



LABOR DEFENDER

UNIVERSITY OF CALIFORNIA
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OSMOND K. FRAENKEL
on the
**De JONGE
VICTORY**
before the
SUPREME COURT

• • •

**ANGELO
HERNDON**

• • •

**LAWRENCE
SIMPSON**
reports

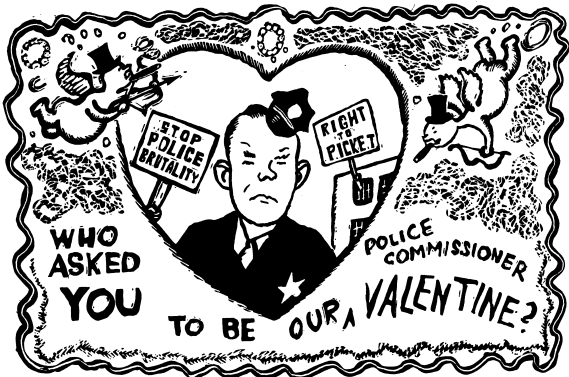
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THREE NEW STORIES
by
**LUDWIG
RENN**



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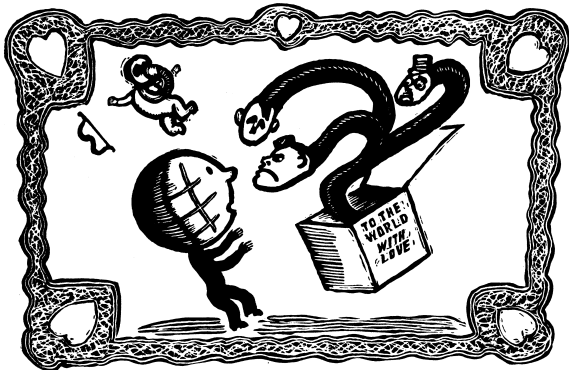
ALMANAC



*Police Commissioner Valentine
Envoies every G-Man's capture
His third degree and confessions cause them jealous rapture
As for us, he's LaGuardia's Valentine.*

FEB. 6—Three years ago VIENNA heroes fought against FASCISM behind BARRICADES.

FEB. 10—the beginning of National Negro History Week. Watch for the exhibits in your neighborhood.



*For Hitler, Mussolini, Franco
The Spanish people are causing trouble
And we who send this valentine—oh
Of that trouble wish them double.*

FEB. 12—the birthday of one of America's greatest Presidents—Abraham Lincoln, who believed that "government of the people, by the people and for the people," must not be allowed to perish from the earth.

FEB. 13—the birthday of one of the most outstanding leaders of the Negro people, an American whose service to the cause of freedom and democracy makes a shining page in the history of our country—FREDERICK DOUGLASS.

FEB. 14—Valentine Day—is the LABOR DEFENDER your valentine?



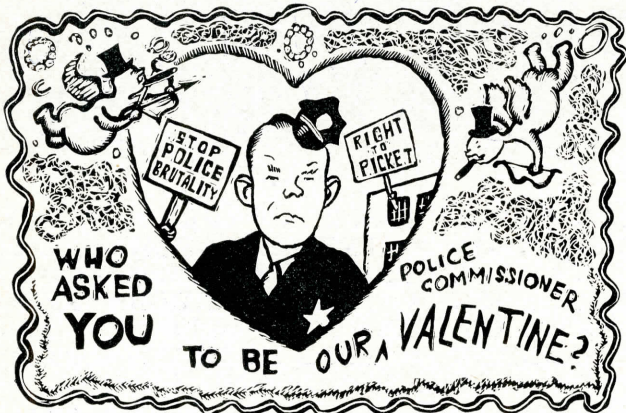
*Although behind bars, you never surrender
Nor lose your spirit so fine;
So the editors of the Labor Defender
Choose you for their valentine*

FEB. 22—the birthday of the FATHER OF OUR COUNTRY, George Washington who was the GENERAL of the army that licked the BRITISH, won our independence, and fought to establish LIBERTY and JUSTICE for all in the UNITED STATES.



*Daddy's locked away in jail
We're fighting for his liberty.
But on this and on every day
Our Valentine you'll be.*

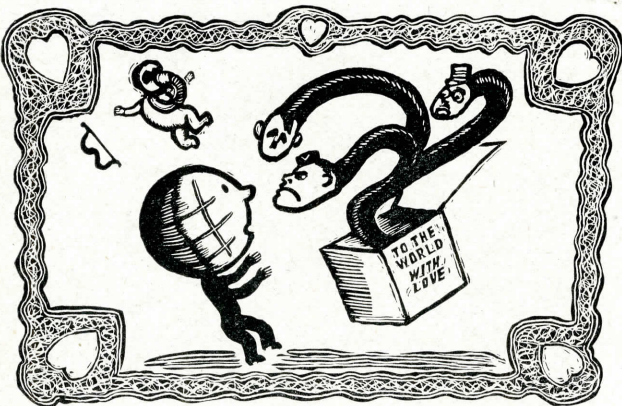
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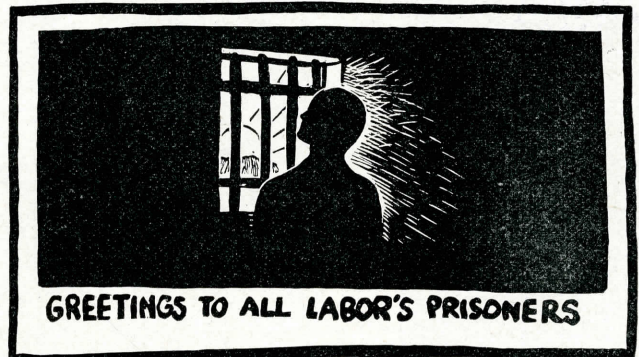


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earth.

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LABOR DEFENDER

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The DeJonge Victory

Elsewhere in this issue, Osmund K. Fraenkel, noted constitutional attorney, analyzes the legal elements of the notable victory won by the International Labor Defense in its appeal to the United States Supreme Court of the case of Dirk De Jonge. It remains to be pointed out that this victory has given an impetus to the movement against the criminal syndicalism laws and other repressive legislation which finds the most wide-spread reflection.

The reactionary United States News made a national survey of editorial comment on the decision, and reports that 64% agrees that this decision is a distinct contribution to American freedom. The remaining 36% note that a limitation to repressive legislation has been set.

In Oregon itself, the victory has been reflected in pages of pictures and type, and there is a strong move in the legislature, heavily backed by public opinion which the I.L.D. is rapidly organizing, for complete repeal of the c.s. law of the state. It is unquestionable that this I.L.D. victory is also involved in the recent success of the labor movement in Jersey City, where the courts ruled that the police power is not authorized to prevent Communist Party meetings. This New Jersey victory is the opening wedge of a trade-union campaign which has for its aim the smashing of the runaway open shop paradise conditions of which the Jersey City Chamber of Commerce has boasted so profitably.

With Flying Colors

Battling against the heavy odds of their own reactionary officials, a united front of ship-owners, city, county and state police forces, the courts and the goon-squads (mercenary troops of reaction on the waterfronts), the seamen have come through a protracted strike with flying colors. Their goal of a national maritime federation and free unions is appreciably nearer.

Thousands of seamen have passed through the trials of arrest and imprisonment in jails and in Gulf-state concentration camps in the course of the strike. In Tampa, Norfolk, Philadelphia, New Jersey, New York, and in the various gulf ports, an unknown number are still held under heavy charges. At least three have been killed. A dozen more have died of pneumonia and otherwise in the line of picket-duty.

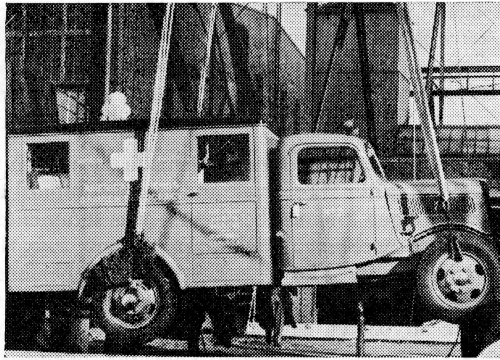
As the strike ends, defense committees set up with the cooperation of the International Labor Defense have laid the groundwork for

a permanent maritime defense apparatus on the east coast. These committees still have the task of freeing their brothers held in jail. The job of the I.L.D. isn't over by a long shot. It is carrying on, with the support of the progressive trade-union movement.

An Ambulance to Spain

We have decided that our next shipment of solidarity to the defenders of democracy in Spain should take the form of a well equipped ambulance. To date we have sent them \$15,000 worth of medical supplies and surgical instruments.

We want to send our I.L.D. ambulance



The I.L.D. is sending an ambulance like this one to the defenders of democracy in Spain.

with the next contingent of the American Medical Corps which will leave in February. You can make your contribution towards this gift directly through our national office here in New York or through any state office or branch of the I.L.D. We know every reader of the Labor Defender will want to be a party to this gift.

The Right of Asylum for Leon Trotsky

Many members of the I.L.D. and readers of the LABOR DEFENDER have asked the question in recent weeks—where do we stand on the right of asylum for Leon Trotsky?

The I.L.D. has, since its inception, conducted an uncompromising struggle for the right of asylum for those hounded and persecuted because of their activities in the interests of labor, as one of its basic tasks. We have defended the right of asylum in this country for the foreign-born who came here—tilled the soil, mined the coal, made the steel, raised

families of future citizens—and exercised the rights of labor to organize, strike, picket, belong to a political party of their choice.

The I.L.D. defends the right of asylum for political refugees from other lands who come here to escape persecution for their activities in the interests of peace and freedom—like Alfred Miller, Otto Richter, Hans Ditman, other German workers who sought refuge here, workers from every land where there is tyranny and oppression.

We have not, and never will defend the right of asylum for those who are driven out of their native land by the wrath of the people. And we emphatically denounce any and all attempts to use this sacred right as a cover for anti-labor, fascist activities.

This is what the scattered supporters of Leon Trotsky are doing today—demanding asylum for a man who stands condemned by the entire population of the Soviet Union, by the democratic courts of that great nation, as an assassin and a fascist plotter; who stands exposed before the world—by the testimony of his own agents on trial—as an enemy of democracy, peace, progress.

The American people in the last election, showed definitely that they are opposed to fascism and for peace and democracy; that this country, this continent, this hemisphere must be kept free from fascist war plots, intrigues and activities.

Leon Trotsky is clearly using his asylum in Mexico to establish headquarters from which he is continuing his work of attempting to sow confusion, disruption, disunity in the ranks of the sincere defenders of democracy and peace. That is the game of fascism. He would do exactly the same if he came to this country.

