

LABOR DEFENDER

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SCOTTSBORO BOYS FACE LYNCHING!

Gang Drives Out Negroes' Friends From Scottsboro

Birmingham, Ala.—Judges, sheriffs, deputies and merchants, as well as editors and old Southern "cunnels" have opinions all their own in the section near Scottsboro, Ala., and these opinions are enforced at the point of long-barreled guns which shoot straight and accurately.

During the past few months—the last term of Circuit Court sat in Scottsboro—Jackson County has enjoyed a not unusual crop of murders. Still, the long guns have claimed the lives of 11 local citizens since last Judge Alfred E. Hawkins sat in the little courthouse of faded brick, topped with a spire that is as cock-eyed as the "justice" passed out to Negro people in the rooms beneath it.

A high sheriff and three deputies went into the unknown as a result of petty local feuds. Most of the other 10 citizens who were murdered were whites. This is because only a few Negroes live in Jackson County. They aren't allowed to live on Sand Mountain, a farming section, and many have sold their small homes along the railroad or in the country and pulled out for more friendly climates during the past five years, according to a Negro agricultural expert who lives and works in the section.

Reporters from the outside world, especially if they represent papers which are friendly to the "niggers"—this is the common name for any person with a bit of Negro blood—are looked on with suspicion by the entire population. And suspicions leads to just one thing—the absence or death of the suspected person.

Representing a Negro paper, I covered many of the small towns which are intimately linked with

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United Front Against Nazi Terror

Hitlerism is running wild in Germany. The entire world stands aghast at the fascist régime of terror. Daily the newspapers of the world report the horrible tortures perpetrated by the Nazis against one-half the population of Germany.

This terror of unbelievable brutality is waged against all who are not staunch followers of Hitler and his National Socialists, Jews, Communists, Socialists, Catholic Centrists—are arrested,

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"The boys had a fair trial. They will have a fair trial, and I'll call out the entire militia of the state if necessary to protect them."—Attorney-General Thomas E. Knight, Jr., of Alabama.

Scottsboro Boys Not Alone on Trial; White Workers Freedom Needs Negro Rights

By WM. L. PATTERSON

March 25th marks the end of the second year of the Scottsboro case. The innocence of the nine Negro boys was never so clear. And yet at this moment the struggle around their defense is sharper than ever. Why?

Ruby Bates, Alabama's star witness, gives the clearest evidence showing that the case is a frame-up in a letter to her sweetheart: "Those policemen made me tell a lie . . . those Negroes didn't touch me or the white boys."

The attorney general of Alabama, who must, according to law, consider the defendants innocent until their guilt is proven, just brushes this evidence aside. The girl was drunk when she wrote it, he says. "The niggers got a fair trial the first time. They'll get the same in Decatur," is the opinion of another prominent Alabama citizen. Alabama is prepared to go through with the legal lynching of the boys and ready to use the rope if necessary.

The Scottsboro boys are not on trial. And it is not only the lynch system of the state of Alabama that is on trial. Alabama cannot be separated from the rest of the United States. It was forced back into the Union by the victorious industrialists of the North after the Civil War. Alabama, like all the other Southern states ac-

cepted the Federal Constitution in 1865. This was the basis and the price upon which they were permitted to come back into the Union. But the Constitution had been revised since the beginning of the Civil War. The 13th, 14th and 15th amendments had been added. These amendments sup-

Answer This Threat!

NEGROES BEWARE

DO NOT ATTEND COMMUNIST MEETINGS

Paid organizers for the communists are only trying to get negroes in trouble. Alabama is a good place for good negroes to live in, but it is a bad place for negroes who believe in SOCIAL EQUALITY.

The Ku Klux Klan Is Watching You.

TAKE HEED

Tell the communist leaders to leave.
Report all communist meetings to the
Ku Klux Klan
Post Office Box 661, Birmingham, Alabama.
Leaflet Distributed in Birmingham After
I.L.D. Won Supreme Court Decision.

posedly brought democratic rights to the Negro masses—the guarantee of full equality for Negroes, the right to vote, the right to serve on juries, if they were qualified, etc.

The government at Washington, we are told, holds the states responsible for carrying out the Constitution. Therefore, it is the whole system of government, with its Constitution that promises, "life, liberty and the pursuit of happiness," that is on trial.

If those who rule in Alabama can deny Negroes the rights guaranteed to them by the Constitution of the United States, Alabama's ruling class stands above the Constitution—or else the Constitution was never meant to apply to the people of an oppressed nation. There are poor whites in Alabama who are not much better off than the toiling Negro masses. Who guarantees their rights? No one but themselves. They are not the ruling class of Alabama. They themselves are oppressed by the ruling class. And yet they are asked to help murder and oppress Negroes because the rulers tell them, "white supremacy must be maintained."

At the same time the ruling class asks Negroes to act as strike breakers to smash the struggle of these poor whites when they

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I. L. D. Organizes Workers' Protest

Decatur, Ala.—"Lynch!" is the watchword of the white ruling class, the authorities of Decatur, Alabama, and the entire South, as the Scottsboro boys go to trial a second time for their lives on the framed charge of attacking two white girls, one of whom has repudiated her charge against the boys in a letter made public a month ago.

Decatur is the small town of 15,000 chosen by Judge Alfred E. Hawkins and Attorney-General Thomas E. Knight, Jr., of Alabama as the scene of the second trial. Hawkins conducted the lynch-proceedings in Scottsboro in April, 1931. Knight, seeing the ruling class robbed of its prey—the lives of nine innocent black boys—four times, has stepped in himself as prosecutor, to make sure. Hawkins agreed readily with Knight on Decatur. It has a reputation which makes the chances of a legal or an extra-legal lynching good. It has a jail described by a deputy-sheriff as one "you could break out of with a spoon"—which means it could be broken into as easily.

