

As from this hour You use your power, The World must follow you

THE INDUSTRIAL ORGANIZER

Official Organ of Motor Transport and Allied Workers Industrial Union Local 544-CIO
MINNEAPOLIS OFFICE: 9TH ST. AND 12TH AVE. S.

Stand all as one
Till right is done!
Believe and dare and do!

VOL. 1, NO. 21

MINNEAPOLIS, MINN., SATURDAY, DECEMBER 6, 1941

FIVE CENTS

18 to Appeal Conviction Under Smith Gag Law

4 Acquitted 544-CIO Board Members Back Defendants

Four Who are Free Ask Aid for Others

Civil Rights Body Will Back Appeal

Verdict Menaces Right of Free Speech of all Workers

The following statement on behalf of their fellow-defendants was issued Wednesday by the officers of Local 544-CIO acquitted in the federal "sedition" trial:

"To the Labor Movement:

"The Federal jury on December 1st acquitted the undersigned of all charges in the 'sedition' case, and we stand today as free men, dedicated to rebuilding the drivers' union movement in Minneapolis and the Northwest.

"We feel the jury also should have acquitted the remaining 18 defendants of all charges. We stand in complete solidarity with our convicted 18 fellow-defendants, whose only 'crime' is their unswerving devotion to the interests of the working class of people.

"The convicted defendants and the labor and civil liberties organizations cooperating with them have indicated their determination to appeal the verdict against the 18 to the higher Federal courts. We shall assist them, and we urge all workers to back this appeal financially and morally.

"On July 15th, when the Federal indictment was handed down against us, we charged that Daniel J. Tobin was responsible for instigating this trial, and that the national administration arranged the trial as a political favor to Tobin. Our charge was proved to the hilt when Tobin-paid stoolpigeons, the government's own witnesses, admitted on the stand that FBI agents participated as early as last February in meetings of Tobin's 'Committee of 99,' and that FBI agents had promised citizenship papers to Carl Skoglund if he would go over to the 'Committee of 99.'

"We shall devote ourselves to rebuilding the Minneapolis drivers' movement on the basis of industrial unionism, union democracy and militant policies."

(Signed:)

FOR THE EXECUTIVE BOARD,
LOCAL 544-CIO
MILES B. DUNNE, President
GEORGE FROSIG, Vice-President
KELLY POSTAL, Secretary-Treasurer
RAY RAINBOLT, Recording Secretary

NEW YORK, Dec. 2 — "The Civil Rights Defense Committee, in conjunction with the American Civil Liberties Union, will appeal the convictions of the 18 CIO unionists and leaders of the Socialist Workers Party in the Minneapolis labor trial," stated George Novack, secretary of the Civil Rights Defense Committee, Tuesday.

"These working men and women have been convicted for their opinions alone in

defiance of the constitutional guarantee of freedom of speech. These are the first convictions under the Smith Act of 1940 which has been condemned by labor and liberal opinion as the most reactionary legislation on the statute books.

"Labor and liberal spokesmen view this prosecution as the result of an agreement between Daniel J. Tobin, President of the AF of L Teamsters International and the FBI to prevent the mem-

bers of Minneapolis Local 544-CIO from joining the CIO.

"The cherished freedoms of the American people and the rights of labor are directly imperiled by the precedent set in this case. This is the greatest blow at the Bill of Rights since the infamous Alien & Sedition prosecutions of 1798. These convictions mean the beginning of a blackout for civil liberties and labor's rights in the United States."

CIO Mobilizes to Save the Unions

Administration's Anti-Labor Bills in Congress Threaten Existence of Organized Labor — Would End Collective Bargaining — CIO Representatives Descend on Washington to Fight Boss Measures

WASHINGTON, D. C., Dec. 2—The CIO took the lead this week in Labor's fight against the anti-labor legislation now being hatched in Congress by Democrats and Republicans alike.

A telegram sent by the CIO National Office last Thursday to all affiliated unions asked that three to ten representatives of each International union be sent to Washington immediately "to discuss and take whatever action is necessary." The telegram continued, "Your cooperation and assistance in this regard is essential if labor is to be protected against the early enactment of such repressive legislation."

In answer to this request, over 300 CIO officials met in Wash-

ington Monday and, after a conference, descended on the halls of Congress.

The 300 visited numerous Congressmen and informed them of

The Same Smith!

The first bill which will

(Continued on page 2)

Tobin-FBI Frame-up Fails to Snare Five of Six 544 Board Members; Others To Be Sentenced Monday

Goldman Speech p. 3

Acquitting all defendants on the first count in the indictment charging "conspiracy to overthrow the government by force and violence," the Federal jury in the "sedition" case Monday evening found 18 of the 23 defendants guilty on the second count, under the Smith "Omnibus Gag" Law, of "advocating the desirability of" armed revolution. The jury recommended leniency.

Convicted thus under the anti-free-speech Smith Law are V. R. Dunne, Farrell Dobbs, Carlos Hudson, Carl Skoglund, Clarence Hamel, Edward Palmquist, Harry DeBoer, Jake Cooper, Emil Hansen, James P. Cannon, Albert Goldman, Grace Carlson,

Felix Morrow, Karl Kuehn, Ma Gxeldman, Oscar Coover, Alfred Russell and Oscar Schoenfeld.

The defendants, supported by labor and civil rights groups, immediately announced they will appeal the verdict to the higher courts. Saturday morning defense attorneys will appear before Judge Mathew M. Joyce to present motions for a new trial. Should the motions be denied, the case will be speedily appealed, with a chance that the circuit court may refer

it directly to the U. S. Supreme Court, where the constitutionality of Poll-Tax Smith's Gag Law, passed in 1940, will be tested.

The jury's verdict acquitted five defendants of all charges—Miles Dunne, Ray Rainbolt, Kelly Postal, Roy Orgon and Harold Swanson. Of the original twenty-nine defendants, one, Grant Dunne, committed suicide and was buried with military honors in the war veterans' cemetery at Fort Snelling. Five others were freed by the judge during the trial, when it was seen the prosecution had no evidence against them; they are George Froisig, Walter Hagstrom, Nick Wagner, Dorothy Schultz and Rose Seiler.

544 Board Members Freed

With the trial having run its course, five of the six indicted members of the Local 544-CIO executive board stand free of all charges. To this extent, the frame-up engineered by Dictator Daniel J. Tobin with the aid of the FBI was frustrated. Instead, these 544-CIO board members are back on the firing line, urging labor to support their fellow-defendants in appealing the case to the higher courts, and laying plans to extend the fight of the drivers against Tobin's dictatorship.

Following are the trial's results for the six executive board members of 544-CIO who were indicted:

- President Miles B. Dunne—freed of all charges;
- Vice-President George Froisig—freed previously by judge for lack of evidence;
- Secretary-Treasurer Kelly Postal—freed of all charges;
- Recording Secretary Ray Rainbolt—freed of all charges;
- Trustee Nick Wagner—freed previously by judge for lack of evidence;
- Trustee Emil Hansen—freed of "conspiracy to overthrow government" charge, but convicted of violating the Smith Gag Law.

The freed executive board members of 544-CIO issued a statement after the verdict, pledging solidarity and support to their fellow-defendants, and charging Tobin with responsibility for the trial.

Jury Out 56 Hours

The jury of eleven men and one woman, predominantly composed of small-town businessmen, filed into Judge Joyce's courtroom at 8:20 Monday night to deliver its verdict, having been out since Saturday noon. The jury looked anywhere except at the defendants, and that told the tale.

By acquitting all defendants of the first count of the indictment, the jury signified it gave no credence to the charges framed by Tobin and the Department of Justice that Local 544's Union Defense Guard was formed "to overthrow the United States Government by force and violence."

Law Violates Constitution

The Smith Omnibus Gag Law, basis for the second count in the

indictment, is a clear violation of the Bill of Rights, in that the law denies the rights of free speech, free press and freedom of assembly.

Last summer, when the Tobin-Roosevelt frame-up was in its early stages, ranking officials in the U. S. Department of Justice privately admitted to the correspondent for the NATION magazine their belief that the Smith Gag Law would be found unconstitutional by the U. S. Supreme Court.

Both the Civil Rights Defense Committee and the American Civil Liberties Union this week expressed their determination to join with labor in appealing the verdict against the 18 defendants all the way to the Supreme Court. Should the high court find the Smith Law unconstitutional, convictions against the 18 would be dismissed.

"If these convictions (in Minneapolis) are allowed to stand, the Smith Act will be a dangerous weapon against civil rights of labor and radicals of all varieties," Roger Baldwin and Arthur Garfield Hays, executive director and counsel for the American Civil Liberties Union, said in a joint statement Tuesday.

The Smith Law is, in essence, a political gag law, which would render "criminal" the mere voicing of socialist doctrine in America. It abridges the first article of the Bill of Rights of the American Constitution, which reads that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

Tobin Wanted Trial

The "sedition" trial, completed Monday, was unique in several respects.

It was a mass trial, of the sort customarily associated with the administration of "justice" in fascist countries, involving originally 29 defendants.

The trial followed an appeal by Daniel J. Tobin to President Roosevelt for aid against the Minneapolis drivers, after the latter had voted at their regular membership meeting last June 9th to leave the AFL and affiliate to the CIO.