The interests of American labor are clearly on the side of democracy, peace and justice, and as determined defenders of labor's rights, we cannot defend asylum for anyone who is an enemy of these interests.

The Statue of Liberty carries a legend on its pedestal: SEND US YOUR HUDDLED MASSES LONGING TO BE FREE. Those words represent the meaning and intention of all true defenders of the right of asylum, of all who want this country to be the home of freedom, peace and democracy.

The lines are being very sharply drawn in the world today with the forces of democracy assembling on one side and the forces of fascism on the other. If you are for democracy you are against fascists and all who aid and abet them in their murderous actions and barbarous ambitions. The International Labor Defense definitely takes its stand on the side of democracy.

THE De JONGE CASE

A Victory for Civil Rights

A complete analysis of the victory before the United States Supreme Court in the De Jonge case, by the outstanding attorney retained by the International Labor Defense to argue on the side of justice and democracy.

By OSMOND K. FRAENKEL

Dirk deJonge spoke in Portland, Oregon, at a meeting called by the Communist Party to protest police raids on striking seamen and longshoremen. For this he was sentenced to seven years in prison. The Oregon Supreme Court approved the sentence (although two of the seven judges believed errors had been committed at the trial and three, that the sentence was excessive). But the United States Supreme Court unanimously reversed the conviction on the ground that it violated basic constitutional rights of free speech and assemblage. How may we account for both the conviction and the reversal?

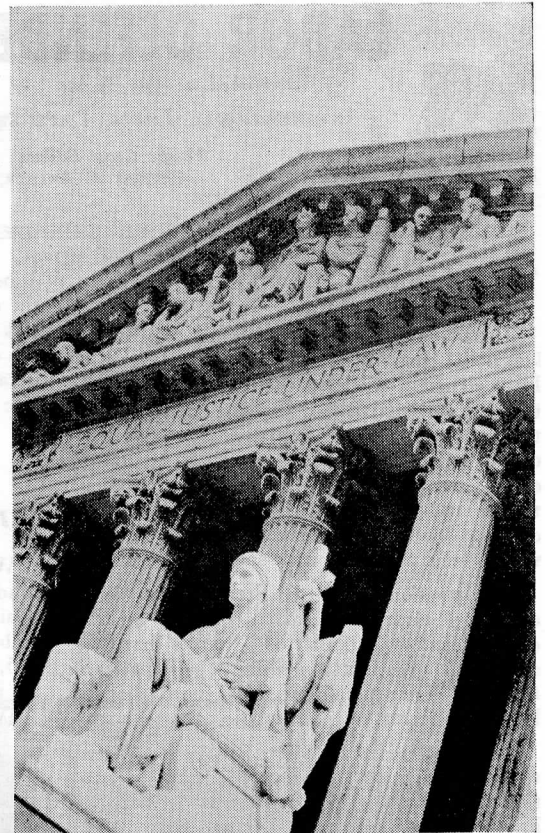
DeJonge was indicted under one of the many Criminal Syndicalism laws enacted after the war. Ostensibly designed to protect society against the danger of violent revolution, they have generally been used as strike-breaking and anti-left wing weapons. At first the IWW was their target; in more recent times it has been the Communist Party. These laws punish not actual attempts forcibly to overthrow the government or bring about industrial changes, but any advocacy of such attempts by speech or writing, and any organizational activities directed toward the same end. In many states mere membership in an organization of this kind is also criminal. The laws include in their ban advocacy of sabotage, defined usually as the use of destructive methods for the accomplishing of industrial change.

In Oregon the law, originally enacted in 1919, made it a crime to join an organization which advocated any of the prohibited doctrines. After the courts had decided this law did not punish membership as such, and could therefore reach neither a person who had joined a proscribed organization before the law went into effect nor one who had become a member in some other state, it was changed

so as to make mere membership a crime. But in 1933, after the trial and conviction of a sewer digger for membership, it was so amended that mere membership no longer constituted a crime. The new law punished persons who assisted in meetings of organizations which advocated prohibited doctrine.

A grammatical question arose, here, at once. Did the prohibited doctrines have to be advocated by the meeting or was it enough if they were advocated by the organization which called the meeting? DeJonge's defense attorneys argued for the first interpretation, the prosecution for the second. The question was important; ultimately it became decisive. Contending that no evidence had been introduced by the state of any unlawful thing said or done at the meeting, defense counsel asked the judge to acquit deJonge. This he refused to do, and on appeal the State Supreme Court ruled that it had not been necessary for the state to prove that the meeting itself had been improperly called or conducted. Sufficient evidence had been introduced, that court said, to permit the jury to find that the Communist Party advocated violent revolution. Since it was admitted the Communist Party called the meeting, the conviction was held justified. Neither the indictment nor the statute, said the Court, required further proof.

The case went next to the United States Supreme Court. Long ago it was settled that United States courts are bound to accept without question the meaning which the highest court of a state puts upon a state law. The U.S. courts can only decide if the law, as interpreted by the State Court, is constitutional. Such, then, was the very narrow issue presented to the United States Supreme Court on the final appeal: can a state punish a person for speaking at a meeting, merely because the meeting was called by an organization



Behind this beautiful and noble looking exterior nine old men have delivered some crushing blows against labor. But the De Jonge decision shows what they can be forced to do.

which elsewhere advocates doctrines prohibited by law? (Counsel did not attempt to review in the United States Supreme Court the sufficiency of the evidence produced by the state as to the nature of the doctrines advocated by the Communist Party.)

The basis for the appeal to the United States Supreme Court was the Fourteenth Amendment. That amendment contains the famous clause which guarantees that no state shall deprive any person of liberty or property without due process of law. Until near the end of the nineteenth century this had generally been interpreted as relating only to matters of procedure—the right to a fair hearing. Then, at the instance of property interests, the Supreme Court so expanded the original meaning of the phrase “due process,” as to permit judicial scrutiny of social welfare legislation, on the excuse that these laws violated the freedom to contract. Thus, in this instance, the Supreme Court has become a superlegislature. In this capacity it has vetoed minimum wage laws, laws which limit the hours of labor, laws regulating employment agencies, laws fixing the weight of loaves of bread, laws restricting fees to be charged by ticket speculators, laws requiring permission to enter into the ice business, laws outlawing yellow dog contracts; and many, many others.

But the Supreme Court has also declared that the states were, by this same clause, prevented from passing laws which deprived people of fundamental, personal rights. Many of these rights were expressly protected against federal action in the first group of amend-

ments, known as the Bill of Rights. Included among them are freedom of speech and assemblage, religious freedom, the right to trial by jury, security against unlawful searches and seizures and the privilege against self incrimination. The United States Supreme Court originally held that these amendments did not protect people against state action. Thus it decided that states might abolish trial by jury and might compel people to testify against themselves. On the other hand, freedom of speech and of the press the Court considered so fundamental as to be included within the concept of due process.

In cases arising under the federal wartime Espionage Act, which punished acts and made no reference to speech, the Supreme Court had upheld many convictions, despite the contention that the express constitutional guaranty of free speech had been violated. Debs, it will be remembered, was among those so convicted. In these cases the Court laid down the principle that speech might be criminal when uttered under circumstances such that the jury might find there was a "clear and present danger" that the speech would produce the acts prohibited by law—in most of these cases interference with recruiting. But, when confronted with the state criminal syndicalism laws, the Court adopted a somewhat different



The De Jonge decision spells hope for all victims of criminal syndicalism laws.

attitude. These laws expressly punished speech and writing. The majority of the Court therefore indulged in the presumption that the legislature was the best judge as to the necessity for punishing speech. They decided that the legislature had the power to determine without veto by the Court whether certain speech was dangerous to the community. Yet the same judges held, in the minimum wage cases, that the legislature was not the sole judge as to the dangerous character of insufficient wages. Justice Holmes and Brandeis expressed the opinion in the free speech cases that it should always be permissible for a defendant to show that, in his particular situation, there was no "clear and present danger" his utterances would produce violent results.

Thus the Supreme Court has upheld the general validity of these criminal syndicalism laws, primarily on the ground that they punished members of a criminal conspiracy. In no case has the Court been required to pass on the right of a state to make criminal mere membership alone. In only one case had the Court reversed a conviction. In *Fiske v. Kansas* this happened, on the ground that no evidence whatever had been produced to show that the organization there involved, the I.W.W., actually advocated the use of violent methods. The Court also reversed a conviction under California's anti-red flag law, because it sought to punish the display of such a flag in opposition to government, this due to the vagueness of the law, which might readily be so construed as to punish perfectly lawful opposition to government.

Such was the state of the law, when the deJonge case reached the Court. In that case, its unanimous decision, which Chief Justice Hughes wrote, adds freedom of assemblage to the fundamental rights guaranteed by the Fourteenth Amendment. The Chief Justice condemned in no uncertain terms any attempt to punish someone, merely on account of the auspices under which he speaks:

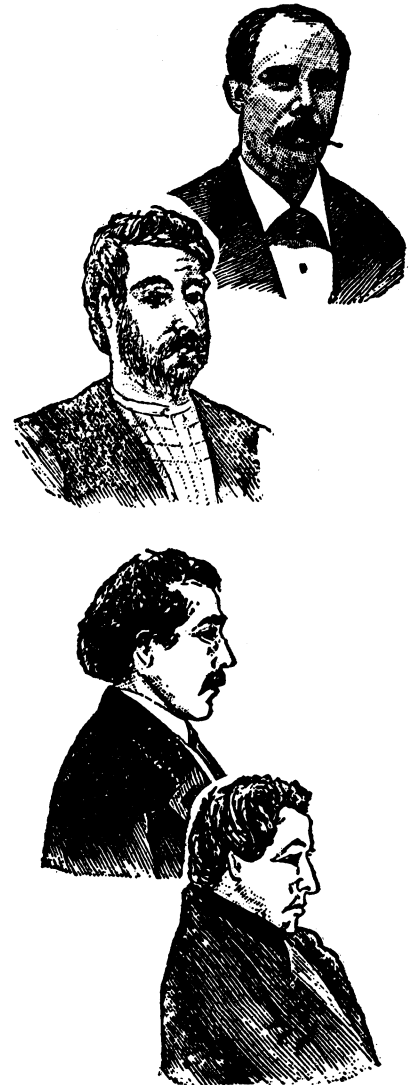
"The greater the importance of safeguarding the community from incitements to the overthrow of our institutions by force and violence, the more imperative is the need to preserve inviolate the constitutional rights of free speech, free press and free assembly in order to maintain the opportunity for free political discussion, to the end that government may be responsive to the will of the people and that changes, if desired, may be obtained by peaceful means. Therein lies the security of the Republic, the very foundation of constitutional government.