Fervish preparations for the trial are being made in Decatur. The American Legion is being mobilized. The "vigilance committees" organized in Huntsville, home of the two girls, Ruby Bates and Victoria Price, whom police forced to make the accusations against the Scottsboro boys, and only twenty-five miles away, are being tightened. Their purpose—to see to a legal lynching, or a gang-lynching if that fails. (Continued on page 3)

Mooney Wins New Trial

As we go to press, we learn that the California State Supreme Court was forced by the mass pressure of thousands of workers all over the world, to grant a new trial for Tom Mooney.

Seven hundred and eighteen delegates representing three hundred and fifty-four workers' organizations, met at Irving Place, Sunday, March 12, to plan a new United Front Movement to free Tom Mooney.

Militant enthusiasm marked the Conference. When Louis B. Scott, personal representative of Tom Mooney, described the treachery of the A. F. of L. bureaucracy, without whose aid the frame-up could not have been perpetrated, and declared that the united working class would "send these agents of the bosses to hell," the delegates rose to their feet and cheered.

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History of the Scottsboro Case

Gang Pursues Reporter

(Continued from page 1)

1931

March 25—Nine Negro boys, the youngest 13, the oldest 21, were taken off a freight train at Paint Rock, Ala., by a sheriff's gang and charged with attacking two white girls, Ruby Bates and Victoria Price.

March 31—Twenty indictments were returned against the boys. They were arraigned before the court at Scottsboro, Ala., and pleaded not guilty.

APRIL

April 2—The first exposé of the Scottsboro frame-up appeared in the Daily Worker. A call for protests and mass meetings was issued.

April 6—The trials of the nine boys began at Scottsboro before Judge E. A. Hawkins. Milo Moody was appointed by the court to serve as "defense counsel." Charlie Weems and Clarence Norris were declared "guilty" by the jury.

April 7—The jury returned the verdict of "guilty" in the case of Haywood Patterson.

April 8—Ozie Powell, Eugene Williams, Olin Montgomery, Andy Wright, Willie Robertson declared "guilty."

A mistrial was reported in the case of Roy Wright, age 13. The International Labor Defense entered the case.

April 9—Death sentences were pronounced on eight of the boys—all except Roy Wright, by Judge Hawkins. They were immediately transferred from Scottsboro to Gadsden by soldiers.

April 10—First big Scottsboro Protest mass meeting was held in Harlem at St. Luke's Hall.

April 13—Claude Patterson, Mrs. Ada Wright, Mrs. Mamie Williams, parents of the boys and a committee of lawyers from the International Labor Defense jointly employed General Geo. W. Chamlee of Chattanooga, Tenn., to represent the nine boys under a written agreement from all the defendants.

April 24—The first telegram of protest from Europe arrived from the Berlin Transport Workers' Union.

April 25—The first big Scottsboro Protest Parade in Harlem was held and smashed up by the police.

MAY

May 1—Workers in 300 cities protested against the frame-up at their May Day demonstrations.

May 3—First big Southern Mass Meeting was held in Chattanooga, Tenn.

May 6—Amended motions for a new trial were filed in Scottsboro, Ala., by Geo. W. Chamlee. Petitions were filed by Claude Patterson and other parents asking for permission to see the boys for the first time since their arrest.

May 16—6,000 workers paraded in a Harlem Scottsboro demonstration.

May 25—Scottsboro conference attended by 19 organizations was held in Chattanooga, Tenn.

May 31—First all-Southern Conference, was held in Chattanooga, Tenn., attended by 200 delegates. Four arrests were made outside the hall.

JUNE

June 5—Chamlee filed second amended motions for new trials for all of the boys and more affidavits on the character and reputation of the two girls. Judge Hawkins heard oral testimony from jurors in the Scottsboro case regarding the demonstrations that were held outside the courthouse during the trial of Haywood Patterson.

June 8—Huge demonstration held before the United States Embassy in Dresden, Germany, demanding freedom for the Scottsboro boys. Five were arrested.

June 13—The solicitor for the state of Alabama filed affidavits for the state in the cases of the nine boys.

June 17—Demonstrations were held before the American Embassy in Leipzig, Germany, protesting against the Scottsboro frame-up.

June 22—Judge Hawkins overruled all motions for new trials and the defendants noted an appeal to the Alabama State Supreme Court.

June 27—5,000 Negro and white workers paraded through the streets of Harlem in a Scottsboro protest demonstration.

June 28—Mrs. Ada Wright was excluded from a mass meeting held by the National Association for the Advancement of Colored People in Pittsburgh, Pa.

June 29—Huge demonstrations were held in Berlin, Germany. One policeman was killed in the fights that resulted when the meetings were broken up.

JULY

July 4—Mrs. Patterson, mother of Haywood, was not permitted to attend the National Convention of N.A.A.C.P.

July 12—Albert Einstein signed an appeal demanding the release of the nine Scottsboro boys.

July 17—Ralph Gray, Negro sharecropper was killed, and 5 others wounded at Camp Hill, Ala., as a result of a Scottsboro Protest meeting held there.

AUGUST

August 5—Chamlee filed bills of exceptions with copies of all the evidence, motions and all proceedings, in the clerk's office at Scottsboro.

NOVEMBER

November 10—Judge Hawkins signed the bill of exceptions certifying the appeal.

DECEMBER

December 29—Clarence Darrow left Birmingham, Ala., having refused to work with the I.L.D.