Chief prosecution witnesses against the defendants were 21 Tobin payrollers and supporters, and two FBI agents. The Tobin-paid witnesses admitted that as far back as February, FBI agents were attending the Tobin "Committee of 99" meetings, where plans were laid to "get" the 544 leadership, and stifle democracy among the drivers.

Throughout the trial, the defendants acted as a unit, eating together in a commissary established by the Civil Rights Defense Committee, conferring and deciding the direction to be taken by defense counsel.

Judge Joyce will sentence the 18 on Monday.

Guard Charge Is Thrown Out

In acquitting all defendants on the first count in the indictment, the federal jury acquitted them of Point 10 of Count 1, which stated that the Union Defense Guard "would ostensibly be used for protection against violent attempts to destroy trade unions, but were in truth and fact designed and intended to be used ultimately to overthrow by force the government of the United States."

In thus absolving the Union Defense Guard, the jury pulled the last prop out from under U. S. Attorney-General Biddle's claim that this prosecution was not aimed against free speech.

In his letter of Sept. 4 to the American Civil Liberties Union, Attorney-General Biddle justified the prosecution on the ground that the formation of the Minneapolis Union Defense Guard constituted "arming workers" to carry out the revolutionary doctrines of the Socialist Workers Party. "This overt act," wrote Biddle, "arming workers to carry out the purpose to which the (sedition) utterances are addressed, is clearly sufficient to remove the case from one involving expression of opinion . . ."

Facts on the Smith Act

All the leaders of the CIO could be indicted under the Smith Act of 1940, under which the 18 were convicted. This act, which has been interpreted by the Department of Justice to prohibit any criticism of conditions in the armed forces as "incitement to mutiny," could easily be made to include the CIO convention's protest against training soldiers in strike-breaking tactics or the protest of Negro and labor organizations against Jim-Crow practices in the Army, Navy, and Air Corps.

The Smith Act makes it a penal offense to ADVOCATE a revolutionary change in the government or to criticize conditions in the armed forces. It is the first federal law which makes mere advocacy of ideas a felony. Virtually every labor and liberal organization, including the CIO, AFL, American Civil Liberties Union, has attacked the Smith Act as a clear violation of the Bill of Rights of the United States Constitution.

Said Representative Martin of Colorado about the Smith Act, "It is enough to make Thomas Jefferson turn over in his grave. It is without precedence in the history of labor legislation. It is an invention of intolerance contrary to every principle of democracy."

The American Civil Liberties Union pleaded with President Roosevelt to veto the Smith Act on the ground that it was unconstitutional and "would become an instrument of oppression against unpopular minorities and organized labor." President Roosevelt nevertheless signed it.

All 23 Defendants United Behind Appeal



Eighteen of the 23 defendants in the "sedition" trial were found guilty Monday night of "advocating the desirability of overthrowing the government by force." The five defendants acquitted—Miles Dunne, Kelly Postal, Ray Rainbolt, Roy Orgon and Harold Swanson—immediately issued a statement pledging their solidarity and support to their eighteen convicted fellow defendants in appealing the convictions to the higher courts. Above are seen all 23 defendants: TOP ROW (left to right): Miles Dunne, president, 544-CIO; Oscar Coover, secretary, Minneapolis Socialist Workers Party branch; Kelly Postal, secretary-treasurer, 544-CIO; Oscar Schoenfeld, organizer, former Youth Section of 544's Federal Workers Section; Carl Kuehn, secretary, FWS; Max Geldman, or-

ganizer, FWS; MIDDLE ROW: Jake Cooper, truck driver; Edward Palmquist, chairman, 544 FWS; Ray Rainbolt, recording secretary, 544-CIO; Harry DeBoer, organizer, 544-CIO; Farrell Dobbs, national labor secretary, SWP; Roy Orgon, truck driver; Clarence Hamel, organizer, 544-CIO; Carlos Hudson, managing editor, Industrial Organizer; Emil Hansen, trustee, 544-CIO. BOTTOM ROW: Al Russell, former drivers' organizer in Omaha; Carl Skoglund, organizer, 544-CIO; Harold Swanson, trade unionist; Albert Goldman, attorney for SWP; James P. Cannon, national secretary of SWP; Felix Morrow, editor of The Militant and Fourth International.

Minnesota Negroes Reject Stassen's Jim-Crow Program

Governor Attempts to Evade Law Suit With Proposal to Establish Separate Negro Unit in Home Guards — Turpin Will Press His Suit Against Stassen

Both the Minnesota Negro Defense Committee and Lee Kenneth Turpin, a St. Paul Negro youth who is suing Governor Stassen and his military aides to force the acceptance of Negro enlistments in the state home guard, indicated this week their complete dissatisfaction with the proposal of the Stassen group to establish a separate Negro unit as part of the home guard.

"This would create a Jim Crow outfit," Mr. Turpin stated. "It is unlawful, discriminatory and un-American, and is an attempt to bring to Minnesota the antiquated practices and prejudices of the Deep South. Under no circumstances will I enlist in a separate Negro unit."

The brazen Stassen proposal for a Jim Crow unit was made after Turpin had launched a law suit in Federal Court in St. Paul against the governor and his military adjutants, to force the acceptance of Negro enlistment in the Minnesota home guard. For months Turpin and other Negro citizens have been denied admission on the ground of their African descent and notwithstanding State and Federal laws prohibiting racial discrimination.

Suit Will Continue

Attorneys Jonas Schwartz and Charles Halpern who are representing Turpin in the Federal suit, announced this week they will proceed with the case against Stassen and are prepared to prosecute it to the United States Supreme Court if necessary.

Negro Press Opposes Stassen

The Minneapolis SPOKESMAN, leading Negro organ in this area, indicated editorially last week that the governor's plan to slide out of the suit by establishing a Jim Crow unit was unacceptable.

"After the Defense Committee entered the picture it was too late to set up a Jim-Crow unit," the SPOKESMAN stated. "The governor knew that it was poor business and the Defense Committee was in no position to accept anything less than integration of Negroes in established units. He (Governor Stassen) could have established in the minds of 13,000,000 people of the country and their white well wishers that he was a man who believed in fair play for Negroes as well as whites. He could have accomplished this with the possible disaffection of a few of his top officers who are imbued with theories of the ruling southern-cracker clique which is in the saddle in the army. The average white private in the ranks of the Minnesota Home Defense would have little objection to serving the common cause alongside his colored brother. Every nationality that makes up this state's population is in the Home Defense Force but Negroes. . ."

Forum Supports Fight

Last Sunday the Minnesota Negro Defense Committee sponsored an interesting open meeting at the Hallie Q. Brown settlement house in St. Paul, to take up the question of discrimination against the

Profits Up 41% Over Last Year

"Net profits of a broad list of 401 commercial and industrial companies during the third quarter of 1941 were 41 PER CENT LARGER than one year earlier," the monthly review of the Federal Reserve Bank of New York reported Monday.

Profits last year, in turn, were enormously higher than those in 1939. Each month that the war continues finds more swollen the golden stream of profits flowing into the coffers of America's Sixty Families.

Lawson Disgrace to Labor

In sharp contrast to the progressive CIO stand was the cowardly and evasive stand taken by George Lawson, secretary of the Minnesota State Federation of Labor and one of the speakers Sunday.

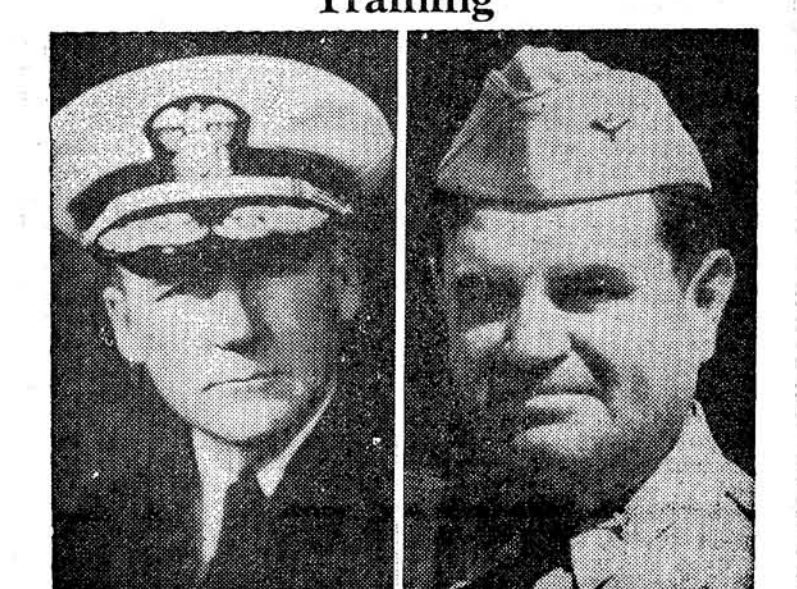
All Lawson found to say to the audience was, "Of course, there is discrimination in our AFL unions, but I cannot do anything about it. You must get the members of the American Federation of Labor to understand that discrimination is wrong. Don't ask labor officials to do something until the unions understand."