"It follows from these considerations that, consistently with the Federal Constitution, peaceable assembly for lawful discussion cannot be made a crime. The holding of meetings for peaceable political action cannot be proscribed. Those who assist in the conduct of such meetings cannot be branded as criminals on that score. The question, if the rights of free speech and peaceable assembly are to be preserved, is not as to the auspices under which the meeting is held but as to its purpose; not as to the relations of the speakers, but whether their utterances transcend the bounds of the freedom of speech which the Constitution protects."

While the decision deals with a single narrow question, its importance should be far-reaching in that it stops the growing tendency to prevent persons from expressing themselves

on the excuse that their general beliefs are revolutionary. From now on it should not be possible to bar Communist meetings, on the theory that the organization advocates unlawful doctrines. The only constitutional method for the state to pursue is to try persons who violate the law by the things they say or do.

Of course, this decision leaves many problems unsolved. The Court has still to rule, for example, on the propriety of making mere membership in an organization illegal. The exact status of the "clear and present danger" rule is in some doubt, a doubt which the forthcoming Herndon decision may dispel. Nor has any case been presented to the Supreme Court which challenges the contention that the doctrines of the Communist Party violate the law. It has always been absurd that a party with a place on the ballot should in some states be declared an illegal conspiracy, not on the basis of its platform, but by the process of picking out isolated passages from world wide literature, such as the Communist Manifesto, and the writings of Lenin. Yet, to present a case raising this important issue will require much careful preparation. How the Supreme Court will act, should such a case come before it, cannot be foretold. Much will depend on the personnel of the Court and on the intervening history.



Four of America's first labor martyrs—the Molly Maguires. These Irish coal miners were the earliest victims of the frame-up system back in 1874.



The De Jonge decision spells hope for all victims of criminal syndicalism laws.

I WANT TO LIVE

A chapter from the book that everybody has been waiting for—the life-story of a young hero who has won the admiration and support of millions. The book will appear on March 1, but the LABOR DEFENDER brings its readers this advance installment. It deals with the first 26 months he spent in Fulton Tower prison—in the death house—among men and boys awaiting execution. The three boys mentioned in this chapter were 15, 16 and 17 years old.

By ANGELO HERNDON

Ever since that day the three boys and I became fast friends. All the food and money we received from the outside, we shared equally. I felt truly like their elder brother and I have never loved anybody more than I did them. I was also fortunate in that my sentiments for them were reciprocated fully. Now as I look back on those harrowing days I feel consoled somewhat that my brief association with them had proved some benefit to them in their last hours. Sympathy and love is all that the unfortunate who share a common sorrow can give each other. I have tasted unhappiness and misfortune as probably few men of my acquaintance have, but I have been happier than the most happy and fortunate of them because I have learned the simple wisdom of distracting my own unhappiness by the effort of dispelling the unhappiness of my fellow beings. . . .

There was nothing that the boys loved more than to sing their beautiful Negro spirituals. They harmonized very effectively. Their singing was the greatest pleasure that I derived from prison. It made me think of my childhood, when the world for all its tragedy still seemed garbed in wonder and beauty for me. They had fresh sweet voices and when they sang the prison bars disappeared, the laundry motor over head was silenced, the walls of the prison melted away in a sea of beauty. As long as I live there will ring in my ears the melancholy wail of their voices blending in the tear laden strains of the spiritual, "When I'm in trouble. . . ."

When the boys sang, all sounds of quarreling and dissension ceased among the prisoners in the entire jail. They became grave and thoughtful. They listened raptly. The music drew them away from the sordidness of their lives and even if only for a moment, through the miraculous intervention of music and sincere words, beauty, in ways unbeknown to them, entered their spirits.

The prisoners showed their gratitude and appreciation in many touching ways. They showered the boys with cigarettes, letters of encouragement and even money. There was something incongruous and fabulous in hearing such ethereal singing in a vile place like the prison. This strangeness was strikingly emphasized to us by the clang and bang of chains and steel doors as an accompaniment to their singing.

Those who have never been entombed in prison can never know the uplifting comfort that lies in a mere trifle like a song. . . .

It was an early Tuesday morning that the jailers came to take the boys to their death. All night long the four of us kept vigil in separate cells. Conversation was hardly pos-

sible under these circumstances. Hardly a word passed between us. The condemned boys seemed to have receded from each other's consciousness. Each one now lived in a world apart, agonizing silently like Jesus in the garden of Gethsemane the night of the betrayal. They wept silently, revealing their anguish occasionally by an involuntary moan. The little preacher seemed to be most affected. He prayed all night in an undertone uttering his words with a passionate intensity as if trying to stave off the terrible end that awaited him by constructing walls of prayer about him. Most of the night I stood at the bars of my cage straining my eyes to see my friends and to give them proof that I was with them. The executioners were insistent. They could not wait. The chief jailer ordered the boys to get ready. Mutely, with dragging feet the boys took their Bibles, prayer and song books and put them away in a little Boston bag belonging to Richard Morris. Tears were streaming from their eyes. And in their broken state they seemed to have achieved a deep goodness and a beauty.

I felt the need of saying something, of com-

An Appreciation

By CHESTER A. ARTHUR, Jr.

As I understand it, this country was founded by rebels who wished to do away with oldworld concepts of caste. Banished was the French concept of "The Three Estates," the English concept of "The Aristocracy, Those in Trade, and Labour," as three quite distinct classes functioning on different planes. The one great flaw in our Constitution, as adopted just a hundred and fifty years ago, was the recognition of Negro slavery in the Southern States, belying the concept that "all men are created equal." This flaw was supposedly rectified by a war which staggered the foreign observers and which they acknowledged to be, up to that time, the most stupendous was in history.

More men were lost in the battle of Shiloh than in any battle in previous time. The same is true of Gettysburg. Then came Lincoln's Gettysburg address, which every American schoolboy has to learn by heart. What hypocrites we are here in America to hold Lincoln and his ideals in such veneration when we allow to continue in our land such conditions as I have seen in Georgia, in every state of the Deep South—even, I will have to admit,

forting, of lending them the necessary bit of pathetic strength with which to enter the great shadow. But I was tongue-tied, paralyzed in every limb, trembling violently and feeling as if my knees were about to cave in.

When they got ready they fell in line, one behind the other. First came Mose. He seemed the bravest of the three. He smiled weakly, but it was a twisted smile, almost ghastly, for he was yellow as with jaundice. After him came Richard Morris. He looked like a child that had been beaten by his mother because of some naughty prank he had been playing. He sniffled and as he had no handkerchief he looked very woebegone, trying ineffectually to wipe his nose with his bare hand. Last came Richard Simms. He was weeping and appeared more terrified and unhappy than his companions. He looked about him like a frightened bird, frantically searching with his eyes for some invisible deliverer to come to his aid.

I would have come to his aid, if I could. But I too was only a bird in the self same cage. I too stood in need of rescue. Only there was no one to rescue them or me. I seized hold of the bars and dug my hands into them until the palms became bruised. I gave vent to all the despair I was capable of myself. In another moment the boys would be passing my way and I must not be found wanting by them.

When Mose came alongside my cell, he stopped and said:

"Good-bye, Angelo, I wish you all the luck in the world. There doesn't seem to be any for us."

Then came Richard Morris. He extended a trembling hand to me, which I grasped hard. With eyes swimming with tears, he said to me in a broken voice:

"Good-bye, Angelo, you have been a good friend to me—you believed in my innocence and God will reward you for it. We surely
(Continued on Page 16)

in many sections of the Industrial North. Have the men who died in our two great Revolutions died in vain? And will there have to be a third in order that the Declaration of Independence and Bill of Rights, Lincoln's Gettysburg Address and his Second Inaugural, be made statements of fact rather than statements of mere theory?

I hope not. I hope that the Supreme Court, warned by the temper of the people in the last election, will not repeat the revolution-making Dred Scott Decision. If the Georgia law under which Angelo Herndon is indicted is declared constitutional, it will be tantamount to declaring slavery constitutional. For this reason:

Slavery is a fact, not a theory. Most of the Negroes in the South were given their freedom on paper, not in fact. They were given no economic start toward real freedom. If the great plantations had been divided up among the population as were the great estates of the nobles in the French Revolution, the Negroes would have been given at least a chance to hold their own in competition (the Capital-

(Continued on Page 17)

The Great Auto Strike In Pictures



The whole family is involved in auto workers strike. Above: Dad sitting-down in Flint. (Note classy furniture moved from office). Below: Ma brings the eats to the plant. Right: Uncle comes to grips with the cops. Below: left: the kids on parade for Daddy and the Union.

Right: 2,300 National Guardsmen mobilized in Flint. Getting ready for the battle!



Below: Auto pickets didn't think the Sheriff should enforce General Motors injunction. While he was trying to, they just dumped his car for him.



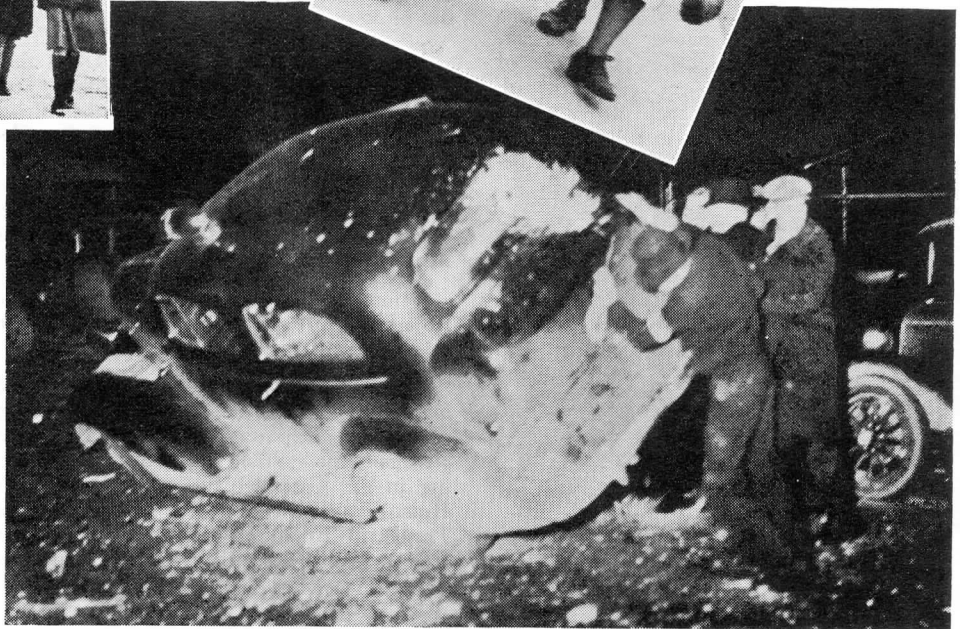
21 strikers arrested on phony charges ranging from "unlawful assembly" to "possessing a home-made black jack."