1932

January 8-9-10—National Scottsboro Days were organized and carried through by the I.L.D.

January 21—The Supreme Court of Alabama heard the cases of eight of the boys in the courthouse at Montgomery, Ala. The case was argued by I.L.D. lawyers in the presence of the largest crowd ever assembled at the Supreme Court.

MARCH

March 24—The Supreme Court of Alabama overruled the motions for new trials—and upheld the judgment of the Circuit Court of Jackson County. Time was set for imposing death sentences on seven of the boys and a new trial granted in the case of Eugene Williams.

March 25—Petitions were filed in the Supreme Court for a new hearing.

APRIL

April 1—Walter H. Pollak entered the case to carry the appeal to the United States Supreme Court.

April 13—All petitions were overruled and an order for the execution of the seven boys was signed.

April 19—Alabama State Supreme Court granted a stay of execution of the seven boys until June 24, 1932.

April 27—Ada Wright and J. Louis Engdahl, General Secretary of the I.L.D. sailed for Europe to conduct an international Scottsboro protest campaign. They were invited by the International Red Aid.

MAY

May 7—A huge Scottsboro protest demonstration was held in Chemnitz, Germany. The demonstration was smashed up by the police. Twelve were shot and one was killed.

May 31—2,000 workers listened to Ada Wright and Engdahl at a meeting in Geneva, Switzerland, the home of the League of Nations.

JUNE

June 15—Ada Wright was smuggled over the Belgian border to address a protest meeting of 5,000 workers.

June 15—Walter H. Pollak, I.L.D. attorney, filed a petition in the United States Supreme Court at Washington, D.C., for a stay of execution until the Supreme Court of the United States could hear and determine the issues involved in the record.

June 19—The U. S. Supreme Court issued a writ of certiorari and an order suspending the death sentences and a stay of proceedings in the cases of the seven boys.

JULY

July 3—A demonstration of 150,000 workers in the Lustgarten in Berlin, Germany, listened to the plea of Ada Wright, to save the boys.

AUGUST

August 7—Mrs. Wright and Engdahl attended the Amsterdam Anti-War Congress which passed a resolution protesting against the frame-up and demanding freedom for the Scottsboro boys.

August 29—Ada Wright and Engdahl were arrested in Brussels, Belgium, and deported from the country.

SEPTEMBER

September 5—Ada Wright and Engdahl were arrested at Prague, Czechoslovakia, and then deported after being held in jail for four days.

OCTOBER

October 3—An "All Southern Civil Rights Conference" was held at Birmingham, Ala., with 300 delegates present.

October 10—United States Supreme Court heard the cases.

October 10—Nation-wide Scottsboro demonstrations. The I.L.D. National convention opened in Cleveland, Ohio, with Scottsboro defense as the keynote.

October 18—Tom Mooney from behind the bars of San Quentin prison appealed to all workers to fight for the freedom of the Scottsboro boys.

NOVEMBER

November 7—International Scottsboro Day. Demonstrations all over the world.

November 7—Picketing and demonstrations were held before the United States Supreme Court. 16 were arrested and many were beaten and clubbed.

November 7—The United States Supreme Court granted the boys a new trial.

November 8—Judge Hawkins set the new trials for all nine boys for March, 1933 term of the Scottsboro Court. The International Labor Defense announced that the cases would be fought right back to the United States Supreme Court if necessary.

November 21—J. Louis Engdahl died in Moscow where he was attending the International Red Aid Congress.

1933

January 8—Samuel Liebowitz entered the Scottsboro case.

January 23—The letter written by Ruby Bates proving that the police forced her to lie at the original trial, was ordered produced in court by Chamlee and Schwab.

January 23—A hearing on a writ of habeas corpus for the release of Roy Wright was held before Judge J. P. McCoy in Birmingham, Ala.

January 31—Judge McCoy dismissed the writ of habeas corpus.

MARCH

March 6—Hearing was held in the original court room of Scottsboro, Alabama before Judge Hawkins on two motions—one for a change of venue and a second to quash the indictment against the boys on the ground that there were no Negroes on the jury that originally condemned them.

March 7—Change of venue to Decatur, Ala., was granted.

the Scottsboro case. Most of the time no one knew I was working for a colored paper, but when they did know the truth things happened.

In Fort Payne, the home of Judge Hawkins, trial judge in the case, I attempted to interview the jurist and was promised a hearing only to be arrested and detained by his entire police force, consisting of two men. After they decided I really did not intend to shoot the judge or fraternize with Negroes or disrupt any of the other cherished traditions of the landlords, they let me go. Two editors and the chief of police refused to aid me in getting an interview with the judge. Vaguely and still very finally they threatened me with trouble—death in fact—if I stayed in town.

Coming into Scottsboro from Huntsville, the home of the two white girls, Ruby Bates and Victoria Price, involved in the case, I had to kill time between 3:00 a.m. and court opening. Hour after hour went by as I sat in a little restaurant and listened to the story of the first trial. I heard how the mob had been formed; how it had threatened to storm the jail and how the boys had been rushed away. "I'm going to stay home. I don't want trouble and I hope the boys get a fair trial," said the counter man. There he was expressing the sentiment of many of the poorer whites. They are passively keen on avoiding trouble and they hope the boys will get a square deal though they don't see how this is possible and they don't yet dare to fight for it themselves.

Nearly 8:00 in the morning I went out to look at the town. A sleepy village surrounding a square, the streets dotted with empty stores, there was nothing to attract interest. Negroes, knowing they might not be safe in town on court day, were conspicuous by their absence. Finally, remembering the stories about the mob and the jail that was almost stormed at the first trial, I asked a chance pedestrian where the hoosegow was located. He told me readily and I strolled by the ancient little cracker-box affair, located about two blocks from the courthouse.