It is one of the oldest tricks of the labor faker to hide his unwillingness to fight for a progressive cause, by attributing his own backwardness to the workers whom he is supposed to lead. When it comes to fighting for a reactionary cause, such as supporting the imperialist war program or protecting the Stassen Slave Labor Law, Mr. Lawson is right out in front, presenting his recommendations to the movement he heads.

Lawson's real reason for refusing to take up the cudgels for the colored worker is that he is unwilling to fight for an extremely oppressed section of the working class. His boss-minded stand on this question is an affront to every worker in the state, and a challenge to progressives to remove him from a post which he uses to alienate allies of the labor movement.

TALKING LIKE RADICALS
The American people produce annually two billions more of wealth than they consume. — Chauncey Depew.

Why Union-Controlled Military Training



One of the charges under which the 18 were convicted in Minneapolis is that they advocated that workers should receive their military training, not under the present reactionary army corps, but under their fellow workers trained as officers in special camps set up at government expense.

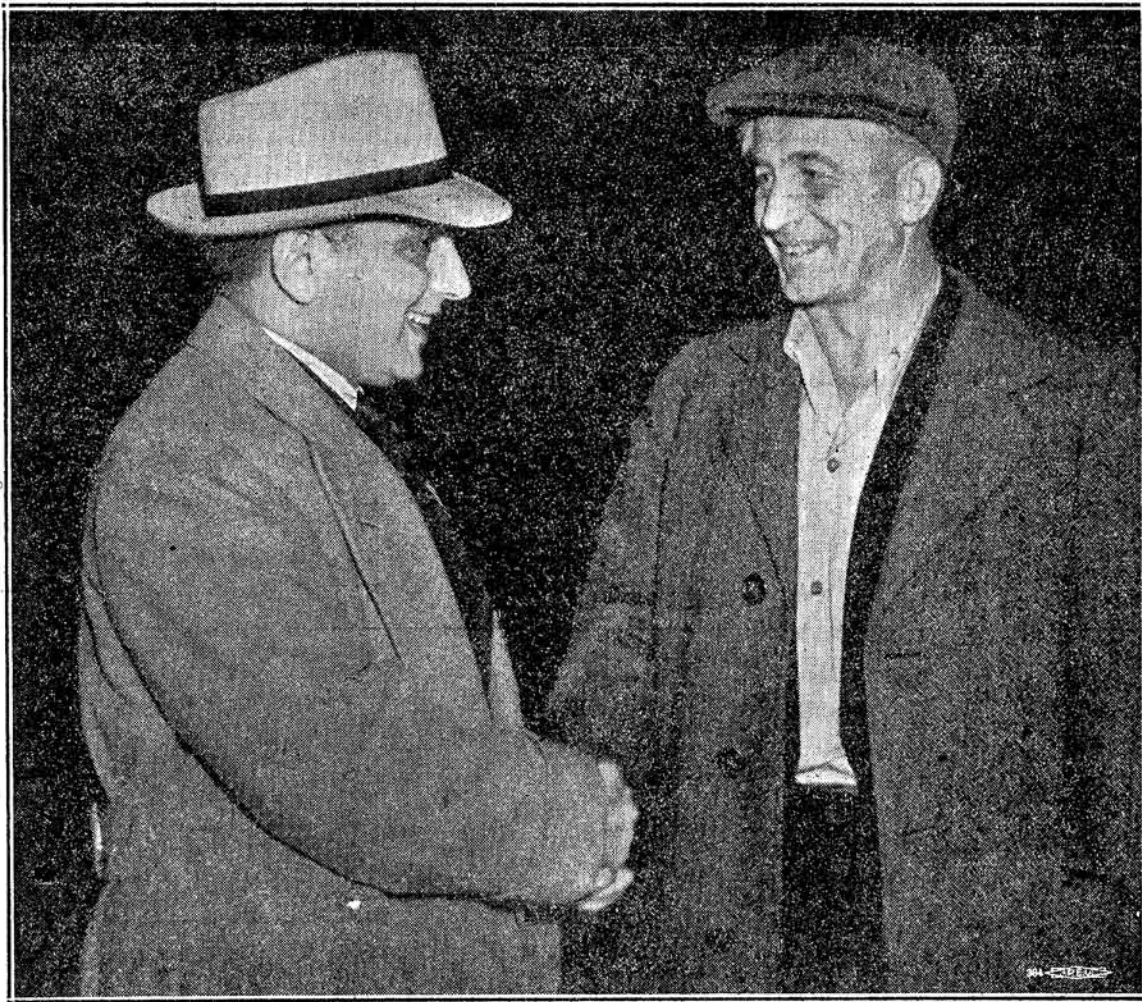
Rear Admiral W. H. P. Blandy (left), who advised workers at Macon, Georgia: "IF YOU ARE APPROACHED BY ANY UNION ORGANIZERS, I HOPE YOU WILL RIDE THEM OUT OF TOWN ON A RAIL!" At right is Col. E. W. Duncan whose attacks on labor were condemned by the Denver Building Trades Council.

When the Workers Defense League protested to Sec. of the Navy Frank Knox against Admiral Blandy's pro-fascist utterances, Knox replied he is in "thoroughgoing accord" with this incitement to violence against unions.

The incident furnishes an additional argument for labor's demand that workers should receive military training in camps controlled by the union movement and financed by the federal government, and that special camps be set up at government expense to train union men as officers.

The Blandys and Knox's won't fight fascism to the death. They will come to terms with fascism, just as their sort did in France and Norway.

Congratulated on Acquittal



Kelly Postal, (right) secretary-treasurer of Local 544-CIO, receiving congratulations from union attorney David Shama on his acquittal of the charges placed against him and other leaders of 544-CIO and the Socialist Workers Party by Dictator Tobin and Roosevelt. Miles Dunne, president of 544-CIO; George Froisig, vice-president; Ray Rainbolt, recording secretary; and Nick Wagner, trustee, were also acquitted in the "sedition" trial. The leaders of 544-CIO pledge themselves to carry on the fight for the acquittal of their brother defendants, and for the drivers of Minneapolis and the area.

CIO Mobilizes to Save the Unions

(Continued from page 1)
come up in the House of Representatives is sponsored by Poll-Tax Rep. Smith of Virginia — the same labor-hater who authored the Smith Act of 1940, under which the leaders of Local 544-CIO

were prosecuted in the "sedition" trial. Smith's bill would "freeze" the open shop in all war industries "for the duration." The unions would be prevented from even asking for the closed shop.

All mass picketing would be barred under his bill and strikes could take place in a government-supervised secret election. Thus not the unions, but the government, would determine who is eligible to vote for or against strikes.

Smith's bill would also require the trade unions to incorporate and publish an accounting of their funds. The fact that all democratic unions account for their funds to their members is not enough for this rabid labor-hater and his Congressional clique. They would make it mandatory for the unions to open their books and membership records to the inspection of the bosses.

Other Vicious Bills!

These are other measures introduced in Congress which are even more reactionary than the Smith bill!

Poll-Tax Representative Russell of Texas has introduced a bill calling for the death penalty for those who "foment" strikes.

Representative Hoffman of Michigan has sponsored a bill that would impose compulsory military service on all strikers; those strikers would be assigned to forced labor on war production at army pay.

Senator Bailey would impose a \$10,000 fine and ten years imprisonment upon those "who direct, order or encourage any employer or employees . . . to do any act or fail to do any act which has the effect of stopping, delaying or retarding defense production."

Federal Stassen Bill

The Senate Education and Labor Committee has reported favorably on the bill introduced by Senator Ball of Minnesota. Minnesota workers will understand what this bill is when they learn that it is modeled after the Stassen anti-labor legislation now in effect in Minnesota.

Senator Ball would place the same restrictions all over the country on the right to strike that have been shackled on the Minnesota workers. Like Stassen, Ball would force a 30-day "cooling off period" of compulsory mediation before the workers could go on strike. Official notices of intention to strike must be filed; rejecting

the notices on one technical pretext or another would prevent strikes, as Stassen does. The fact that the Stassen-Ball bill has been favorably reported by the Senate Committee means that it has the probable support of the administration.

Roosevelt for Curbs

President Roosevelt has declared his readiness to support anti-strike legislation and impose governmental control over the unions.

The administration and the labor-hating Congressmen waited until the Detroit convention of the CIO was over before they opened their drive for repressive anti-labor legislation. They didn't dare to push their bills when the representatives of 5,000,000 CIO workers were in session and mobilized to fight against any attacks on labor's rights.

The administration spokesmen and Congressmen now give as an excuse for their repressive legislation the recent strike of the coal miners. The fact is that these measures were written and many of them introduced long before the strike took place. The labor-haters had hoped that by intimidation they could force the unions to give up, even without a struggle, the right to strike.

CIO Will Fight

The miners' strike made clear that the CIO would fight to the death to defend the rights that have been won by labor through more than 50 years of bitter struggle.

The CIO conference in Washington serves warning on the administration and Congress that the CIO will continue to defend those rights. If all the local unions throughout the country rally actively to support of the CIO in this struggle, Congress can be stopped from curbing the rights of labor.