300 John Doe warrants for arrest of strikers issued—just in case—charging:

- Criminal Syndicalism.
- Felonious assault.
- Riot.
- Destruction of property.
- Kidnapping.

The police were ready to charge arrested strikers on the basis of first come, first served.

Tear gas, (hundreds of rounds), clubs, vigilante attacks used against strikers in Flint, Detroit, Saginaw, Kansas City, St. Louis.



DON QUIXOTE LOOKS ON

**Air raids — murder—and
machine-gun fire—but the
work of solidarity goes on.
An eye-witness report
from Spain.**

By J. ENAMORADO CUESTA

The blue autumn sky above Madrid buzzed with the faint roar of high flying motors, big powerful Junkers and Capronis. Instantly, the anti-air guns barked their blunt staccato and machine guns blurted out their angry tattoo in response to Franco's "defenders of Christian civilization." We rushed out on the balcony of the old nuns' convent where the offices of AYUDA, the I.L.D.'s weekly, had been hastily installed.

Emilio Delgado, a Porto Rican, exiled from his country by Wall Street imperialism, now the associate editor of AYUDA was with me. We were looking right onto Plaza de Espana, where the white stone memorial to Cervantes raises its massive height. From its side a black bronze Don Quixote and Sancho Panza ride forth, toward the westerly Campo del Moro, right across the Manzanares River beyond the old Royal Palace.

There is a strong symbolism embodied in this spot. Under the old carlovingian kings of Spain it was here that the armies of the Moorish kings approached to storm Madrid. And it is here that Franco's mercenary Moors once again besieged the city. Today they have been replaced by Hitler's and Mussolini's "volunteers." And here now Don Quixote, defender of helpless widows and damsels, liberator of chain-bound galley slaves and of wage-cheated young shepherds, stands guard, gaunt and alert on the back of his trusty Rosinante, against the modern assailants of the Spanish people's right to free life and democratic government.

Diagonally across from the Plaza rise the stately ramparts and grim walls of La Montana Barracks, so gallantly stormed and taken by the people of Madrid in the morning of July 20 from the grasp of the fascist generals. The crackle of machine gun fire hailed the heroic group on that hot July morning and more than one scar was made by bullets on the bronze Don and his trusty Sancho. They saw it all and the spirit of justice that animated the fanciful protector of the needy must have gone forth to the people.

Not fifty paces away from the tall bronze figures a trench mortar shell from La Mon-



The people of Barcelona gather to say good-bye to a battalion of democracy's defenders leaving for the front. Old and young, men and women, united in seeing that fascism shall not pass.

tana exploded, sowing destruction in the midst of the plucky defenders. Today workers passing in street cars through the Plaza look up at the sky and laugh their scorn at Mussolini's and Hitler's airmen. They are not afraid. Neither are the women that come out on their balconies and point out the murderous birdmen in the air.

It is not only the offices of AYUDA that are housed in the old convent across the Plaza de Espana. On the ground and second floors are the offices of the International Labor Defense, known in Spain as the "Socorro Rojo Internacional." The place swarms with people busy at their work of helping the Madrid defenders resist the siege of Franco and his Moors, Germans and Italians.

Before the rebellion started, the Socorro Rojo had long been a very popular institution in Democratic Spain, especially in Madrid.

Tomà Vega, its busy secretary, never had much time to spare. Perhaps it was a question of furnishing help to the needy folks of arrested strikers in the building trade, or a public meeting in the Casa del Pueblo (The People's Home) to demand the liberty of Luis Carlos Prestes in Brazil or of Albizu Campos in Puerto Rico, held without bail by a governor

under orders from Wall Street sugar barons. There was always something to do for the Socorro Rojo. The I.L.D. never was found wanting when the victims of imperialism and fascism in other lands needed help.

It is the wonderful vitality of the Spanish people, I think, that enabled them to be always ready to help other people far away, whether it was in fascism plundered Abyssinia or imperialism ridden South America, at a time when they themselves were waging a bitter fight and knew they would have to go to war in their own country against the gathering forces of Spanish fascism. They had grown accustomed to look to the Socorro Rojo as their natural vehicle for rendering aid and relief efficiently.

And then the rebellion came. The Socorro had to multiply itself. From a small office in Gran Via, it moved to its present ample quarters in the old convent, confiscated for that purpose by the Republican Government. The ground floor and basement are converted into warehouses for clothing, bedding and medical supplies which the Spanish I.L.D. handles and distributes among those who need it, whether militiamen in the front lines or their folks at home. Their weekly newspaper, AYUDA, has

(Continued on Page 12)

Singing As They Fight

These poems were translated from the Spanish by M. Benardete. They are from a forthcoming book. The translator will send all the proceeds as his contribution to Spain's heroic defenders.

Fernando De Rosa

All the peoples of the world
Were listening to bad news.
They came from Navalperal,
From Peguerinos, Las Navas,
They came from the valley of Avila.

Fernando de Rosa died,
He was a son of Italy.
He died, resisting at Peguerinos,
Directing the shooting;

And when one is a man and hero,
The whole world is his country.
Ominous silence overcomes all
When they learn of the calamity;
In the streets, in the fields and factories.

Fernando de Rosa has died
For Spain's liberty.
Vile gossip, rumors,
And lies of guttersnipes.
Fernando de Rosa, my brother,
My brave comrade,
We did not need a coffin
To bury them with you.
But if about your truth
Horrid words have been spoken,
The one who uttered them,
May he lack the stream of pure blood like
yours;
Whoever dared express these lies,
May he lack a clear conscience.
If a lie has murdered you,
Faithful soldier, my comrade,
A truth gives you new birth
And saves you from death's finality.
Who dares doubt, de Rosa,
That you are a true hero?

On the Toledo front—in the trenches for democracy.



For death is the witness
Of all heroes, my good comrade!
Down the highways,
From all the frontiers,
Fighting delegates are coming,
From Somosierra, from Avila,
From Talavera on the Tagus
Where still continues the fighting.
Whistling with triumph,
With news from Las Navas,
Rushes on the Red Locomotive:
Militiamen, my comrades!
We won the battle
After a gory fight.
The joy of our victory,
The bad news from the front
Takes away rapidly.
Fernando de Rosa has died
As a comrade knows how to die!
The funeral traverses the streets,
With emotion, cold and pale,
The clenched hands shout
What the lips do not say.
Youths, unions of workers,
All the toiling people
Carry Fernando de Rosa
To his open grave
With pious, working hands,
The hands of comrades.
A hollow of worthy earth
Encloses, embraces his arms,
Receives mercifully the hero
Who defended with bullets,
With his life, with his death,
This country of ours.
Companions! Comrades!
Fernando de Rosa has died
For Spain, for Italy,
For Russia and Germany,
For England and France.
Fernando de Rosa has died
For the world of tomorrow,
A world without lies or treason,
Without hunger or ignorance.
All the peoples of the earth
Will learn of his bravery.

LORENZO VARELA

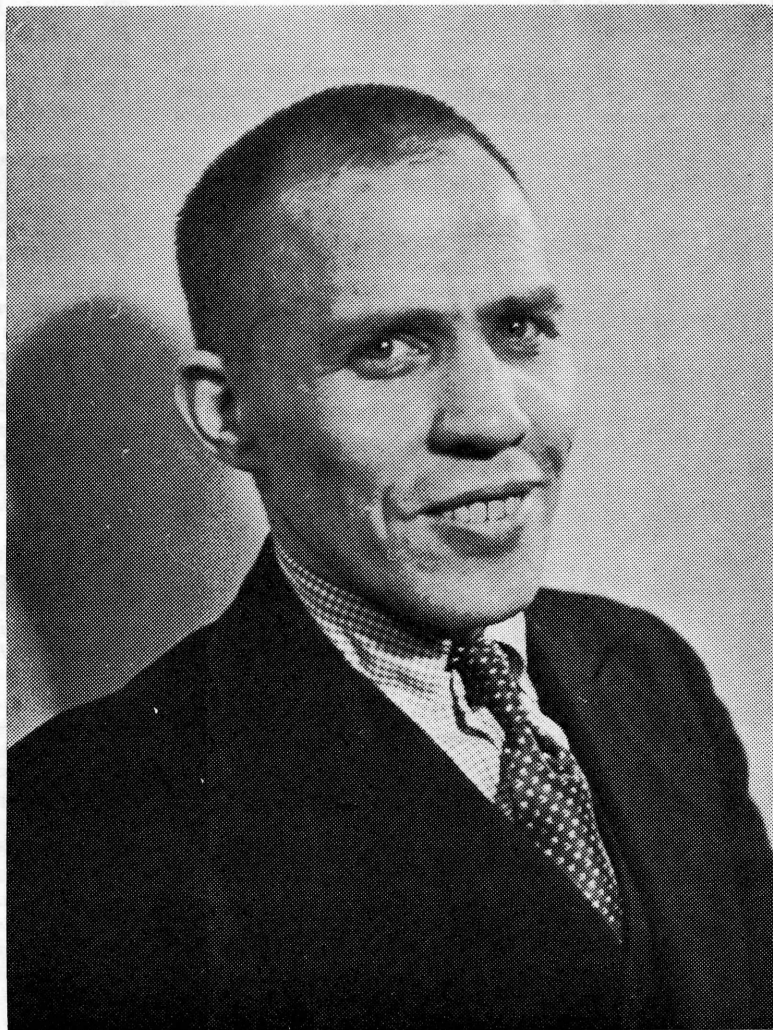
Jose Lorente Granero

Jose Lorente Granero
Was twenty years old
When he joined
The iron-willed militia.
On leaving for the sierra,
"If I return," he said simply,
"My brothers, it shall be
To sing with all of you,
If not, I shall be dead."
And his black eyes shone
With a light flashing a glow.
Twelve nights and their days
In the mountains fought Jose
Under an August moon
Which strengthened people's hearts.
He fought and he killed; a red halo
Over his body glowed
Seeming to protect him

Against the treacherous bullets.
The gun in his hands
Was a rose of fire,
Spilling fear and death
For the hated enemy.
See him standing straight in the mountains
Handsome, strong, serene,
A hero among his comrades,
Unscathed by the whirling bullets.
But, alas, came one night,
A night of sorrow and mourning,
A night of foreboding storms,
A night with overcast skies.
In the skirmish, Jose,
Keen with a desire for revenge,
Furiously put to flight
A gang of sinister men,
Who escaped through brambles
Like blood-thirsty wolves.
On and on ran Jose,
Alone, after their heels,
And when he wished to look
Behind him with his black eyes,
He saw only solitude,
Solitude, the night and silence.
Of a sudden, some traitors,
By dozens, if not in hundreds,
Sprang forth from their lairs
And caught him unawares.
They all encircle him.
He fell five to the ground.
Insults, blows on his head they shower.
Chained, he is taken to their camp.
Oh, you voice that sings the life
Of this boy of the people,
Glory of heroic prowess,
Of this Jose Lorente Granero.
Be silent and proclaim not
The sad ending of the event
Occurring amidst the crags
Bathed by a cool river.
A mob of bandits
Place him against a mud wall.
And Jose looks at them all
With a glance, majestic, disdainful.
Nine guns aim at
That clean and noble heart;
He, the mirror of militiamen,
He, the mirror of brave men,
(Continued on Page 16)

On the Madrid front—the Spanish I.L.D. in action.