A few minutes later I was in the courthouse, a prisoner, while a mob was forming in and out-

side it and threatening my life. Action followed rapidly. I was walking toward the courthouse, expecting to get a front seat for the hearing on motion for change of venue when a man asked me if I had been looking for the jail. I said, "sure," and he replied, "Well, I'll show it to you. Come with me."

Telling me I wasn't under arrest, he showed his gun, said he was chief of police, and that he wanted to question me. Hustled into the sheriff's office I was searched and questioned. Sheriff McBryde promised that I wouldn't be killed and told me I had been spreading Red literature. This was a surprise to me, as I had no literature of any kind.

Denied a chance to telephone, to talk with friends in the court room or to telegraph unless I could pay the charge—I had only one cent—I was kept under guard of from two to seven deputies from about 8:15 until after 1:00. In the meantime I saw Judge Hawkins and he definitely refused me a chance to enter his court under guard or in any way. "I don't want reporters of your kind in my court," he said. That ended it.

The sheriff said he telephoned to Atlanta and that my paper would not accept the call. Perhaps he did. Certainly if I had been allowed to call or if he had called either the editor or the owner as I asked him to, there would have been no difficulty. As it was, the entire village believed I either had been or was about to distribute literature, blow up the jail, make a parachute jump or ascend into heaven on a cloud of Camel smoke. They knew I annoyed them, that I said I worked for a "nigger" sheet and that they needed a good old Southern barbecue party.

After walking and bumming short rides for about 20 miles I got into Stevenson, Ala., where I hoped to catch a freight for Chattanooga, Tenn. Instead of a freight I caught hell.

Two deputies, one of them a man who had guarded me earlier in the day, recognized me as I was standing in the railroad yard near a water tower. Drawing their guns and calling me everything but a gentleman they told me to get out of that white man's town and never dare to set my dirty "nigger"-loving sort of a this and that foot in it again. I said, "Yes, sir," and walked off down the track in the rain.

THE BOOK SENSATION OF OUR TIME

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Help the Prisoners in Hitler's Dungeons

Red Aid Outlawed, Helped Scottsboro

beaten, tortured, maimed, and killed. Thousands of refugees daily flee across the borders of Germany into Poland, France, Belgium, Austria, and Italy. They tell hair raising stories of incredible persecutions.

Berlin working class neighborhoods are raided and looted. Workers are dragged out of their homes, are tortured, beaten unconscious, left to die on the streets by the thousands. No one can even guess the extent of this unremitting terror because of the strictest suppression of all but Nazi newspapers and because of the censorship of cable news by foreign correspondence.

Now what is this Hitlerism, and what is fascism? We must understand the nature of fascism because we in this country may face it sooner than most of us realize. Fascism is not an accident, it is not a movement produced by the personality of one man like Hitler. Fascism is the open dictatorship of the capitalists to make the workers do, through force, what under normal times they do peacefully. It is a necessary step for capitalism to take in the face of its own collapse, and in the face of the steady and rapid upsurging of the revolting masses.

And let us not be misled into thinking that these fascist atrocities date only from Hitler's so called "democratic" election. This is the culmination of a well prepared attack against the workers, organized well in advance. On February 21, 1933 two weeks before election time, the New York Times reported the following order issued by Captain Hermann Wilhelm Goering, Minister of Interior, and Hitler's chief aid: The text of the order follows:

"I believe I can spare myself special reference to the fact that the police must refrain from even a mere semblance of an antagonistic attitude toward organizations such as the Nazi storm troops and the Stahlhelm of the Nationalist parties. I expect, on the contrary, that the police will establish and maintain a cordial accord with the organizations mentioned, which contain the most important forces for reconstruction of the State. . . . The police must proceed against Communist acts of terrorism with the utmost severity and must use their arms ruthlessly when necessary. I will protect every policeman who makes use of firearms in the exercise of his duty, regardless of results. Police officers who from false consideration fail to act may count on disciplinary penalties. . . . Every police officer must always bear in mind that failing to act is a graver fault than errors made in action. I expect and hope that all the police feel at one with me with respect to the goal of saving the fatherland from threatened ruin by the consolidation of all nationalist forces."

The police obeyed faithfully. We all know now the story of the burning of the German Parliament building. Hitler blamed a so-called Communist, Van der Lubbe, for this act of incendiarism, but even the capitalist press of the entire world denounced it as a provocative frameup. It has now been definitely proved by documentary evidence, and not officially denied by Hitler, that Van der Lubbe is a Nazi member from the German town of Meissen.

However, this frameup was sufficient ground for the outlawing of the Communist party and all working class organizations. Suspension of Party organs, arrest of thousands of Communist leaders and workers, and the raiding of the Karl Liebknecht House and all other Communist headquarters—such acts consti-



Thousands of these posters were spread through Germany before the last election that installed Hitler

tuted the program of Hitler. The Communist party was given no chance to show its strength in the last elections. Communist leaders who were not arrested, could not come to the polls, for fear of immediate arrest, and thousands of workers were intimidated at the point of the bayonet. In addition, we never will know the extent of the dishonesty in the counting of the ballots. Of course, Hitler rode in victorious, and began his present unprecedented terror. Even the Workers' Defence Organization, the Red Aid, has been suppressed and terrorized.