It's PAY-DAY for SAVINGS!
On January 1st our members will receive the 33th consecutive semi-annual dividend paid by Twin City Federal . . . at our current rate of 3%.
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544-CIO Installed In New Quarters

Members Complete Moving Job to New Union Hall on 9th Street

With the aid of a group of members, officers and staff members of Local 544-CIO last Sunday completed the arduous job of moving the union's property and equipment from the old headquarters on 2nd Street North to the fine new hall at 9th Street and 12th Avenue South.

Following installation of the necessary equipment in the Local 544-CIO office on the main floor, the group made a tour of inspection of

the building. Available to the union are several offices, smaller meeting halls, a diningroom and kitchen with modern equipment and a large auditorium on the second floor, with a balcony, commodious shower baths, a stage, etc.

The building is in shipshape condition with ample parking space available.

Local 544 - CIO's new phone number is AT-lantic 4911.

Tobin Gunmen Bound Over to District Court

George O'Brien and Axel Soderberg, Neal's Trustee and Organizer, Face Trial for Shooting Farmer

HILL CITY, MINN.—Two Tobin gunmen who participated in the murderous attack on Walter Doree, Hill City farmer, last July, appeared before Justice W. F. Hudson early this week, and were bound over to district court, where their trial was set for December 10th.

After weeks of practicing violence and terrorism upon the Minneapolis truck drivers last summer, the Tobin goons drove to Hill City where they entered Doree's farm, attacked the farmer and shot him in the stomach. Doree will recover from his wounds. The Tobin officials had been drinking, it is said, before they opened fire on the farmer.

The Minneapolis Teamsters Joint Council, by its silence, has condoned the murderous acts of Soderberg and O'Brien. Bail for the pair was put up by Tobin through a devious plan whereby about fifty of Tobin's "organizers" were paid an extra two-week's vacation, with the stipulation that the money must be turned over to bail out the goons.

Were Imposed on Drivers
None of the motley Tobin crew could ever get elected to union

office in the fair-and-square democratic elections held in the real Local 544. Not until Tobin clamped a dictatorship over the Minneapolis drivers were O'Brien, Soderberg and their ilk appointed to office in "544"-AFL. All attempts of the rank-and-file to oust such false leaders and obtain union elections, as a step towards breaking Tobin's dictatorship, have been squelched by Tobin and his dictator-receiver, Raw Deal Neal.

"Any of you lads know anything about shorthand?" asked the sergeant to a bunch of recruits. There was a lively response. Six beaming youngsters fell out at once.
"Fine. They're shorthanded in the cook house."
So the six spent the morning peeling potatoes.

Judas' Reward

What is the reward of one of the 21 Tobin payrollors who testified against the defendants in the "sedition" trial? For the edification of our readers and the rest of the labor movement, we recite the bare facts concerning one Walter Stultz, prosecution witness.

Stultz is the former president of the AFL Teamsters Local 554 of Omaha, Nebraska. He was brought directly to the courtroom from the Federal prison at Sandstone, Minnesota, where he was serving a two-year sentence for alleged violation of the interstate commerce laws.

On the stand, Stultz uttered the customary Tobin lies about the defendants. On cross-examination he admitted that both he and his wife are still on Tobin's payroll.

Now for the interesting facts.

Stultz' two-year sentence in Sandstone does not expire until September, 1942. Even if he received maximum time off for good behavior, his sentence would not be completed until March, 1942. TODAY, HOWEVER, WE HAVE JUST HEARD FROM OMAHA, WALTER STULTZ IS BACK HOME, FREE AS AIR.

Court Review of Blair's Ruling Starts Saturday

District Court to Hear CIO Demand That Blair's Crooked Decision Be Set Aside and Elections Granted

With all but one of the executive board members of Local 544-CIO acquitted in the "sedition" trial, and now free to devote themselves to the defense of their fellow defendants and to lead forward the fight of the Minneapolis drivers against Dictator Tobin, 544-CIO and its attorneys are preparing for the next stage in overthrowing the Tobin dictatorship.

Next Saturday, December 13th, in District Judge Loevinger's courtroom in Ramsey county, the union will begin presenting its case for the overthrow of the crooked Stassen-Blair ruling denying democratic elections to the Minneapolis drivers. The hearing, originally set for November 29th, was postponed two weeks because union leaders and union attorneys were still active in the "sedition" case.

Since 544-CIO initiated legal action against the Blair ruling, the ambitious Blair has resigned his job as Stassen's state labor conciliator to take the post of "labor relations expert" with the labor-hating Gamble-Robinson corporation. Blair's new corporation post was arranged for him by Tobin and Stassen, as a reward for Blair's dishonest and undemocratic decision denying the Minneapolis drivers their right to vote for the union of their own choosing.

Blair's successor, James Kelley, a man of the same stripe, will defend Blair's ruling against 544-CIO.

THEY'RE BOLDER TODAY
The American man in the Sevantes still was skulking behind the barricade of their whiners. . . so much sham and cowardice were rampant in the land that men did not dare to show their naked faces. —William Allen White.

Stanley Clark, Old Militant, Dies in West

Stanley J. Clark, for years a well-known socialist orator, died in Oklahoma City October 18th.

Clark was among the first one hundred I.W.W. members sent to federal prison for his anti-war activities during the First World War. He is remembered by many workers as a socialist orator of the old school, and a militant labor organizer.

The body was taken to Kansas City for cremation by his lifetime companion, W. J. Loe, a fellow socialist.

Packard Local Blasts Tobin, Backs UCWOC

Another big United Auto Workers local to throw its support behind the organizing drive of the UCWOC is Packard Local Union 190, Detroit, Michigan.

This local also in the same resolution strongly condemned the Tobin AFL Teamsters for their strike-breaking activity at the Detroit Sears-Roebuck plant which had been organized by the CIO.

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Licensed Under Minnesota Small Loan Act
Household Finance Corporation maintains offices in Minneapolis, St. Paul, Duluth, Hibbing, Marquette and Moorhead.

Goldman Explains Trade Unionism to the Jury

Chief Defense Counsel's Final Argument Brands Tobin Witnesses as Perjurers

In his masterful summary to the jury, Albert Goldman, defense attorney, spoke at length on the trade union policy and practices of the defendants, contrasting them with the policies and practices of Tobin and his "Committee of 99."

Because Goldman was able to illuminate so well this question, the central issue in the trial, we print below lengthy excerpts from a speech that will go down in labor history as a great example of the way in which militant workers defend themselves against a reactionary government:

More time, ladies and gentlemen of the jury, was spent on the trade union question in this case than on any other single question, including the central issue of the case as to whether or not there is a conspiracy to overthrow the government by force and violence. And I am not surprised at that. I expected it, because the trade union question has far more to do with this case than the question of the overthrow by force and violence of the government of the United States.

Consider the chief witnesses for the government—who they are, what they are doing now, what role they played in Local 544 before the indictment—and the conclusion is inescapable that this trial is essentially a contest between two factions in the union, with the government being part of one faction. I dare anyone to attempt to disprove that statement. Of course counsel for the government cannot admit that and they must try their best to disprove it. They must repeat over and over again: This case involves only the question of whether or not the defendants violated certain sections of the law. But all in vain! No matter what the government says, it cannot escape from the facts.

Therefore, I hope that you forgive me if I deal with the question of trade unionism, as it is involved in this case, quite extensively.

What did the government try to prove by introducing the question of trade unionism? It tried to prove that the defendants and the Socialist Workers Party aim to gain control of the unions and to utilize that control for the purpose of getting the masses organized into unions to take up arms against the government. That in essence is the government's position.

Let us, then, analyze the evidence to see whether the government has succeeded in proving its contention. Mr. Anderson, in his opening statement, made it clear that his evidence would prove that the Socialist Workers Party conspired to dictate to the unions and to utilize the unions as instruments for the purpose of furthering the central aim of the party, to wit: to overthrow the government by force and violence. No other purpose was attributed to the Socialist Workers Party as far as the trade union question is concerned.

And then the parade of government witnesses began and on the basis of the testimony of those witnesses it could be deduced that the aim of the Socialist Workers Party in working within the unions was altogether different from that which Mr. Anderson indicated it was. Dictate to the unions! How could the Socialist Workers Party dictate to the unions of this country? Even on the basis of the testimony of the government's own witnesses, as elicited from them through cross-examination, it became clear that the Socialist Workers Party never could and never did try to dictate to the unions. And when you take into consideration the evidence of the defendants, then you can see that all that the Socialist Workers Party aimed at was to have its members work in the unions, do the best they can for the workers and the unions and thus gain influence with the workers.

All Parties Seek Union Influence

To work in the interest of the workers and the unions and thereby win the confidence of the workers and be elected to offices in the union, is a right which I shall defend day in and day out. Every person living in the United States, every group in this country, has a right to do exactly that. And as for us, we intend to exercise that right. It is unquestionably true, ladies and gentlemen, that the Socialist Workers Party would like to have great influence in the trade union movement so that it could persuade the workers to follow socialist ideas. Unfortunately for us and much to be regretted by us, is the fact that our influence in the trade union movement is very limited.