Above: Lawrence Simpson. Left and right: reproductions of illegal publications taken into Germany by heroic anti-fascist seamen of every land—carrying on the work of Lawrence Simpson. Both booklets contain stories of his arrest and imprisonment.

**BEI UNS
IN DEUTSCHLAND**

wird der Krieg
vorbereitet.
Jeder,
der gegen
den Krieg ist,
wird verfolgt,
und
von der Gestapo
mit Reitpeitschen
geschlagen;
manchmal auch
auf der Flucht
erschossen.

AUCH DU ---

endgültig "for-
es Kopf eines der
wo schon so
hingeworfen,
sich werden,
den, diesen

LAWRENCE SIMPSON
Seit dem 28. Juni 1936 befindet
sich der amerikanische Seemann
Lawrence Simpson von S. S. Man-
hattan in den Händen der Gestapo.
Von einem Augenzeugen der Ge-
stapohaftung wurde uns folgendes be-
richtet:
Wir passierten Cuxhaven als vier
Beute der deutschen Staatspolizei
an Bord kamen. In einem Schrank
waren einige Zeitungen gefunden
deren Erscheinen wohl in heutiger
Deutschland verboten ist, nicht
aber in den Vereinigten Staaten.



I'm Glad to be Home

The first speech delivered by Lawrence Simpson upon his return to the U. S.

Brothers, sisters, and friends:

I am here tonight, after eighteen months in Nazi jails and concentration camps, because of your solidarity and support in the fight against Nazi terror, and because of the wonderful defense movement that was developed for me by the labor movement all over the United States.

I can't tell you how glad I am to be back in my native U.S.A., nor how glad I am to be back in the fight. When I left New York a year and a half ago, it didn't look as if we'd have such a fine successful strike for better living conditions among the seamen as there is now—not for a long time anyway. I am out now and back in this fight.

Before I start to tell you about my experiences in Germany, I want to take this opportunity to publicly express my appreciation of

the wonderful work of organizing the defense movement for me that was done by Anna Damon, the national secretary of the International Labor Defense, and Gifford Cochran, the secretary of the National Committee for Defense of Political Prisoners, and all the members and officers of these organizations, and the American people as a whole.

When I sent out word through the American consul in Hamburg, after my arrest, that I wanted the International Labor Defense to take charge of my defense, I knew it would be done and be done right. I want to tell you this was my greatest consolation in jail. I knew that while there was such an organization as the I.L.D., the job would be done.

And I want to express especially my appreciation and my admiration to the seamen and longshoremen of both coasts, who worked for my defense, organized sit-down strikes and

protests, and whose activities had a lot to do with forcing the Department of State to sit up and take notice of a plain American seaman sitting in a Nazi prison.

I think that the job that was done to free me shows one important way to fight fascism. With a big enough world movement, we can not only free Lawrence Simpson, American seaman. We can free Ernst Thaelman, leader of the German working-class, and thousands of other anti-fascists in the Nazi prisons.

I saw hundreds of them in the concentration camps and prisons there, and there are thousands more. For a while I was in Moabit prison in Berlin, where Thaelmann is held. I tried to find out about him from the prison people, but they have him so carefully hidden that no one seemed to know anything about him, or even if he was there.

From our brothers buried alive in the dun-

geons of Nazi Germany, I bring you greetings. Their message to you is:

Build the United Front, fight fascism, defend democracy!

The reason I was arrested by the Nazis and held by them for eighteen months, was because I was trying to help the German people fight against the fascist dictatorship of Adolph Hitler. I was trying to help them bring democracy back to Germany through the development of the United Front. When I was arrested, and at my trial, I was charged with bringing sixty thousand leaflets into Germany. They were printed in New York by the Supporters of Anti-Nazi Seamen, a group of anti-fascists who carry on this work all the time, to help their German brothers.

On the leaflets were printed just four words: "The United Front Lives!"

Well, I didn't count the leaflets, but I guess maybe there was sixty thousand, maybe less. They also charged me with being a Communist.

I am a Communist. As a Communist I was trying to help the German people win back democracy. The United Front in Germany is made up of every person who hates fascism. Its aim and its point of unity is Restoration of Democracy. As a Communist I fight for democracy. Everyone who loves democracy is an anti-fascist, and when a person who wants democracy wakes up and opens his eyes, he is willing to risk his life to fight for it.

And while I was held in solitary confinement, with nothing to do for twenty-four hours a day except look at four bare walls and think, I kept thinking about the struggles in the United States, and the great battle in defense of democracy going on in Spain. I thought too of American heroes like Tom Mooney, Angelo Herndon, and other political prisoners, and the long years they have spent in prison. And then I thought about Germany, and the terrific struggles of the anti-fascists there, under the Hitler dictatorship. The lesson seemed so clear! If you have democracy, defend it with your life while you have it.

It was because there is democracy still in the United States that it was possible to develop such a big protest movement against my imprisonment. That protest movement protected me in concentration camp and prison. The Nazis put me in solitary confinement for twelve months. They gave me miserable food, and they bullied me. But they didn't dare lay a hand on me, or put me in irons.

But with the German prisoners, it was different. Many of them were beaten and tortured every day. Hundreds of them in that one concentration camp were kept in solitary confinement, chained hand and foot day and night, for months at a time. The Nazi guards tried to keep them in constant fear of death. They made them get out in the yard and run until they dropped. Then they beat them until they got up and tried to run again. They made them lie on their bellies in the mud with their hands held tight on their chests, and crawl over the ground. They even dug a special trench in the mud, to make them jump into it and jump out again, over and over. They made them squat and hold their ankles with their hands and jump and hop all over the yard. When a prisoner fainted, they beat him and kicked him into consciousness again and made him go on crawling or jumping.

They are real heroes, the anti-fascists of Germany, carrying on their work in the face of all this terror.

You don't hear so much over here any more about prisoners being killed in German concentration camps. But while I was in Fuhlesbuhttel, I knew definitely about at least one man, Hugo Nicholas, who was tortured to death there in September, 1935. And according to the other prisoners, at least 50 were murdered there in the last two years.

Now about my trial. I'm told the American consul reported that it was a fair trial. He is very badly mistaken if he thinks that was a fair trial. It was only a show. It was like all trials in Germany, except that there were a few reporters there who evidently failed to report. In Germany if your attorney actually defends you, he goes to concentration camp himself. An attorney of my own choice was denied to me. Well, the attorney the court appointed to defend me did the best he could to defend fascism, and all through the trial he didn't do anything except to try to stop me from defending myself, and to make a phony speech at the end, in which he slandered me. He said I became a Communist because I had a hard time and because I had trouble with my hearing.

He didn't go to a concentration camp, and I got three years, as you know. It was just like having a prosecuting attorney on both sides and me in the middle.

BEFORE GREAT CHANGES

Three sketches by one of the greatest living German writers. He escaped from Naziland where he was a prisoner in a concentration camp and is now helping fight fascism in Spain. The sketches were written just after his flight from Germany. They are part of his next novel.

By LUDWIG RENN

The Catholic priest, a newly arrived prisoner, could not manage to lay his blanket properly. In addition, he was still trembling from the excessive efforts of the day.

"You must do it like this!" said Bulte the Communist and laid the blanket properly. The priest looked at him.

"What am I to do?" he said as though to himself. "They took away my books. But surely they must let me say my evening prayers!"

"I should advise you to apply to the clergyman here," said Bulte. "Even if there is only a Protestant here, he will surely have enough feeling to get you your prayer books back."

The priest looked at Bulte in surprise. It seemed to him as though this man had been specially sent to comfort him. "This must be a professing Christian," he thought, but did not like to ask at once.

"Attention!" somebody shouted.

The beds were inspected to see if they were properly made.

When the SA men were outside again, the priest clasped his hands over his heart and knelt down.

All in the room looked at him. Some whispered and laughed.

Then the lean Rudi stood up. "Comrades! We are not for the church; but we decline to mock at others for their beliefs! We leave that

And now about the American consuls I had to deal with: there were some that seemed decent and others that didn't. At first when I was arrested, they would just come and take a look at me, give me a growl, and go away again. But from just a few weeks before my trial last September, and until by release, I could tell the big protest movement going over here was becoming effective. I could tell that because the American consul was right on the job, and looked as though he was taking a real interest in my case.

Then there was the consul in Bremen, who told me the seamen's strike was all over. I had heard about the strike even in solitary confinement in Bremen penitentiary. This consul seemed like a decent fellow, but he wanted to make me ship on a scab boat, so he hold me there was no more strike.

I only found out about the strike for sure from a scab aboard the ship—the President Roosevelt—who thought I was a scab too. Then, of course, I wouldn't work, even though I had signed the articles under protest. If it hadn't been for the big protest movement over here, I would have been thrown in irons and charged with mutiny. As it was, I was given a third-class cabin—I was the only passenger on the ship because there wasn't a legal crew for a passenger ship aboard. And Captain Oakley apologized for having asked me to work.

to those whose methods we have nothing to do with!"

For some time no one spoke a word. The kneeling priest moved his lips.

A stockily-built man who had previously kept himself somewhat apart from the others went over to Rudi. "My name is Braune, and I am a National-Socialist," he said. "After what we have experienced today I thought that we had all become brutes!" He took Rudi's hand. "I thank you!" and prepared to return to his place.

Rudi kept a firm grasp of his hand. "But I must tell you that I am a Jew."

Braune turned back to him. "I acknowledge decent people everywhere. I am not in agreement with what has taken place here, nor have I ever taken part in the campaign against Jews. And believe me: If Adolf Hitler were standing here, he would at once stop these arbitrary actions! He just knows nothing about it!"

Everybody had been listening, but at the last words they turned away. "What a block-head!" somebody murmured.

"Attention!"

Everybody jumped up. But the priest, who had been kneeling, could not rise quickly enough.

An SA man stormed down upon him: "Shall I liven up your legs?" (Cont. on next page)

The priest looked him calmly in the eye and said quietly, but distinctly: "I was praying."