Now, how can we combat Hit-

lerism, and what is the "Red Aid"? The Red Aid of Germany is the parallel organization to our own International Labor Defense, both of which are national sections of the International Red Aid. The I. R. A., organized ten years ago for the relief of class war prisoners, has national sections in 69 countries with a total membership of 11 million, and an additional three million of affiliate members. In order to illustrate more pointedly the tasks faced by our Labor Defense organizations, it will be interesting here to give an approximate idea of the extent of the attack

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Scottsboro Boys Not Alone On Trial

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fight for better living conditions. Nowhere in the country are the living conditions of the white workers and poor farmers worse than in Alabama. And their position is growing more desperate every day. Still, they cannot yet recognize the fact that the struggle for the rights of the Negro masses is a struggle for all those who are oppressed regardless of race, creed or color.

The Jackson County "Sentinel" brags about past lynchings and hints about those that are to come. "AFTER WE FORGET 'THE ROPE' TO PICK UP 'THE CODE' FOR THE SAFETY AND BENEFIT OF THE NEGROES WE ARE TOLD THAT WE MUST HAVE NEGRO JURORS ON ANY JURY TRYING THE BLACKS IF THEY ARE TO GET 'THEIR RIGHTS.' A NEGRO JUROR WOULD BE A CURIOSITY IN JACKSON COUNTY—AND SOME CURIOSITIES ARE EMBALMED, YOU KNOW."

On the one hand, the rulers of Alabama cry, "The boys will get a fair trial," and on the other they threaten to murder other Negroes who ask only for their democratic rights—to serve on the jury, etc. They can only create some faith in this talk about fair play in one way, and that is by GRANTING THESE DEMOCRATIC RIGHTS. Alabama's bosses are denying the poor whites the right to live. Many of them, by poll taxes and other requirements, are not even

allowed to vote. Thousands of their children get hardly any education. For all these wrongs they are told the Negro is to blame, and many of them cannot free themselves from these ideas taught them by their own ruling class. They allowed themselves to be bribed by the barest economic and political privileges in the name of "white supremacy." Today, in this moment of crisis, even most of these have been taken from them. Almost all that is left to them is the right to help lynch Negroes. And as the possibility for giving these poor whites economic and political privileges grow less and less, the ruling class will call on them even more strongly to help in lynchings, will provoke them still further into hatred of the Negro. Divide and Rule—an old policy—always becomes clearer in such times of crisis as we are living through today, when the ruling class has hardly any other bribes to offer—bribes that could hide their class character behind some lying phrases.

The Scottsboro defense struggle, the struggles of the black share-croppers, have proved that the Negro of the South is the only real ally that the poor white workers and farmers have. Scottsboro, the symbol of the oppression of the Negro masses, has become a symbol of the oppression of the American working class.

Forward to a complete victory!

I. L. D. Sharpens Scottsboro Fight

(Continued from page 1)

The International Labor Defense, representing workers all over the world who have four times saved the lives of the Scottsboro boys, and who are determined to save them again, has also arrayed its legal batteries to fight the legal lynching. It has mobilized millions of workers to demand that there shall be no lynching of any kind, that the Scottsboro boys shall be freed, with guarantees of safety. Only this tremendous pressure can insure complete victory.

A blow at the foundations of Negro persecution and oppression is being struck by the I.L.D. in its defense of the Scottsboro boys. It is the defense of the struggling millions of the Black Belt, supported by their brothers, the white workers. In filing a motion to quash the indictments against the boys on the ground that Negro jurors were excluded from the grand jury that handed them down, in demanding dismissal of the entire panel of trial jurors for the same cause, in bringing into court white officials, and Negro witnesses to prove that Negroes are illegally and systematically excluded from all juries in Alabama, the I.L.D. sharpens the expression, amplifies the cry, of these millions of disfranchised toilers, strikes at the very roots of Jim Crow and Negro oppression in the United States.

The best legal defense that can be provided has been obtained for the Scottsboro boys. Samuel S. Leibowitz, one of the most noted, and reputedly the most able, criminal attorney in the country has been chosen to conduct the trial. General George W. Chamlee, of Chattanooga, Tenn., is head of the defense corps, co-operating with Joseph Brodsky, chief I.L.D. attorney, and assisted by Irving Schwab, also an I.L.D. attorney. Lawyers cannot save the boys from lynching.

Decatur has been described as a "big Saturday town," where on Saturdays and court-days, the folk of the countryside come armed, ready for fun, or for a lynching. It is the center for criminal gangs that operate throughout the state. These gangs claim credit for innumerable murders of Negroes, and of at least twenty who were killed on freight-trains in Northern Alabama immediately after the Scottsboro boys were arrested. One of the leaders of these gangs has been quoted as saying of the Scottsboro case that: "If he had been on that train, there wouldn't have been any trial, there wouldn't have been any arrests, and there wouldn't have been any of the 'niggers' alive."

The I.L.D. demands that the trial be moved to Birmingham, where the larger work ing-class population, Negro and white, would make organization of lynch-gangs by the bosses and officials more difficult, where the workers could protect their own.

As the Scottsboro case goes to trial a second time, the working-class of the world is embattled in militant protest against the lynch-intentions of the Alabama bosses. All over the world, meetings under the leadership of the I.L.D., or under the leadership of organizations sympathetic to the I.L.D., are being held, with colored and white workers joining together to demand the freedom of the boys. Demonstrations are being held in the streets of the world, where the battles of the working-class to save its own are fought, against the Scottsboro lynch frame-up. The working-class of the world is voicing its protest. Workers are in Alabama from all over the United States, a labor-jury to render its verdict on the lynch-bosses.

Negro and white workers on every continent are demanding that the Scottsboro boys go free.