Every political party desires to get control of the unions. The question always is, for what purpose and in what manner? Can it be denied that the Democratic Party would like to get and retain control of the trade union movement? Can that be denied of the Republican Party or any other party? Of course not. Every political party attempts in various ways to get support in the trade union movement and as far as the Republican and Democratic Parties are concerned, they succeed in getting control of the union movement through tying themselves up with the bureaucrats who lead that movement.

The trade union movement is the most powerful institution in this country. Why? Because it includes in its ranks vast numbers of industrial workers and railroad workers and is thus able to continue or to stop production. If the trade union movement had leadership with social vision, it could easily solve the problems of this country; but unfortunately the leadership is still in the hands of narrow and bigoted men.

The Socialist Workers Party supports the trade union movement against the employing class, even though certain sections of the unions are led by the type of men whom we designate as racketeers. We have so much faith in the essential correctness of the trade union movement—so much faith that the workers ultimately will throw the racketeers and bureaucrats off their back—that we support the trade union organizations. As it was said several times by government witnesses who did not understand the significance of their testimony, the defendants are always in favor of the workers as a class, against the employers as a class. To us, the workers who create the wealth of society are always right against the employers who get the benefit of that work. That is why we support the workers against the employers even though the workers at times are led by people in whom we have no confidence whatever. It has been sufficiently brought out in the evidence that we do not have any confidence in Tobin, yet we would unhesitatingly support the International Teamsters under the leadership of Tobin against the employers.

Do we then attempt to control the trade union movement? If by that is meant that we send our members into the trade unions with instructions to work in the interest of the members of the trade unions and to win the confidence of every worker and to be elected to office, then we must admit that we try to control it. But only in that sense and in no other sense. The history of Local 544 conclusively proves our contention that our work in the trade union movement is of that nature.

Why Socialists Support Unionism

We are interested in bringing immediate benefits to the workers. Does it appear to be contradictory that socialists work to bring immediate benefits to the workers and at the same time look forward to a revolutionary situation when the masses will be dissatisfied with the dreadful conditions confronting them? Why is it that we try to improve the conditions of the workers?

Albert Goldman, Labor Defender

As he turned to the jury and delivered his final argument, Albert Goldman was an impressive figure. His iron-gray hair, crowning his scholarly face, testified to the fact that he had grown old beyond his years, in serving the labor movement.

Even more impressive, however, is the actual record of Albert Goldman's service as a labor defender. Beginning as a clothing worker in Chicago, he became a lawyer, not for gain but to serve the labor movement.

Hundreds of thousands of Chicago workers know him as the man who, in scores of cases, defended strikers, unemployed demonstrators, free speech

fighters and aliens threatened with deportation.

In Gastonia, North Carolina, in the cases arising from the great textile strike of 1928; in Sacramento, California in the famous 1934 "criminal syndicalism" case against the agricultural workers; in the cases arising out of the great 1934 Minneapolis drivers' strikes—wherever oppressed workers needed a defender, Goldman went.

Minneapolis workers remember Albert Goldman best for the great oration he delivered before ten thousand workers in August, 1934, at the funeral of the martyr Henry Ness, who, with John Belor, was murdered by Minneapolis cops' bullets.

Remember that our object is to win the confidence of the masses and to do so we must work for immediate improvements in their conditions. We must show them that their poverty and suffering is not brought about by anything they do, but by the existence of the capitalist system, by the greed of the capitalist class. We must show them that what we are interested in is in improving their conditions.

But we also tell the workers that no matter how much we try to improve their immediate condition, the social system under which they live makes it impossible in the long run to achieve any real improvement. Whether the workers like it or not, they will ultimately find themselves in a situation under the present social order when there will be no solution except to change that social order.

Under the strict rules of evidence in this court it was impossible for us to prove how much the defendants have

THE TRADE UNION RECORD OF THE DEFENDANTS

The defendants won the confidence of the truck drivers because they represented their interests. The truck drivers, who know nothing about socialism and surely nothing about Trotskyism, know the Dunes, know Dobbs, know Skoglund and all the other defendants, as people who are absolutely honest and sincere in their work. They know them personally and they understood that the defendants were working for the interests of the truck drivers.

Witness after witness for the government testified that they had been in opposition to the defendants, that they ran candidates against them in the elections of Local 544 but no one dared even to suggest that the defendants were not rightfully elected. The overwhelming testimony on the part of the government witnesses was to the effect that the defendants controlled Local 544 not by force, not by compulsion, but by virtue of winning the confidence of the men and of being elected to office in a most constitutional and democratic manner with the rights of free speech and free criticism allowed to all opponents.

The membership of the truck drivers rose from 200 in 1934 to 5,500 and more. Why do you think the truck drivers flocked into the union? Was it because the defendants were socialists or Trotskyists, or was it because the vast majority of the members understood that they gained something practical by being in the union?

There were, of course, people like the government witnesses who were not satisfied with Local 544 and its leadership. As I told you, modern society is constituted on the principle of "dog eat dog." There are many who try to benefit themselves at the expense of others and that is true of some people in the trade union movement. There is, in fact, no escaping from that principle anywhere under the present social system.

How the Party Helped the Unions

Two government witnesses came from Omaha. They were honest witnesses. These witnesses—Tommy Smith and Malcomb Love—testified that they joined the party not because they understood the principles of the party but because they knew Dobbs and they knew the Dunes and it was Tommy Smith, I think, who said that the leaders of Local 544 were "labor-minded"; they were "the only ones who helped other unions organize the unorganized." Dobbs went into one city and another helping his fellow workers and Tommy Smith said: "I joined not because I knew anything about socialism but I knew the leaders of Local 544; I knew how honest they are and I figured that what is good for them is good for me."

Even the hostile government witnesses had to admit that the Socialist Workers Party members were always will-

THE DEFENDANTS AND UNION DEMOCRACY

How did the members of our party who were in the leadership of Local 544 exercise control of the union? What is the policy of the Socialist Workers Party with reference to the method of controlling unions? You will find that policy explained in the Declaration of Principles and in the pamphlet on trade unionism written by Farrell Dobbs. Complete inner-democracy in the trade unions is stressed both in the Declaration and in Dobbs' pamphlet.

Unfortunately there is very little democracy in the trade union movement. There is practically none where men like Tobin rule. But wherever the Socialist Workers Party members are elected to office they see to it that the members of the union have full democratic rights.

We have a firm and undying conviction, ladies and gentlemen, that without the understanding cooperation of the masses of the people there can be no progress; there can be no real progress if people do blindly what they are told to do, no matter how good the intentions of the leaders may be. There can be no real progress under the rule of dictators no matter how benevolent they may be. There can be progress only if the masses understand what they are doing, understand their rights and exercise those rights—only if the masses take control of their own fate and destiny—and this can be done only through education and the democratic process.

By the testimony of the government's own witnesses it was shown that in Local 544, under the leadership of some of the defendants, there was complete democracy, complete honesty and the local was completely free of gangsterism and racketeering except insofar as some of the government witnesses tried to get away with certain racketeering practices.

Oh yes, we were in favor of strikes. Mr. Anderson, in his opening statement, evidently with the intention of startling the jury, accused the defendants of never being satisfied, of constantly agitating for higher wages and more strikes, never wanting to arbitrate or to negotiate. But what has the evidence shown? The defendants, of course, have called strikes, but only after all attempts to negotiate with the employers have ended in failure. As far as Local 544 is concerned, the evidence shows that since 1936 there has not been a single major strike—the

done actually to improve the conditions under which the workers labor. But enough has been permitted into evidence to show beyond the peradventure of a doubt that the activities of the Dunes brothers, of Farrell Dobbs, of Carl Skoglund and of every other defendant who is a member of Local 544, aided the truck drivers in getting improved conditions. Can there be the slightest doubt of that? Who built Local 544? The defendants, members of Local 544, played by far the most important role in organizing the truck drivers. The evidence is overwhelming that in their activities the defendants were motivated by the fundamental aim of improving the conditions of the truck drivers and other workers and, what is more, they did succeed in improving the conditions of the workers in Minneapolis. You do not have to take our testimony for that, but the testimony of the witnesses for the government.

ing to help the unions. Stultz from Omaha was a hostile witness but, not being as shrewd as Bartlett, he admitted the truth. He testified that Alfred Russell wrote letters for Local 554 in Omaha, that Russell helped negotiate with employers and that Russell and other members of the party edited a union paper to present the case of the workers to the public. The workers in the union could not write and could not edit a paper because they did not have the benefits of a formal education. It is not their fault. It is the fault of a system that condemns youngsters to go to work at the age of 13 and 14; it is the fault of a system that prevents youngsters from attending high school and college.

Tommy Smith testified that the Omaha union needed somebody to present the side of labor; the employers had no difficulty in finding people who could write for them—they had money to hire such people—but the workers didn't have any money and so they had to depend upon members of the Socialist Workers Party, members who were willing to work for little or nothing in order to serve the interests of the workers. We shall admit that our members in helping workers always have in mind to convince the workers that the ideas of socialism are correct, but it is untrue that they go into the unions only with that purpose. They constantly have the welfare of the workers at heart.