Taken by surprise, the SA man shouted: "All the same, next time get up quicker!" He was so confused that he stayed in the room only for a second.

The priest sat down beside Bulte and Rudi, who were talking eagerly.

"There is a difference in the SA men," said Bulte. "Some of them don't agree with the mistreatment at all."

"But the others go in for it all the more!" answered Rudi.

The priest listened in amazement at the intimate way they conversed with each other. "Are you a Communist too, then?" he asked Bulte.

The latter nodded with a smile.

It was only after some time that the priest said: "I must admit that when I came here I was most afraid of the Communists, that they would mock me when I prayed, and—perhaps you do not understand, but—how can I get along without it?—But then," he shook his head and looked away—"It was just the others who—and you were so different! It is good to become acquainted with such an opponent."

INSPECTION IN THE CONCENTRATION CAMP

Bulte, together with several others, was ordered into the room. Each one had to carry a pile of gunny sacks into the courtyard and there beat them out with a leather whip.

"Sergeant!" said Bulte. "The sun is shining very strongly here. Can't we go over into the shade?"

"No, stay there!"

Bulte was surprised. Hofert though an SA man usually did everything to make things easier for the prisoners, particularly when the other SA men were not there.

"Beat as hard as you can!" called Hofert softly. "And faster!"

They beat the gunny sacks.

"Sergeant, we've finished."

"Go on beating! It's all the same what you beat."

"That's Baeumel I'm beating now!" whispered a prisoner. Baeumel was the meanest guard in camp.

So they went on for an hour beating the same gunny sacks, and found it stranger and stranger. Had Hofert suddenly gone crazy?

"Enough! Pick up the sacks!"

They returned to the room and hung the sacks from the ceiling again.

Hofert made a sign to Bulte with his head, and they both went to the other side of the central hall, where the others could not see them.

"I know you're a decent fellow," said Hofert softly. "That beating was for your sake. The SA group leader was here. And that's why I had the sacks beaten there, where it could be heard but not seen, so that he should think that the prisoners were getting it in the neck."

"But does he want that?"

"You can never tell with them."

Bulte told this in the evening to the Catholic priest. The latter stared at him dumbfounded for a long time. Mueller, who was present, was also speechless.

At last the priest said: "What sort of bestiality if this, to be satisfied only if one knows that defenseless prisoners are being tortured!—If I had not heard this from you, I would take it for an infamous invention against the present-day system. If I meet any other people who still believe that torture is only the arbitrary actions of subordinates, I shall tell them this bloody tale."

WITH THAELMANN IN MOABIT

A group of journalists was being led through the great detention prison in Berlin-Moabit. Among them was a press inspector who made an unpleasant impression upon the majority by the swastika on his lapel and by his arrogant bearing.

"It is far too fine a place for the prisoners. One might say that the glass dome over the central hall is more beautiful than that of the Reichstag building."

It made a painful impression that he should mention the Reichstag here.

"I cannot see at all," he continued, "that the prisoners here look starved and intimidated! On the contrary, a little more military smartening up would do them a lot of good!"

The journalists mounted one of the many stairways and passed along a passage with a broken cast-iron floor which allowed one to see down.

The press inspector raised the cover of a peep-hole and looked through: "A real criminal type! Probably another of the murder commune!"

We stopped before a door which was then opened.

Inside, there rose to meet us a strongly-built man with a large bald head and clear eyes.

"Are you Herr Thaelmann, the former leader of the Communist Party of Germany?" asked a journalist politely.

"Yes."

"We have been given permission to visit you and ask you a few questions."

Thaelmann did not look very pleased, but he waited.

"Have you been beaten?"

"No. But why do you come to me? Go to the SA cellars and there you can find thousands of beaten-up people."

"How do you know?" shouted the press inspector and forced his way to the front. "Do you want to spread atrocity stories from here, where you can prove nothing at all?"

Thaelmann looked at him contemptuously. "I will tell you how I know it. Because everybody here knows and trusts me. In this way I learn a great deal—in spite of all isolation!"

"May we look round your cell?" another asked.

"Yes, certainly, as far as I am concerned!"

"A fine airy room!" said the press inspector. "You must certainly admit, Herr Thaelmann, that you have been treated with great moderation!"

"If you speak of moderation," answered Thaelmann, "then that means that you consider I have committed a punishable offence. But that must first be proved before the Court."

"You surely will not say that the Communist plan for an uprising was a trumped-up tale?"

"Yes, that is just what I do say." Thaelmann smiled at the good opening given him by the other. But the latter was so furious that he almost bawled: "The documents that were found will be placed before you!"

"I am very glad to hear it. There will be no difficulty in proving their falsity."

During this conversation the official who was leading us round was becoming more and more uneasy. "Gentlemen! You have asked enough!" he said roughly.

The cell was locked.

The press inspector felt the need of making good his defeat and said loudly: "Isn't that a fearful proof of sub-humanity that we have just experienced?"

Then a small man with glasses turned to him and said: "I wondered at Thaelmann's courage!"

DON QUIXOTE LOOKS ON

(Continued from Page 8)

expanded and instead of its old rickety print shop, it is printed now in the magnificent shops of a modern establishment, taken over from its runaway fascist owners and run shipshape now by the workingmen. It is sent to every hamlet and to every front line trench in Republican Spain. And it carries to the people who are fighting or helping to support the fighters by hard work, its message of faith and courage, a message to which those people have been so responsive.

And it is not only in Madrid that the I.L.D. does fine work. In every little town in Castille and La Mancha, in Barcelona and Valencia, in the bustling levantine cities, everywhere you go in Spain that has not fallen under fascist terror, you cannot miss the Socorro Rojo Internacional signs in big red letters. You know you can go there for help, whether it is gasoline for your automobile or your ambulance or board and bed for the night.

In Barcelona, the great Catalonian metro-

polis, the work of the I.L.D. has been especially efficient. There and to Valencia, thousands of little children have been sent from Madrid to escape the murderous attacks of the fascist aviation. There the I.L.D. has lent a ready hand to the republican authorities, hard bent on caring for them. In Barcelona and in Valencia you found the name of the Socorro and all its signs written in the native dialects of those provinces, with that characteristic Spanish respect for the language and the customs of the different peoples that make up Spain. But everywhere you find the same helpful spirit, the same willing readiness to serve that has endeared the name of the Socorro to Spanish hearts.

They worked hard before the criminal fascist rebellion, and they work much harder now, those Spanish fighters of the I.L.D. And they will keep up their hard work, with that determination to fight to the end that has made the Spanish people change their former slogan "they shall not pass" for the new courageous one: "we will pass over them."

RACKETEERS DEFEATED

Harlem streets made safe for democracy. A report of a good job well done.

By FRANK D. GRIFFIN



"What d'ya mean picketing? We call it disorderly conduct."



"How did that go? Life, liberty and the pursuit of what?"



American history lesson at one glance. Early settlers "welcomed" by the British.



Picture of the "law" examining the "evidence" in a labor frame-up.

The question of defense is coming more to the front in every labor struggle. One cannot pick up any newspaper without seeing mirrored in its pages some part of the struggles of the American people to maintain and strengthen their rights.

On every hand the struggle goes forward and so it is in Harlem, the largest community of Negro people in the whole world. But today the problems of this Negro community grow more and more difficult as the mass of Negro people move towards struggle against the shackles that bind them. The lackeys of the big wig politicians and the Uncle Toms who are still content with crumbs from the tables of those who control the community, fight the harder as militant and progressive trade unions move in to organize the unorganized Negro worker and thereby sweep their easy life away.

Racketeer groups spring up to do the will and bidding for those who would keep us at the bottom of the ladder of society. Into this situation the Harlem I.L.D. finds itself plunged and immediately it becomes the defender of the right to struggle. The important task of fighting against denial of Civil Rights and against police brutality becomes the main order of the day.

The splendid work of the organization in the Meat Cutters strike in Harlem will serve as an illustration of what lies ahead. The striking butchers were immediately confronted with arrest of their pickets. This was done usually through a stool pigeon who either charged them with disorderly conduct or framed some other flimsy excuse to have the obliging police make an arrest. The Harlem I.L.D. immediately organized huge open air mass meetings at the scene of the arrests and instructed those participating in the strike, of their rights. It held these meetings daily for weeks until the strike was settled with the result that there were no convictions of strikers and the work of this stool pigeon was effectively stopped.

The work of defending the right of assembly in the streets and on picket lines went on despite the disruptive tactics of Ira Kemp and his racketeer outfit THE HARLEM LABOR UNION which milked employees and employers in the various stores of the neighborhood.

Also against Sufi Abdul Hamid styled one time as the Black Hitler of Harlem. This man Sufi under pretext of an insult to his wife Madame St. Clare (one time Police Queen of Harlem) stabbed Hamie Snipes while he was addressing a meeting on the corner of 126 St. and Lenox Ave. Sufi re-

sorted to these tactics when he could not win the people from the I.L.D. He thought that by stabbing the leader of the fight there his aim would be accomplished. The police reluctantly arrested Sufi but because of his connections with Tammany's corrupt political machine the grand jury refused to indict him and he was never punished.

All during the strike dozens of police were thrown around the meetings to say nothing of the mounted troopers. Against this terror the Harlem I.L.D. fought and helped the union win a closed shop, sixty hour week; no Sunday or holiday work and a graduated wage scale increase; all strikers back on their jobs with no discrimination. Let Conrad Kaye, secretary-treasurer of the union tell you himself what I.L.D. aid to the butchers meant. "The Harlem Section of The Meat Cutters Union Local 665 (A. F. of L.) owes a debt of gratitude for the solidarity actions of the Harlem I.L.D. in its recent strike. I feel that their aid in mobilizing mass support of the right to picket through its daily open air rallies was one of the greatest contributing factors in our victory. The Meat Cutters are giving a victory dance and in appreciation of the work of the I.L.D., will turn over part of the proceeds to the Harlem I.L.D."

This is but a drop in the bucket to what 1937 holds in store. What with the fight beginning in Harlem around the denial of a permit by Captain Flynn to operate sound equipment in behalf of the Pharmacists Union, fighting the same battle that the Meat Cutters just successfully concluded, the struggle for more relief with subsequent arrests, with the various organizations girding for struggle; to say nothing of the hundreds of cases of individual service the Harlem Organization finds itself handicapped by the lack of a defense center from which all its activities can be co-ordinated. An emergency conference is being called in February in order to facilitate the raising of \$1000 to open this center. Not only will this center provide centralization of defense work but it will become a cultural gathering point in the community as well. The beginnings of a chorus and an amateur theatre have already been established.