Mooney Congress Chicago; April 30 to May 1

(Continued from page 1)

It was on this basis that the delegates prepared for the battles to come, realizing that the fight for Mooney's freedom is fought not only against the bosses who hold the key on class war prisoners, but also against the bosses' "labor lieutenants": the Greens and Wolls and Scharrenbergs and the Thomases and Hillquits. On the eve of the Conference, the Socialist Party leaders in New York City sent a letter to their membership and branches, directing that invitations to the Conference be ignored and that all delegates already elected be withdrawn.

A. F. of L. Delegation Weak

Despite this effort of the social-fascists to disrupt the conference, the rank and file DID send representatives. In the same manner, nineteen A. F. of L. locals were represented by twenty-nine delegates. But while this is an indication that the working class membership of these organizations will join the struggle to free Tom Mooney and Warren K. Billings, the Conference recognized that the representation was insufficient and that the greatest efforts must be directed towards exposing the crimes of the betrayers and winning the rank and file of these organizations for struggle.

The resolutions adopted by the Conference established the perspective of the battle of the freedom of Mooney and of all class-war prisoners. This fight cannot be conducted in isolation, but must be linked up with all those questions affecting the vital interests of the working class today, and must become a part of the struggle against unemployment, wage-cuts and the coming war now being prepared by the imperialists.

Mooney Case Not Closed

Similar United Front Free Tom Mooney Conferences are being held throughout the country, preparing for new struggles, which is the only answer to the recent declaration of boss-owned Governor Rolph of California that the "Mooney case is now closed." The Case is NOT closed, and WILL not be closed until Mooney and Billings walk out of their prisons free men as the result of the revolutionary actions of a united working class.

The basis for the widest possible campaign will be laid when thousands of workers, elected by their organizations in every part of the land, gather at the great NATIONAL FREE TOM MOONEY CONGRESS which will be held in Chicago on May First, and for which these United Front Conferences are preparing.

The character of this fight, which must and will be carried through to a victorious finish, is best described in the concluding paragraph of a letter sent to the Conference by Tom Mooney himself:

Mooney's Call

"We must not only demand the freedom of Tom Mooney but challenge a dying and decaying capitalism by unmasking its horrors and pointing to a truer and better civilization through a classless society built upon service instead of the present greedy system of private profits that imprisoned men like Eugene Debs and countless other militant working class representatives because of their loyalty to the workers.

"Tours for Proletarian Solidarity through the United Front of all Working Class organizations—NOW.

"TOM MOONEY."

Expose Boss Murders, Frame-Ups, Lynching—Fight Against Terror

Levon Carlock, 19-year-old Negro worker, of Memphis, Tenn., was murdered in cold blood by six policemen "out for a lark," on February 25, 1933.

He was waiting for his young wife, employed as a maid in "white folks" home. It was three o'clock in the morning. He was to escort her home. The policemen who saw him there beat him until his neck was broken, after putting handcuffs on him, and then finished the job by shooting him until he was dead.

The immediate excuse they brought forward for killing him was the nod of a white prostitute, brought down from her house to provide it, when they asked her whether Carlock had not raped her the night before. No, she hadn't seen his face, but she was sure he was the man. He recognized his voice.

The coroner's jury whitewashed the murderers by saying they had committed "justifiable homicide. Carlock was shot while resisting arrest and attempting escape."

Angelo Herndon, 19-year-old Negro worker, has been sentenced to 18 years on a Georgia chain-gang (this means death) for organizing Negro and white workers in their common fight against starvation.

Tom Mooney, veteran of American class-war prisoners, has been behind the bars in San Quentin prison since 1917, on a framed-up charge of having set a bomb in San Francisco during a Preparedness Day parade in July, 1916.

Nine innocent Negro boys face death in the electric chair or lynching at the hands of a mob, on a framed-up charge of raping two white prostitutes. They were arrested when taken off a freight train in Paint Rock, Ala. They were on the road looking for work, like a quarter of a million other American boys and girls, with nothing to do, no place to go, and hungry.

The list could go on and on. And through every case and the next a thread of sameness and terror could be traced, sometimes even the same set of circumstances leading to the persecution, sometimes a somewhat different set-up. But the results are always the same—jail, death, violence, cruelty.

Against the Negroes—more open violence; direct murder as in the case of Levon Carlock, clumsy legal lynching as—so far—in the case of the Scottsboro boys; medieval cruelty as in the case of Angelo Herndon. In some cases the Southern ruling class uses more skill than in others. For Herndon they dug up an old slave-law, dating back to 1866, which makes it a capital offense to hold meetings in which Negro and white workers participate together. They call it "inciting to insurrection," which means dare raise their voices in protest against the misery and starvation forced upon them by the bosses.

For Levon Carlock, they didn't even try to hide the Jim Crow terrorism by which they keep their power. The police simply shot him down in cold blood, "for fun." A few days later, they murdered Lloyd Lowe, a poor white worker, in the police station. He was "suspected of being a robber." A Negro has no right to stand on corners at 3:00 a.m. in Memphis, Tenn. And the Scottsboro case showed them a new trick in the traditional "attacking a white woman" charge. They called on the nearest white prostitute to say that she was raped!

Mooney was the victim of a timed and carefully prepared frame-up. The huge mountain of evidence that has come to light since 1917—proving to any honest person Mooney's innocence—shows how carefully the plans were laid. Mooney had to be gotten out of the way. He was a dangerous man—to the open-shop bosses of California. He was "a trouble-maker." He taught workers how to fight back.