Mr. Anderson naively asked the following question: "What business had the Socialist Workers Party to organize the Federal Workers Section? Should not the government be trusted with taking care of relief clients?" And by the government, I presume, Mr. Anderson means the people who have charge of WPA and the relief set-up. No, Mr. Anderson, it is obvious that the 2,000 members of the Federal Workers Section did not have sufficient confidence in the government officials. Out of these 2,000 members, there were probably no more than half a dozen or so members of the Socialist Workers Party.

The fact that 2,000 men and women considered it necessary to become members of the Federal Workers Section proves conclusively that they thought the organization to be of great benefit to them. These men and women recognized that to protect their interests, it is necessary to organize and exert legal pressure upon government officials who otherwise would neglect their duties.

It has been the universal experience of all people, that the government gives aid only to those people who are organized. The farmers organize, and if they don't—they should. The same is true of the small business men. The workers organize and the unemployed have a right and a duty to organize.

THE TOBIN TRADE UNION POLICY

In contrast to the trade union policy of the defendants, I shall now show you what was the trade union policy of the government witnesses. As I indicated before, this case is nothing but a struggle between two factions in the union with the government siding with the faction consisting largely of the witnesses against the defendants. I will read you, the names of the chief government witnesses and on the basis of their own testimony I think you must agree with me that they constitute the opposition to the leadership of the defendants in Local 544:

James Bartlett—now organizer for 544-AFL.
Eugene Williams—now organizer for 544-AFL.
George O'Brien—now organizer for 544-AFL.
Roy Wieneke—now organizer for 544-AFL.
Tom McCue—now organizer for 544-AFL.
Edward Blixt—now organizer for 544-AFL.

The evidence proves conclusively that the defendants practiced real trade union democracy to such an extent that the vast majority of the truck drivers followed the defendants and would now prefer them rather than have an organization thrust down their throats without any elections whatever.

THE TOBIN TRADE UNION POLICY

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Sidney Brennan—Secretary-Treasurer of Local 544-AFL. These are the main witnesses. Then we come to witnesses of secondary rank: What is their relationship either to 544 or to the power that controls 544? They are:

Walter K. Stultz—he and his wife are receiving pay from the Tobin receiver of 544 in Omaha.

Helen Hanifan—bookkeeper in 544-AFL.
Harriet Karlen—stenographer of 544-AFL.

The following witnesses testified that they were formerly on the Tobin receiver's payroll:

Glen Smith—formerly organizer for the receiver of 544-AFL, member of a squad. What kind of a squad, I think the jury understands. He was the man who beat up Jake Cooper and was proud of it—of course as he said—there were 12 others with him.

Henry Harris—bodyguard for Bartlett.
Jack Novack—member of what he claims to be a negotiating squad. That was the boy who obviously would be unable to negotiate anything with anybody.

The following witnesses are members of the Committee of 99, organized to oppose the leadership of the defendants in 544:

Karl Bath
Robert Bove
(MR. SCHWEINHOUT (prosecutor): Bove was not a member of the Committee of 99.)

MR. MYER: Look on page 1182 of the record, Mr. Schweinhaut.

MR. SCHWEINHOUT: I stand corrected.)

Elmer Buckingham
E. G. Holstein
John Majersky
Joe Williams

All one has to do to become convinced that this trial is nothing but a continuation of a factional struggle over 544, is to read the names of the witnesses.

We must proceed now to analyze the testimony of some of the witnesses for the prosecution but I shall confine myself primarily, ladies and gentlemen, to one witness. I shall deal with the testimony of other witnesses but I shall confine myself largely to the witness who, in the words of Mr. Anderson, "continuously rose in stature during the trial until he reached way beyond the limit of the ceiling." Maybe I didn't understand Mr. Anderson correctly. Maybe he was really sarcastic. You will remember the sarcastic speech made in "Julius Caesar" about Brutus—I have forgotten the name of the orator—where he says "and Brutus was an honorable man"—it isn't difficult to get the sarcastic note in that speech—perhaps Mr. Anderson followed the same line but I am sorry that I did not detect the sarcasm in Mr. Anderson's oration about Bartlett.

BARTLETT IS PROVED A PERJURER

There obviously are times in a man's life when he changes his opinions about important questions. I would be the last man in the world to attack anyone who, after spending a certain number of years in the socialist movement, would finally reach the conclusion that the movement is based on a wrong philosophy.

If Mr. Bartlett were that type of man, I would, of course, regret his leaving the movement. But I would not attack him. If he were that type of man he would never testify against us. He could not possibly be an honest man and testify as he did.

From his testimony Bartlett can be designated as a careerist—a man only interested in carving out a career for himself. He goes from one party to another always with the idea in the back of his mind of assuring for himself a comfortable living.

Why does he claim he left the Socialist Workers Party? Because he found out that we were advocating force and violence. On the face of it, that is unbelievable.

Bartlett is a smart man—he is not an intelligent man—but he is a smart fellow, there is no question about it. Under certain circumstances he would make a good business agent—better perhaps than most business agents. He can read. He testified that he wrote articles for the DAILY WORKER. He admitted that he read the "Communist Manifesto" before he joined the Communist Party. He admitted that he read "State and Revolution" by Lenin before he joined the Communist Party. When I asked him whether he knew that these two books advocated an armed overthrow of the government, he answered in the affirmative; that is, he knew that before he joined the Communist Party. He also admitted that he read a great deal of literature after he joined the Communist Party. He said he joined the Communist Party in 1932 and left it in the middle of 1933 and during this year and a half he read the literature of the party, he made speeches and wrote articles for the DAILY WORKER.

And then he states that he left the Communist Party because he found out that it advocated the violent overthrow of the government. So after reading the "Communist Manifesto" and "State and Revolution," the two documents which, in his opinion, advocated the violent overthrow of the government, it took him another year and a half to find out that this Communist Party advocated that doctrine!

Then in 1936 he comes to Mr. Vincent Dunne, and according to his testimony, Mr. Dunne asks him to join the Socialist Workers Party. At that point I very quietly asked him: "Did Mr. Dunne tell you or give you to understand that the Trotskyists claimed to be the real Marxists as against the Stalinists?" His answer was yes. We think that our party represents real Marxism. As Mr. Dunne has stated on the witness stand, the Communist Party is not a party interested in the working class. It is simply devoted to Stalin. Whatever Stalin says, whatever turns he makes, the Communist Party follows.

But consider Mr. Bartlett's testimony! He says he left the Communist Party because he found out that it advocated the violent overthrow of the government. He comes to our party and knows before joining our party that we claim to be the real Marxists and he also testified that he read books by Marx and Lenin which, in his opinion, advocated the overthrow of the government by force and violence. It must follow then from Bartlett's testimony that he should have known before he joined our party that we also advocated the violent overthrow of the government. But according to his testimony, it took him three years to find that out. He found that out early in 1940 when he left our party. He joined our party in 1936 or 1937 so it took Mr. Bartlett all these years to find that out!

Now, ladies and gentlemen, the dumb government witnesses who follow Bartlett—Novack, Harris and others whose names I don't remember—testified that at every party meeting they attended there was a discussion in which the violent overthrow of the government was advocated. Violet Williams testified that she attended many meetings, heard many lectures, did not remember the subject of the lectures or the contents of the lectures but she remembered in general that we advocated the violent overthrow of the government. So we have people like Novack and Harris and Violet Williams—not very smart—and they find out that we advocate the violent overthrow of the government after attending two or three meetings.

Bartlett—the smart fellow who read the "Communist Manifesto" and the "State and Revolution" before he joined the Communist Party in 1932, who, while he was in the Communist

(Continued on page 4)

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Hollywood Star Joins Defense Committee

Latest national figure to join the national committee of Civil Rights Defense Committee is Melvyn Douglas, well-known Hollywood actor noted for his advocacy of liberal causes. Douglas is expected to address a mass meeting in New York City shortly on behalf of the 18 convicted in the Minneapolis "sedition" trial.

Other prominent persons who have joined the Civil Rights Defense Committee recently are the Rev. Owen D. Knox, former president of the National Federation for Constitutional Liberties; Bishop Huntington of Boston; W. E. Dubois, noted Negro educator; and Prof. O. Mathiessen of Harvard college.

FLASHES from the Courtroom

Highlights in the Minneapolis "Sedition" Trial

In all likelihood, next Monday will be the last time the defendants gather together in the courtroom. At 10 a. m. they are to receive sentences from Judge Mathew M. Joyce. The maximum sentence specified in the Smith Gag Law which 18 of the defendants are charged with breaking, is ten years imprisonment plus a \$10,000 fine. The judge at his discretion may set any sentence less than that.

Amid the deadly serious mood following the jury's verdict, one defendant was still able to quip: "It isn't the ten years that worries me, it's the \$10,000 fine." If all the 18 convicted de-

fendants pooled their resources, they wouldn't have \$100 among them.

It speaks well for the organization among the defendants that, 20 minutes after the telephone call came from the court that the jury was ready, all defendants were in their regular seats in the courtroom.

One is always impressed anew by the amazing work of the grapevine in carrying information to all parts of the city. Before the jury filed in, about 75 persons, among them relatives and friends of the defendants, were waiting

in the courtroom for the verdict.

Juror Gimstead, publisher of the Dawson Sentinel, was foreman of the jury, which came as a surprise to the defendants, who had assumed it would be one of several other persons.