Yes, the year 1937 will show great things in defense in Harlem, great things in its cultural life and a great improvement in our membership. What with a reception and dance on February 20 at the Bronze Studio and the greatest defense ball in the history of the I.L.D. at the Savoy late in March we will have the whole country watching our smoke. Harlem shall have become foremost in the People's Defense movement.

The SENATE GETS an EARFUL

The Senate hears the truth via the LaFollette investigating committee.

By LOUIS COLMAN

WASHINGTON, D. C.—Birmingham, Ala. Scoutmaster Karl L. Landgrebe, vice-president of the Tennessee Coal and Iron Company, subsidiary of U. S. Steel, and big shot Liberty-Leaguer Borden Burr, general counsel of the T.C.I., opened up the January hearings of the Senate Sub-Committee investigating violations of civil rights, with some amazing testimony.

The committee, chaired by Senator Robert M. La Follette, Jr. (Prog., Wisc.), and with the participation of Senator Elbert D. Thomas (Dem., Utah), has developed a fine technique for putting big-shot liars on the spot. The first two days of hearings were devoted to investigation of the kidnapping and flogging of Joseph Gelders, southern representative of the National Committee for Defense of Political Prisoners, last September, in Birmingham.

T.C.I. is the biggest shot industry in the South. Everybody in Birmingham and surrounding territory knew it was behind the Gelders flogging. Everybody in that country knows a lot of other things about the T.C.I. That was why Landgrebe and Ernest L. Le May, assistant in charge of personnel and public relations (propaganda) to the president of T.C.I., were called first. Neither Landgrebe nor Le May had a chance to talk much. Mouthpiece Burr did most of the talking. He hadn't been called to testify, but he was there to protect the interests of T.C.I. He talked for about two hours—while the Senators asked his clients questions. Here's the substance of it:

T.C.I. never in its life employed a fink, a spy, a thug or (except once, when they didn't make use of them) strikebreakers. They were shocked at the suggestion, horrified at the implications. They came prepared with a twelve-page document of denial before anybody could even ask a question.

First called after the white-haired boys of T.C.I. was Jack Barton, Communist Party section organizer of Bessemer, Ala., the heart of the Southern empire of steel. As Barton testified, the newspapermen at the press table, the spectators crowding the hearing room, who had all worn cynical smirks while the steel officials talked, changed their expression. They listened intently as this slight young man, obviously ill and weak as a result of the imprisonment he described, talked quietly, with dignity, answered the questions of the senators honestly, simply. An atmosphere of respect filled the room, from the high bench where the Senators sat to the furthest spectator's chair.

He told of illegal raids upon his home; of the arrest for "possession of seditious literature" which resulted in his imprisonment; of the Bessemer Court's refusal to let him have a lawyer; of the farcical trial without even a pretense of examining the evidence; the maneuvers of T.C.I.-dominated officials to prevent his making bond for an appeal; of his sentence to 380 days on the chain-gang; the heavy shackles in which at first he was made to walk

fourteen miles a day; the horrible conditions in the jail—fourteen men, mostly violent drunks, in a cell with four narrow bunks; the treatment of the Negro prisoners; the campaign that went on outside for his release, organized by Joseph Gelders; how finally he was put in a sanatorium suffering from T.B.; how finally the law under which he had been convicted was declared illegal and he was freed.

The hearing room was still while he talked. Newspapermen crowded sympathetically and respectfully around him as the first session closed.

Gelders himself was next on the stand. He told first of his efforts to secure the release of Barton, his work on behalf of the Scottsboro boys. Then the story of how four men kidnapped him at night on the streets of Birmingham, slugged and kicked him, took him 85 miles into the country and flogged him into unconsciousness; he told of the formation of a group of leading trade-unionists and progressives in Alabama—for the first time in that state's history—for defense of civil rights.

Describing in minute detail the work of painstaking weeks to identify his assailants, to secure their prosecution, Gelders named two of them: Captain Walter J. Hanna and Lieutenant Dent Williams of the Alabama National Guard—the second one perhaps the most notorious sadistic terrorizer of the Negro people in Birmingham. Another witness testified to Hanna's own statement that he is on

Joseph Gelders, in a Birmingham hospital, after TCI thugs got through with him. He told Senator LaFollette about it in complete detail.



the secret police payroll of the T.C.I. owners.

Into the record in the course of Gelders' testimony went ten affidavits from victims of T.C.I. terror, describing in detail murders, illegal raids and arrests, and general brutality and intimidations—every one pointing directly to the great steel works that are the hub of Alabama's industry. Readers of the LABOR DEFENDER know this story, and know as well of the great counter-movement of defense

which is developing among the trade-unions and progressive liberals of Alabama—the hope of 1937 for safe-guarding of labor's rights and Negro rights in the South. Gelders told of the refusal of two Birmingham grand juries to return indictments against his kidnapers.

He was followed on the stand by Sergeant James McClung of the Alabama state police, who, assigned to investigate the Gelders case, corroborated everything Gelders said.

"What, in your opinion, is the reason no indictments were brought in the Gelders case?" Senator LaFollette asked.

McClung, a little, earnest, grey-haired man, testifying obviously out of professional pride mingled with sincere hatred of fascism and all its works, waved both hands in a sort of helpless gesture:

"Well you know, Senator, the T.C.I. owns about fifteen-sixteenths of that country. Hanna is generally believed to be the head of T.C.I. secret service."

Other witnesses followed, to fill in gaps in the story, tie up the loose ends of threads that led to T.C.I.

"Fifteen out of seventeen National Guard officers of the rank of lieutenant or higher are on the payroll of the T.C.I.," said Yelverton Cowherd, chairman of the Americanization Committee of the Birmingham Legion at the time of the kidnappings. (He has since been succeeded in this post by Borden Burr, the TCI lawyer.) The bills for the work of the committee were paid in part by Hanna, and in part by Major Harry E. Smith of the Alabama National Guard, he said.

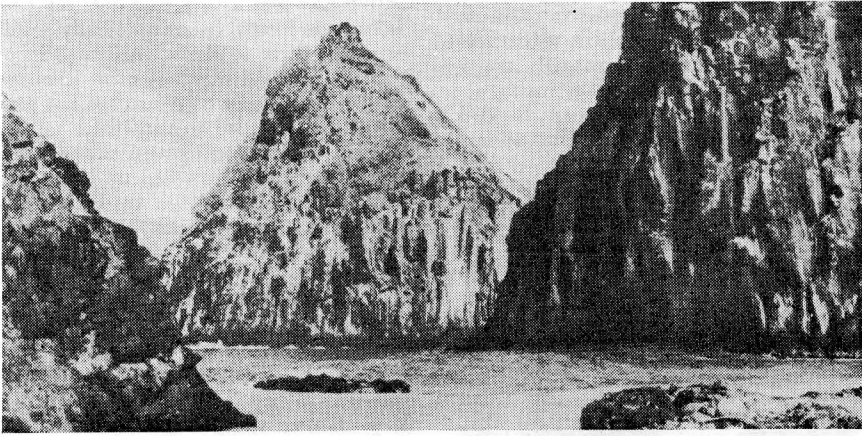
Chief of Birmingham Detectives Grover Cleveland Giles was called to the stand for a few minutes. He had not much to say. He merely corroborated the testimony of McClung, which itself included corroboration of what Gelders had said.

Other witnesses, scared and more or less unwilling, permitted evidence of the attempts

of T.C.I. through its National Guard officers, to intimidate witnesses in the Gelders case, to be dragged out of them.

The story is now on public record, and will be published shortly in the volumes of testimony given before the LaFollette Committee. The trade-union movement in Alabama, conscious of the necessity for building a powerful defense movement as it surges forward, is on the march.

FERNANDO NORONHA



The island of death as it looks from out at sea.

Island of horror— island of death—a true story of what is happening in Brazil today.

By YARA CAMPOS

The legends of antiquity are always filled with fantastic islands jutting out in the middle of the ocean, standing in the middle of nowhere, surrounded by stormy and unconquerable sea.

And in the midst of the true story of what is happening in Brazil today, there stands just such an island—not a legend and not a fantasy—but a real rocky hell situated out in the broad Atlantic. It is the island of Fernando Noronha, a volcanic rock which rears its jagged head five or six days sailing from Rio de Janeiro. For centuries it was an impregnable military fortress captured first by the Dutch in 1635 and again in 1654. In 1737 it was captured by the French and in 1877 the Brazilian government decided to convert it into a prison.

Since that date its very name has inspired horror and dread in the hearts of the Brazilian people. No one has ever returned alive from Fernando Noronha. And it has been visited only by government supply ships manned by armed soldiers twice every year—in November and February, the only two seasons during which the treacherous currents that weave around the rock bound shores are navigable.

The Brazilian constitution does not permit life sentences. Most of the people sent to Fernando Noronha are sentenced to 30 years. But no one has ever returned alive and not one single prisoner has ever even attempted to escape. The turbulent waters of the Atlantic present an unassailable barrier.

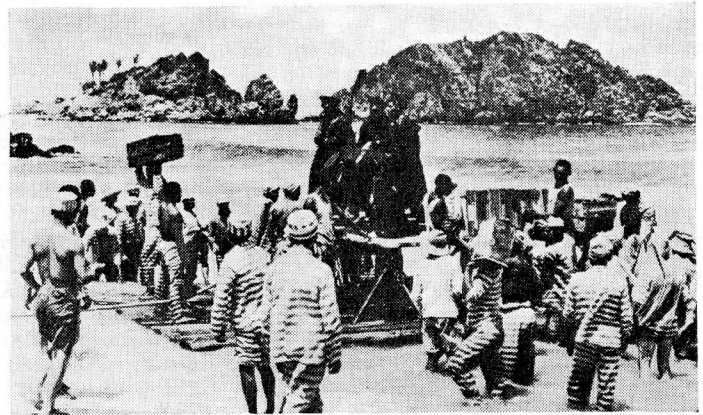
The prisoners are put to work manufacturing salt. How long and how hard they are forced to labor is best characterized by the fact that they have not even the time or the strength to think.

And it is to this island that the Brazilian government is determined to send the hundreds of heroic fighters for national liberation now on trial before the illegal Special Tribunal. That is, all those who will escape the death penalty, will be sent to this living hell. Some may be sent to Clevelandia, Brazil's Devil's Island. Clevelandia is so deadly to life,

that not a single tree can grow on its barren stretches. It is situated directly on the equator and its unhealthy climate, which generates all kinds of fevers has killed more than 50% of the prisoners sent there. Twenty-five percent of the survivors have gone blind from the merciless glare of the sun.

The Special Tribunal now in session in

Unloading a raft from one of the two transport ships that come to Fernando Noronha twice each year.