Herndon was the same kind of "trouble-maker." The Scottsboro boys and Levon Carlock—members of an oppressed nationality which must be suppressed, crushed into submission, if the Southern white ruling class is to keep its strangle-hold on the Negro masses—to hold the white workers of North and South in bondage of starvation.

Terror is the thread that runs through the story of all these cases, terror as a means used by the ruling class to insure its power, and a fight against any part of this terror is a blow at the whole structure. The fight to free the Scottsboro boys is at the same time a fight to free Tom Mooney, Angelo Herndon, Edith Berkman, young textile organizer of New England, and all class-war prisoners.

And Negro and white workers must carry on this fight together. Neither group can gain while the other remains terrorized. Jim Crowism is just one part of the program of terror. It is applied to one section of the working-class. Frame-ups, beatings, jail, denial of every democratic right, frame-ups—these parts of the program are directed against the whole working-class.

The whole system of terror must be overthrown. And every voice raised in protest, every demonstration, every resolution passed at workers' meetings, in the streets and in their halls, is a powerful undermining blow.

Only the united action of millions of workers can do the job. If the Alabama lynchings are made to feel that workers all over the world will not permit them to go through with their murderous plans—they will not dare to lynch the nine innocent Negro boys. We must stop them, and we will.

TO THE READERS OF THE LABOR DEFENDER.

The Labor Defender will not continue to appear in this form in the future. This issue was gotten out as a Scottsboro extra to be out on the streets when the trial begins in Decatur.

Since the March issue was out so late we felt that we would be unable to get out a full sized magazine for April and also the special enlarged May Day Mooney issue we are planning.

Watch for this special issue. It will be out during the last week in April.

INTERNATIONAL LABOR DEFENSE FIGHTS

FOR

- 1. The freedom of all class war prisoners regardless of race, creed, or color.
2. The right for workers to organize, strike and picket.
3. The right to fight against starvation and evictions.
4. Freedom of speech, press and assembly.
5. Democratic rights; full equality for Negroes and defense in their struggle for national liberation.
6: The right of asylum.

AGAINST

- 1. All forms of police brutality, terror and persecution.
2. Lynching; Jim-crowism.
3. Deportations.
4. Frame-ups and legal murders.
5. Fascist terror.

BY

Organizing international working class solidarity a mass protest movement in support of the principles for which we stand and against those to which we are opposed and by supplementing this by every possible legal defense.

Organizing workers self defense in court.

The I.L.D. has won many battles against boss terror. It can only continue to carry on if it gets the moral and financial support of all those who are interested in the defense of the rights of workers and other oppressed classes. The dependents of many class war prisoners look to the I.L.D. as their only means of support. The I.L.D. needs money for Prisoners relief, for legal expenses, for organizational expenses.

WE NEED YOUR SUPPORT JOIN THE I.L.D. SEND YOUR CONTRIBUTION

I Want to Join the I. L. D.

Name
Address
City
I. L. D., Room 430, 80 East 11th Street, N. Y. C.

Scottsboro and The Press

These clippings give a good idea of the two trends of opinion on the Scottsboro Case. Those in the left hand column are clearly dictated by the Southern ruling class. Those in the right hand column are mainly from the working class press.

"[It [the protest activity led by the I.L.D.—Ed.] allows room for the growth of the thought that maybe after all 'the shortest way out' in cases like these would have been the best method of disposing of them."—Jackson County Sentinel, Scottsboro, Ala.

"... the Adolph Ochs-owned Chattanooga Times reported that 'the crime was one of the most horrible ever perpetrated in the United States, and both Jackson and Madison Counties are aroused to an extent that justice will be demanded when the FIENDS are put to trial.' Adolph Ochs is also owner of the New York Times, whose news policy concerning the Negro, though more subtle, is little different from that of the Chattanooga Times.

"Mind you, this report was published before the lads went on trial and is the type of reporting the press associations send out all over the United States..."—Amsterdam News, New York

"It is best for the county that these matters be disposed of in a speedy manner..."—Scottsboro, Ala., Progressive Age.

"Nothing has been revealed that would indicate that the officials of the law failed to give the defendants ample protection or that they were deprived of any of their legal rights."—Age-Herald, Birmingham, Ala. (See Selma Times-Journal below.)

"Now the State is the object of calumny because the trials were expeditious, and because great crowds of curious (1) on-lookers attended them. Such attacks on Alabamians will merely make it harder to guarantee court trials of similar offenders in the future." (our emphasis)—Montgomery (Ala.) Advertiser.

"A Negro juror in Jackson County would be a curiosity—and some curiosities are unshakable, you know."—Jackson County Sentinel.

"The only regrettable development in connection with the trial was the intrusion of certain Northern organizations with charges concerning the criminals." (1) — Chattanooga Times, Chattanooga, Tenn.

"A little handful of Communists... sent out telegrams, news releases, threats, charges, and counter charges, all intended to attract public attention to themselves, but none capable of doing the boys one iota of good... It is our opinion that if the boys could ever receive one iota of consideration at the hands of the Courts or at the hands of the Governor of Alabama, it will not be due to anything the Communists have done, want to do, or can do. It is more likely, however, that if mobs break out in Alabama and these eight boys are taken from the jail and lynched, it will probably be due to the nonsensical activities of the Communists, who by their misguided energies, will finally drive the citizens of Alabama to the point of desperation."—Pittsburgh Courier, Pittsburgh, Pa.

"The trials were conducted under the protection of soldiers with fixed bayonets and in a courtroom surcharged with racial hatred. A crowd of 10,000 people were milling about the grounds, and when the first verdict of 'guilty' was returned there was a tremendous applause and a brass band struck up the stirring strains of 'Dixie' and the 'Star Spangled Banner!'"—Times-Journal, Selma, Ala.