Immediately after the verdict Monday night, defendants and their friends repaired to headquarters at 919 Marquette to confer on plans for appealing the case to the higher courts.

The jury was out 56 hours, including time taken for sleep, meals and brief walks. As soon as the verdict was read, the judge excused the jury. They descended to the next floor to receive their checks—about \$108 each—and most of them proceeded immediately to the bus or railroad station.

One thing is clearly brought out by the verdict. Every one of the Tobin-paid witnesses was regarded as a perjurer by the jury. No credence was given their testimony. Had it been otherwise, the jury would have found all defendants guilty of the first count in the indictment, charging them with violation of the Sedition Law of 1861.

Efforts of the prosecution to convince the jury that 544's Union Defense Guard was a revolutionary instrument to overthrow the government by force likewise ended in a complete bust.

It was so obvious that the UDG was exactly what the defendants and the union said it was—a group of union members organized to defend the union and the union hall against the fascist Silver Shirts when the latter threatened, in the fall of 1938, to raid 544's hall. And, as the judge instructed the jury, the defendants and the union have every right to form such Union Defense Guards.

Defense Attorney Albert Goldman's final address to the jury, a 10½-hour effort, was absolutely breathtaking. It will go down in history as the classic defense of militant workers confronting a reactionary government prosecution. The address will shortly be published in full. We urge every worker in the United States to secure a copy, and to study it.

Parts of it are published in this issue; more will appear next week.

Goldman's summary clarifies and illuminates so many of the key problems of our society.

We give an example, which spellbound the courtroom. Just before noon adjournment Thursday, Goldman was taking up the question of religion, a question that interests us all.

He pointed out what so many religious leaders have realized, that after 2,000 years and more, the great moral and ethical precepts and teachings of ancient times have not been accepted by mankind.

"The Sixth Commandment says 'Thou shalt not kill,'" Goldman said, "yet today we see the imperialist governments of the world organizing to increase the mass slaughter of millions of human beings. The greatest hero today is he who can devise methods to slay the largest number of humans."

It is not enough to realize that religion has not been successful in gaining acceptance for the noble ethical concepts, the speaker continued. "We must ask ourselves WHY this is so."

He told the jury that Karl Marx had studied this problem exhaustively, and was the first to point out to mankind that the class society that has existed for centuries—dividing mankind into classes, creating myriad contradictions, setting one man against another, one group against another, one class against another, has made it impossible for mankind hitherto to absorb and practice the great ethical teachings. Only in a classless society, only under socialism, will humanity for the first time have the possibility of demonstrating the great ethical teachings of mankind, Goldman said.

Scores of other key questions of our time were presented by Goldman in the same lucid manner.

Dozens of persons who have asked to obtain copies of Goldman's summary will be glad to know that it will shortly be available in pamphlet form, by which it can reach a far larger audience than the 100 persons who

were privileged to hear it in the courtroom.

During the week between the verdict and the sentencing, defendants continue to maintain their comradery and to take their meals together.

One of the defendants, Dorothy Schultz, released earlier in the trial for lack of evidence against her, is now touring the East under the auspices of the Civil Rights Defense Committee, speaking before trade union audiences about the trial and its significance for all labor. Interest in the case is widespread, she reports.

Last week President Roosevelt set aside December 15th as Bill of Rights Day, on which the nation will celebrate the 150th anniversary of the first ten amendments to the Constitution.

"I call upon the officials of the government to observe the day by displaying the flag of the United States on public buildings and by meeting together for such prayers and such ceremonies as may seem to them appropriate," Roosevelt proclaims.

It is just too bad that Roosevelt won't advise government officials, particularly those in his Department of Justice, to observe December 15th by really paying heed to the Bill of Rights and dismissing the verdict against the 18 defendants.

If ever a law was unconstitutional and a direct affront to the Bill of Rights, it is the Smith Omnibus Gag Law under whose terms the defendants were convicted. This vile law is a violation of the first amendment of the Constitution which reads that Congress shall pass no law abridging the right of free speech, free press and freedom of assembly.

Roosevelt mocks the Bill of Rights when he gives it lip service and then so flagrantly abuses it by placing the Department of Justice at the aid of Dictator Tobin and permits the prosecution to utilize an odious gag law which, though approved by the national administration, so clearly violates the Bill of Rights.

The Bill of Rights will never be safe if we have to depend upon the bosses and the boss politicians to defend it. The Bill of Rights will be safe only when the working class of people is strongly organized to defend it—both against Hitler and against those in this country who would scrap the Bill of Rights for a native fascist dictatorship of Big Business.

Six Months of the Drivers' Struggle Against Tobin

Six months have now passed since last June 9th when the membership of Local 544 voted overwhelmingly to reject Tobin's demand that he install a dictatorship over the union. Let us draw a balance sheet of the struggle between the Minneapolis drivers and the autocrat at the head of the AFL Teamsters.

The "sedition" jury's verdict, false as it is from the viewpoint of labor's rights, nevertheless finds five of the indicted six executive board members of Local 544-CIO free of all charges placed against them.

To this extent, Tobin's plot here has miscarried. Far from removing all the leaders of 544 from the scene, Tobin still finds himself confronted by a large part of the leadership of 544-CIO, now free to devote themselves to the fight against Tobin and the fight for the acquittal of their 18 fellow-defendants.

Tobin's charges, pronounced by his "Committee of 99" and used against the Minneapolis union leaders at the fake "trials" staged by Tobin last spring in Chicago and Washington, have been thoroughly discredited during the federal trial. Not even the conservative jury could find that a single defendant in the trial "conspired to overthrow the government by force and violence."

As an afterthought and a cover for his use of the Department of Justice against 544, Tobin also resorted to the state courts to institute proceedings against Miles Dunne, Kelly Postal and Moe Hork, for alleged "embezzlement" of union funds—funds that belong, not to Tobin, but to the Minneapolis drivers. In ten days this trial will be held. The facts are so completely on the side of the union defendants that Tobin's fink suit in all justice should draw the same fate as did the earlier fink suit against 544 instituted by the tools of the Associated Industries.

In the meantime, Local 544-CIO will go into Ramsey District Court next Saturday to seek the setting aside of the dishonest ruling by Stassen-Blair denying democratic elections to the Minneapolis drivers.

After six months, Local 544-CIO is still in the thick of the fight for union democracy and militant unionism, fortified and encouraged by the unflagging support of the best union men in Minneapolis, and by the enormous backing mobilized throughout the nation during the course of the "sedition" trial.

It is no secret that the Minneapolis drivers forced to pay dues to the AFL-"544" are sick to death of Raw Deal's receivership. The drivers are being propagandized by a number of factions, having in common only their hatred for Neal and Tobin, and demanding elections for officers.

Tobin didn't help matters any by notifying the drivers, through Neal, that he would never release the union from receivership until every last cent of the enormous sums spent by him to impose his dictatorship had been paid back to the AFL Teamsters.

"Tobin has spent hundreds of thousands in an effort to wreck our union. Now he demands we repay him for the damage he has done us." That is what the outraged Minneapolis drivers are thinking and saying.

On the national scene, Tobin's dictatorship is also shaky. His sell-out of the 250,000 over-road drivers in the Middle West has provoked a revolt so extensive that even Tobin, with all his connections with the Department of Justice and the boss politicians, will not be able to stifle it.

Local 544-CIO has survived six months of the most vicious attacks Tobin could throw against us. The tide is beginning to turn. Six months from now the Minneapolis drivers, fortified by the lessons they have learned in this epic struggle, will be reunited in their own union, free from Tobin's dictatorship, assured of inner-union democracy, of an industrial union structure and of a militant leadership that has as its sole aim the protection and the advancement of the interests of the union membership.

4th CIO Convention in Session at Detroit



Delegates and speakers at the fourth annual CIO convention in Detroit, preparing to vote overwhelming approval of a resolution denouncing the Office of Production Management, and giving a sweeping endorsement to the CIO United Construction Workers Organizing Committee.

The convention went on record to organize the open-shop South, to fight for the abolition of the vile poll-tax, to back the captive miners in their strike for the union shop, and to oppose Roosevelt's effort to outlaw strikes.

On the National Picket Line

Marvel Scholl

President Roosevelt's plan to get effective, anti-labor laws passed by the "iron fist in a silk glove" method suffered a serious setback yesterday (Wednesday) when the poll-tax bloc in the House united with the Republicans to pass the Smith Bill by a 252 to 136 majority. Roosevelt had given his blessing to a measure drawn up by Representative Ramspeck, and approved by the House Labor Committee. Smith's bill, which had no committee backing, had one thing in common with the Ramspeck bill. Both provided for plant seizure by the government in strike situations. Late Wednesday, Smith withdrew this clause from his bill, and thereby won both the Republicans and the Southern Democrats to his side. These blocs had been united in opposition to anything which might have meant that some boss would lose control, even temporarily and with full compensation, of his right to exploit the workers.

