement, the anger, and the exaltation we felt when we read this book, that it will affirm for you, as it did for us, the simple truth that the good fight for freedom must be won not only on the bloody field of battle in a far-off Jarama, but here at home, in unremitting struggle to preserve our constitutional liberties and freedoms.

The case of Steve Nelson is the case of the American people—it is your case.

ALLAN D. McNEIL, *Secretary*

Committee to End Sedition Laws
Room 212, Forbes Building
Pittsburgh 13, Pa.

THE 13TH JUROR

The Inside Story of My Trial

By STEVE NELSON

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Foreword to Second Edition

Despite the cold silence accorded this book by newspaper editors and book reviewers, and the studied pretense that it does not exist by those it names as principals, the first edition has run out. Despite the calculated intent to consign it to the paper pulp heap, it has reached thousands in this land while overseas a number of translations are in preparation.

It is not because they lacked copies of the book that editors of key newspapers failed to review or even mention it. I personally gave it to editors of large papers in Pittsburgh, Philadelphia, and New York. When I visited them I had the editors or reporters read the short chapter describing how one of the jurors at my trial was beaten up, and I waited for their comments. One comment was "Hmmm," and a puzzled silence.

"Does it rate a news comment if not a review?" I asked.

"It rates a comment, sure, but I have to see."

"Okay, you see," I said as I left.

One newsman in a large editorial office picked up the book and looked at the cover, then said, "I bet I know who the 13th juror is. It's us, the press, isn't that it, Steve?" The newsmen around him agreed, "Yes, it must be us."

The New York Times book reviewer read the chapter on the beating of the juror and closed the book with a silent shrug. Two months later I wrote the *Times* to return the book since they were not reviewing it and I could put it to better use. They sent it back with a letter, ". . . as per your wish."

Another editor of a large paper told me, after reading the chapter, "We get our book reviews from the *Saturday Review*—almost all the papers do that nowadays, it's less troublesome—so I may as well tell you, Nelson, we won't review it." The *Saturday Review*, although it too has the book, has yet to tell of its existence.

On the other hand, the progressive and Left papers and magazines greeted *The 13th Juror* with great feeling, praising it as a piece of writing as well as for the story it tells. And many individuals wrote to me personally as well as to the Committee to End Sedition Laws, expressing similar sentiments.

There were criticisms of the book's weaknesses also. They were directed at my assumption that the reader is as familiar as I am with the facts, and at times it becomes difficult to follow the various trials and arrests. These criticisms are correct. If it weren't for the problems of time and money I would readily make some needed changes. Having neither money nor control over time—judges and prosecutors control that—I hope that the explanation which follows will be of help.

This book deals only with the *second sedition trial*, which ended in January, 1952. It was then that Judge Montgomery gave me a twenty-year sentence which was later reversed by the Pennsylvania Supreme Court by a vote of five to two—a decision which my opponents hope to overturn by appealing to the United States Supreme Court.

The first sedition trial took place in 1951; my friends Andrew Onda and James Dolsen were convicted, but I was severed from the case because of an accident.

While I was still convalescing, the Federal Government arrested me under the Smith Act along with Onda, Dolsen, William Albertson, Irving Weissman, and Ben Careathers. *The 13th Juror* contains but few references to the Pittsburgh Smith Act trial. A fight developed between the state and federal officials as to which trial should come first. The local McCarthyites, headed by Musmanno and Montgomery, won—so the *second sedition trial* took place first, as this book describes. I served the stretch in Blawnox between the second sedition trial and the Smith Act trial. The latter, which followed in 1953, resulted in an additional five-year sentence for Dolsen and me, making a total of twenty-five years.

I hope that this brief explanation will keep the chronology of the three trials in focus, and make up for some of the shortcomings in the first edition.

Steve Nelson
Pittsburgh, Pa.

July, 1955