"As soon as the International Labor Defense entered the case and cried halt to the legal lynching, the first concern of the Southern white ruling class was to attempt to break the mass protest raised against the Scottsboro outrage. As one, the

Southern press put up a howl about the 'red meddlers from New York.' Every effort is being made to break the confidence of the workers in the International Labor Defense, to smash the unity of the defense campaign, all the easier to send the boys to the chair."—Southern Worker, weekly organ of the Communist Party.

"Negro and white workers! In times like these, when there are only days and weeks to fight for the lives of the Scottsboro boys and children, you can learn more in one day about the real character of your leaders than in ten years of an eventful times. These are the days of testing! Learn from these facts to know who are your real friends, leaders and comrades.

"The boys are innocent! Demand their unconditional release! Smash the Scottsboro frame-up! Smash the lynching and terror national oppression against the Negro people!"—Daily Worker, central organ of the Communist Party.

"Other pompous rosent denizens of the dank, judicial depths will wiggle their whiskers importantly and figure out the surest way to keep the black boys of the Scottsboro case trapped in the sewer pipes of the law until disease and decay have had their way with them."—Boston Guardian.

"This attack in Tallapoosa County is not an isolated attack. It is part of the murder in Camp Hill, the frame-up of the nine Scottsboro boys, of the countless shootings and lynchings of Negro toilers by the white rulers in the South... We call upon the white workers to join in actual defense of their Negro brothers. We call upon unions of the Trade Union Unity League, upon all workers organized in the American Federation of Labor, the Railroad Brotherhoods, upon all white workers to... demand the immediate release of all arrested."—Labor Unity, monthly organ of the Trade Union Unity League.

"Towards a Final Scottsboro Victory.

"For 19 months the workers have met in great demonstrations; have sent protests, have shouted in the ears of the justices of the Supreme Court their determination that the Scottsboro boys shall not die!

"The reversal of the Scottsboro verdicts is a tremendous partial victory. While the workers rejoice with a sense of partial victory achieved, they must gird themselves for new and greater efforts."—The Liberator, organ of the League of Struggle for Negro Rights.

"Too much praise can not be given the International Labor Defense for the assistance it has rendered our people through the country thru its support of the effort to save the lives of those boys and if possible secure them their freedom. And the best way to show this is by supporting as liberally as possible in these economic depression days the exceptionally successful effort, thus far, the organization has made."—Gazette, Cleveland, O.

Germany

(Continued from page 3)

against the working masses of the world by the international capitalist battle front.

The Red Aid of Germany with its 400,000 members, in addition to seven hundred thousand affiliate members, has played a most important rôle in the defense of class war prisoners. True to its international character, it also took an active part in our own Scottsboro struggle. On April 24, 1931, the first European telegram we in America received on the Scottsboro case was sent by the Berlin Transport Workers Union. City after city in Germany held protest Scottsboro meetings. Many workers were killed and wounded during these demonstrations.

But now the Red Aid of Germany is outlawed. Courts and legal means will be denied to class war prisoners. The fight will now be in the open streets and it will be a bitter fight. What new tactics will the Red Aid of Germany develop? The workers of the world will watch and will help. They will help by fighting their own battles more sharply. They will help by organizing mass protests against the Hitler tyranny. They will organize world-wide demonstrations for the release of all political prisoners, for the release of the Communist leaders Thaelmann, Torgler, Piereck, Memmele, and many others who are being tortured and killed in prisons. They will help by fighting for the solidarity and unity of the International workers of the world. We in America must build and build rapidly a powerful and large mass International Labor Defense. We must be prepared for the constantly increasing and sharper class warfare.

We Need Your Help!

It is not my purpose to remind you of all the things you know about the Scottsboro case; you know them as well as I do. What I am doing is presenting to you something that you may not know: THAT THE FATE OF THOSE NINE INNOCENT CHILDREN NOW RESTS ENTIRELY WITH YOU. There have been very few occasions in the history of American law when a finer array of legal talent was brought into play than in the Scottsboro case. But that is not enough. There must be money to cover a thousand different details that will crop up now and during the trial.

THAT MONEY MUST COME FROM SOMEWHERE. Millionaire philanthropists who endow huge institutions and build libraries do not fight cases in Alabama courts. THERE IS WHERE YOU MUST FUNCTION. There is nowhere that money can come from except your pocket.

I sincerely hope that you will not let the fact that you are in a period of financial stress deter you from making a contribution to the defense of the nine innocent boys. Anything that you can spare will be accepted. Send a dollar if you can; if you cannot, send a quarter or a dime, anything. DO NOT LET THE BLOOD OF NINE LADS BE ON YOUR HANDS. IF THE FIGHT SHOULD BE LOST FOR LACK OF DEFENSE FUNDS, the State of Alabama will not be one-half as guilty as YOU AND I.

There are thousands of unjailed miscreants and potential murderers like those in Alabama who will be all too eager to serve you or your son like they are trying to serve those nine boys if they are shown by the results of this case that they can get away with it. If you and I, and all the twelve million other Negroes and all the other white workers and sympathizers in this country allow those boys to be legally lynched for stealing a ride on a freight train, we might just as well bid goodbye to any sense of safety and security we ever had.

The International Labor Defense, Room 430, 80 East 11th Street, is in charge of the defense of the boys. SEND YOUR CONTRIBUTIONS TO THEM AT ONCE.

WE NEED— \$1,000 for Transportation of Witnesses. \$300 for Court Stenographers. \$1,000 for Attorneys. \$250 for Transportation. YOU MUST HELP US