The Smith Bill contains the following provisions:

1. Forbids strikes unless they are approved by a majority of all of the workers in a plant by secret ballot, in an election supervised by the government.
2. Requires a sixty day cooling off period between the time the strike is voted and the time it becomes effective, with the defense mediation board seeking settlement during the interim.
3. Forbids strike "violence," sympathy, jurisdictional strikes, boycotts, mass picketing.
4. FREEZES OPEN SHOP CONDITIONS IN INDUSTRY WHERE THEY NOW EXIST.
5. Requires unions to register with the government.
6. Denies the benefits of the Social Security Act, the National Labor Relations Act, and the Unemployment Compensation Law to any worker or union which calls an "illegal" strike.
7. Denies the benefits of any "subversive" group to hold office.

In considering these threats to civil liberties leveled against the working class there is only one point of departure—the war. Roosevelt's administration is determined to regiment the workers into that war by any means whatsoever. However, he still feels that his

"softer" methods will result in a more placable working class, and he is determined to go fast slowly. The poll-tax senators and representatives feel otherwise. ESPECIALLY DO THEY FEAR LABOR SINCE THE CIO CONVENTION WENT ON RECORD IN DETROIT TO ORGANIZE THE SOUTH WITH THE SAME MILITANCY THAT RESULTED IN THE CAPITULATION OF LITTLE STEEL, THE SOUTHERN COAL MINES, FORD AND AIRCRAFT AND UNDER A SLOGAN OF FULL RACIAL EQUALITY FOR ALL WORKERS.

Philip Murray has called a conference of all CIO affiliates in Washington to consider repressive legislation. Last spring when both Senator Connally and Representative Vinson had bills in committee designed to strip labor of its constitutional rights, swift and concerted action on the part of the CIO and Labor's Non-Partisan League resulted in the shelving of these bills. Now the CIO is again on the job.

The effect of a concerted action on the part of the national CIO is bound to reflect in at least the toning down of any legislation which will result after the amalgamation of the Smith Bill with whichever measure the Senate decides upon. However, at this stage, a compromise is not enough. The only way that the workers of this nation can protect what they have won through more than one hundred years of fighting is the complete defeat of any and all restrictive legislation.

And, in this day with the administration attempting to foment a war hysteria, with the southern employing class likewise in a ferment because of the CIO pledge to bring unionization to the down-trodden workers, white and black, with the bosses united in one project—profits from war industry at all costs, lobbying is not enough.

The time is long past when the workers can continue in a half-stupor to close their eyes to these political. Boss politics are a reflection of the economic problems of the boss class. Likewise, working class politics should be a reflection of working class economic problems.

And the only vehicle upon which working class economic problems can be carried to even a semblance of victory is a Labor Party, organized and controlled by the working class itself, completely independent of both old, boss parties.

Possession means to sit astride the world, instead of having it astride of you.—Charles Kingsley.

You ask what sort of person I would be if I were to become suddenly rich and powerful? Who can determine what would be his future conduct? Tell me, if you were to become a lion, what sort of lion would you be? — Martial, Epigrams.

Goldman Argument to Jury

(Continued from page 3)

Party read all of the Communist Party literature and spoke for that party and wrote in the DAILY WORKER, who read many pamphlets while he was in our party—and it takes a smart man like Bartlett three years before he finds out that we advocate the violent overthrow of the government.

Now, Mr. Anderson, for you to stand up now and say that you believe every word that Bartlett testified to would convict you of something more than sarcasm.

Bartlett Nailed By His Own Words

Let us go on. When, on cross-examination, I introduced certain statements made by Mr. Bartlett I think that Mr. Schweinhaut and Mr. Anderson were overjoyed. It seemed that I had made a terrible blunder. I introduced the statement that Bartlett made when he joined the Socialist Workers Party; also the statement that he made when he campaigned in his own union against an opposition; and also the letter that he had written to the STAR-JOURNAL. The gentlemen of the prosecution did not catch the significance of those statements that I introduced. I did not care what Bartlett said about himself in those statements. But what I was interested in was one assertion that he didn't make in any of these statements.

Bartlett claims, ladies and gentlemen, that he left the Communist Party because it advocated force and violence. Now wouldn't it be natural to expect that if that were the truth he would say so in the statement giving the reasons why he left the Communist Party? The ONLY reason that he mentions now for his leaving the Communist Party, he never mentioned in the statement in which he explained why he left the Communist Party. Is there any sense in that?

When Bartlett issued the statement against some of our members who were running in opposition to him in the warehouse union elections, he had already left the Socialist Workers Party. He issued that statement in the fall of 1940, six or seven months after he had left the party.

And according to his testimony he left the party because he found out that it advocated force and violence. Where, in the statement he wrote in 1940, is there any assertion of that kind? Read that statement. Nowhere in that statement is that reason for leaving our party!

In the early part of this year Bartlett wrote a letter to the STAR-JOURNAL, a letter that I introduced in evidence. In it he claims that he left the Communist Party in the summer of 1934 and not in 1933 as he testified to on the witness stand. It is obvious that he was lying on the witness stand. It is obvious that he wanted to justify his statement from the witness stand that during the 1934 strike he told Dunne that he was out of the Communist Party. A liar, no matter how clever or how intelligent, finds it impossible to remember all the lies that he utters.

Why did he not, in the letter that he wrote to the STAR-JOURNAL, give as his reason for leaving the Socialist Workers Party that it advocated the violent overthrow of the government? There is not a single mention of that. He never mentioned his alleged real reason for leaving the party in any of the statements that he made before the trial. In the parade of perjury represented by the government witnesses, Bartlett "rose to the ceiling" and way above it.

Mr. Anderson did not know that yesterday or the day before yesterday he, himself, convicted Bartlett of perjury. I shall show you how. Mr. Anderson was examining Mr. Dobbs. He had in his hand either the "ABC or Marxism" or "What Is Trotsky-

ism" and he gleefully asked Mr. Dobbs: "Well, this was written in 1941, wasn't it?" Mr. Dobbs answered: "That is right."

When did Bartlett leave the party? In the spring of 1940! I asked: "Was it March, was it February, was it April?" And finally he said that "It could not have been later than April, 1940."

Then I had to maneuver carefully—because Bartlett is a smart fellow—to get him to admit that he bought "What Is Trotskyism" and the "ABC of Marxism" in the party headquarters. He stated definitely that he bought them in the headquarters.

Now, ladies and gentlemen, if the last time that Bartlett was at the headquarters was in April, 1940, and if the pamphlets were published in February or March 1941, how could Bartlett get those two books in the headquarters? Try to solve that riddle, Mr. Anderson.

Is there any question but that Bartlett is a perjurer? Would any witness for the defense guilty of such perjury be permitted to be free at the present time? There would be an indictment out against him, but Bartlett is a government witness and the government wants to prove its case regardless of the evidence and Bartlett, the greatest perjurer and the greatest liar that ever sat in the federal court, is permitted to go free.

Nailing More of Bartlett's Lies

And then Bartlett's conversation with Dunne on December 23, 1940. Of course it is not very easy to prove on all occasions that a witness lies. Bartlett says that he had a conversation with Dunne on December 23, 1940, and "I said so and so and Dunne said so and so." Well, he did have a conversation with Dunne on December 23, 1940, but under ordinary circumstances it would be difficult to show that he lied in his claims as to what he actually said and what Dunne actually said. The jury was not there. I was not there.

Fortunately for us, however, Bartlett forgot that the Selective Service Act was passed in 1940 and here is where he got into trouble. Do you remember how Mr. Anderson tried his utmost to get Bartlett to see that he made a statement which convicted him of perjury? Bartlett claimed to have talked with Dunne in December, 1940, and in that conversation he claims that Dunne said that the Selective Service Act is being discussed and will be passed and therefore it will be necessary for Bartlett to keep in touch with the party members drafted in the army.

Leave aside the question that at that time, according to Bartlett's testimony, he was already out of the party and that Dunne knew that he was out of the party. That in itself convicts him of being a liar, for it is impossible to think that a man of Dunne's intelligence would speak to an enemy of his in the manner that Bartlett testified to. But leave aside that question. Consider only the question that here Bartlett claims that Dunne talked to him about the Selective Service Act which would be passed in the future, whereas in fact it had already been passed.

Mr. Anderson or Mr. Schweinhaut can claim that perhaps it was in 1939—but unfortunately for them Bartlett claims he talked to Dunne about other matters and that he was already out of the party and that he talked to him at that time concerning the reasons for leaving the party. He had not left the party in 1939 and I doubt even that the Selective Service Act was being discussed in 1939. Now Mr. Bartlett cannot get out of that perjured testimony. Bartlett is and remains nothing but a perjurer.

CIO Attorney Wires Support

Among the first batch of telegrams received by the defendants following the verdict was the following wire from William K. Thomas of Cleveland, prominent CIO attorney sent in here last summer by the national CIO to aid the Minneapolis drivers in their fight against Dictator Tobin and Stassen-Blair.

The text of the wire from Brother Thomas follows:

To Local 544-CIO:
First the government's own witnesses, pulled the goofer feathers out of Tobin's prize goose. Then 12 conservative jurors cut off the head and feet. And when the Supreme Court finishes cooking it, Congress and Tobin will discover that it cannot be a crime in an America worth defending to exercise either free speech or free unionism.

In the long fight the Minneapolis truck drivers are waging for a union of their own choosing, liberals and trade unionists the country over will now rally more than ever before to your side.

Signed:
WILLIAM K. THOMAS