Brazil to try Luis Carlos Prestes, knight of hope of the Brazilian people, and hundreds of others representing every strata of the population, is entirely illegal. The Brazilian Constitution expressly states that no special tribunals can be established, and more than that, this tribunal was set up while the country was in a "state of war" under which the people are deprived of every civil liberty and democratic right.

The tribunal consists of five men appointed by the president—a magistrate, two high army officials and two civilians. It tries all "offenses which are considered subversive to the political and social institutions in accordance with the National Security Act." Article 3 of the law which created the tribunal states that it will observe only those constitutional guarantees which the state of war has not abolished. That means none at all. It can forbid the accused to ask any questions which it would "find

impertinent." It can even forbid the presence of the accused. It permits only five defense witnesses and no more and there can be no appeal from its verdict.

This murderous tribunal has already tried some 200 political prisoners since the end of December last. Hundreds await trial. Among them are former deputies in the parliament, mayors, teachers, educators, writers, soldiers, officers, workers and peasants.

Among those to come before it will be Luis Carlos Prestes and Arthur Ewart, ex-deputy in the German Reichstag and a political refugee in Brazil.

To date most of the prisoners brought before the court have courageously refused to recognize its authority. They have boycotted the trials in every way possible. They talk among themselves, they refuse to answer questions, they insult the court in every way they can. All of them have been in filthy overcrowded jails since November 1935. They are brought into court barefooted, ragged, unkempt and showing clearly the ravages of disease, hunger and fever.

The tribunal has already made it known that it will probably not bring Prestes and Ewart into court at all. They will be tried in their solitary cells. No attempt is made—not even a hypocritical attempt, to hide the fact that Vargas is determined to murder Prestes—the hero and the leader of the liberation struggle of the Brazilian people.

The Joint Committee for the Defense of the Brazilian People in New York has recently received the information, that the British consul in Brazil, upon the request of Ewart's

sister, has attempted to see Ewart and find out how he is. He has found it impossible, he reports, to get any information concerning Ewart, whatsoever.

New arrests are taking place daily in Brazil, adding to the numbers of political prisoners. No verdicts will be handed down until all the hundreds of cases have been brought before the fascist Special Tribunal. And the alternative is clearly stated—death or the islands.

Surely no sincere friend of liberty and justice can learn these true facts of what is happening in Brazil today without being roused to the greatest indignation. It is not yet too late to halt the work of the Special Tribunal. Messages to Ambassador Aranha in Washington, to President Vargas in Rio de Janeiro, voicing the deepest indignation and protest can save hundreds from death and a living death in Fernando Noronha.

I Meet The Gallup Police

By LORNA LINDSLEY

In October 1935 I went to Aztec, New Mexico as an interested and sympathetic spectator at the trial of the Gallup workers, a group of men tried for the anonymous murder of a sheriff killed in a "riot." Aztec is a rural community dominated by Mormon farmers. No labor troubles had ever raised their heads there. There was almost no Spanish American or Mexican blood in the town. Of the twelve jurors only one spoke Spanish.

Naturally in such a small community every stranger was noticed and there were few there. The liberal press had taken up the case of the Gallup workers, but the curious or interested audience come from outside for the trial could be counted on the fingers of two hands. I had previously contributed a modest sum to the Defense Committee, and the sympathy and friendship I tried to extend to the miners' wives in Aztec was all that implicated me in the case.

Six weeks later I drove into Gallup for the first time in my life at five in the evening, already cold and dark. With me was my daughter. We stopped for a glass of beer and to enquire of the barman whether there was a tourist camp in the lonely Navajo Reservation that lay ahead of us or whether we had best stay in Gallup. As I finished my beer I saw the Chief of Police of Gallup who had been a witness for the prosecution in Aztec enter the bar and look at me. By the time my daughter and I had returned to our car which was parked in a side street he was there to meet us, complete with his dumb face and his authority and with two armed policemen behind him. He asked me what I was doing there, I replied that I was driving to California. He said, "Be on your way, we don't want any Reds or Communists here in this town!" I expostulated that I was only a Democrat not a Communist, but he did not believe me. I admit that my instinct when I encounter a policeman is to be as polite as possible and leave him as soon as I can. But I was angry



and therefore stopped to reason with him. Telling him that I could account for myself in every way. He became increasingly angry and rough in his attitude, a rather joking attitude on my part only made it worse, his two officers with hands on their guns pushed forward and the three of them crowded us into our car. My daughter and I drove around the block until we lost sight of them and then



Singing As They Fight

(Continued from Page 9)

And from his mouth's disdain
He spits superbly
Strikes straight in the eyes of
The vile chief of that firing squad.
Thus he faces death
Who has a character tempered with steel!
Oh, you voice that sings the legend
Which is now heard of the boy Granero,
Hasten and narrate the very end,
The marvelous occurrence
Happening on a night
Filled with frightening memories.
Resounded the voice of infamy:
"Fire!" it commanded, and nine guns,
Cursed guns fired
The vile lead that kills,
And nine bullets searched
For the tender flesh of a bosom
Palpitating with love
For the people's liberty.
A body struck the stones.
A deep silence fell,
Broken only by the steps
Of the sinister men departing.
Alone remains the earth,
Alone, no! she and her dead!
Oh, you, Jose, listening to me,
Stretched out, abandoned and gory!
Who are you who thus hear not
The thousands of hoarse throats
Calling you from their hearts,
Along the rivers, the valleys and hills?
Who are you that you don't rise
Amidst the clamor imperious
Of thousands of hearts,
Beating, beating as one?
It was about daybreak
And glowing dawn shone on his body,
His body that with day
Rose up from that soil,
And bleeding terribly, standing up,
Put the right foot forward,
Ascended the mountain
Like a sun coming into birth,
Leaving behind its blood

stopped to debate what we should do and whether two women could be hustled out of a town like that for no reason at all, or what they could do against us if we stayed. The Gallup case was a very sore one. The town of Gallup was jumpy, its attitude bullying. There were still three of the accused men in prison in Santa Fé condemned to what amounted to life imprisonment whose case had not yet been appealed. I dreaded to contribute to any aggravation of the feeling against them, fearing that if the event was taken up by the press I would be set down as a thrill-seeking easterner, which would in no way forward their cause, so we drove out of town towards the Reservation. I hated to do it and wrote at once a full report of the incident to the Gallup Defense Committee in New York, telling them that I held myself in readiness to go back to Gallup, to stay there and to challenge my expulsion. The Committee did not ask me to do it. I have always regretted that they did not.

New York, December, 1936.

NOTE: Mrs. Lindsley is the daughter of the distinguished authority on constitutional law, Frederick Jessup Stimson of Boston, once our ambassador to the Argentine.

As its light in a golden furrow.
Jose did not die. Look at him!
Come to life, resurrected!
For he did not die, just as
The people can never die.
Guns and bullets may pretend
To bore holes through its heart.
Bombs and cannons may try
Its body to destroy.
But the people lives and conquers,
This fearless Spanish people,
Which in a dawn of blood
Is like a sun coming into birth.

VINCENTE ALEIXANDRE

I WANT TO LIVE

(Continued from Page 6)

will meet in Paradise some day, for you too are innocent."

Wrenching his hand out of mine, he shuffled off weeping.

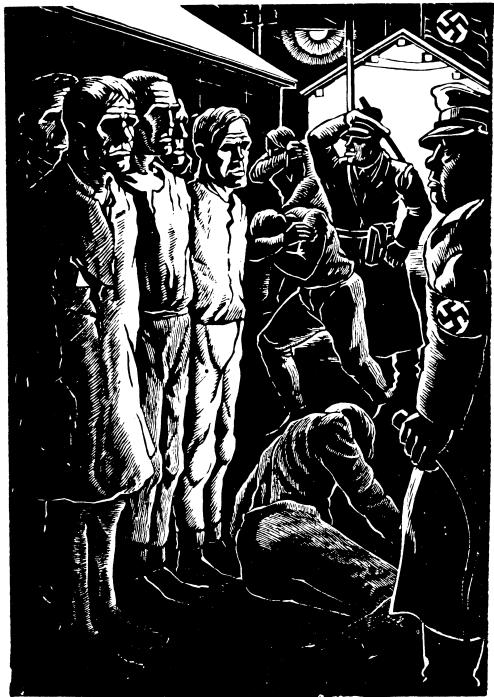
Richard Simms came last. He held the little bag with holy books.

"Please give these books to our parents," he begged me in a moaning voice. "We will have no more use for them. We three want you to remember us, Angelo. Please take my gold Elgin watch. Richard Morris wishes you to have his hair brush, and Mose White wants you to wear his belt. You have been the only person good to us in a long, long time, and I hope you will never forget us."

Impatiently the guard pushed the boys forward, saying:

"We are late, hurry."





"TO EACH AND ALL--"

Whether you contributed one dime or one hundred dollars for labor's neediest cases—this page is addressed to you.

By ROSE BARON



Rose Baron, Secretary, Prisoners Relief Fund

Right on the heels of a nation-wide flu epidemic, sleet and storm and the worst floods in history threaten all of us who cannot run away to Bermuda and Florida and bathe in the sunshine on beautiful beaches.

The ravages of cold and disease are a special threat to those who do not live in warm steam heated homes, whose shoes are not leak proof, whose diet is not full enough or balanced enough to build up resistance and strength. And in that category, first and foremost, we must list labor's neediest cases—the wives and children of labor's prisoners.

Thanks to the warm hearted response of unknown friends in 34 states, we were able to make their Christmas a happy one. The total sum collected to date throughout the country on the 1936 Christmas (winter relief) Drive for Labor's Prisoners and their families was \$8,243.81.

"May God bless all the I.L.D. workers and give them more power in the New Year than they have had in the past years. Thanks and love from my heart to you all for the money and the fine clothes you sent us all this winter," writes Mrs. Viola Cobb, now the head of a family of eight children and its sole supporter since her husband Ned Cobb, sharecropper, was sent to jail for 15 years in 1932.

"You sure sent a Christmas gift to us all, for it really made us a happy one," writes Mrs. Lulu Bock, whose husband, Charles Bock, miner, is serving a 99 year sentence in West Virginia. "The children never dreamed that Santa could be so good to them, I sure do thank you for what you have done for me in my trying days. It is wonderful to know that you have such good friends."

"I hope all the other widows and wives of prisoners and all the children had as jolly a time for Christmas through your goodness as we had. I want to give you each and all my grateful thanks," from Mrs. Solidad Esquibel, whose husband, a Gallup miner, was murdered in cold blood in April 1935.

Every one of the 1,180 men and women who sent us direct contributions for our Christmas fund should feel that the letters quoted above were written directly to them. Their contributions ranged from 10c to \$100 and totalled \$2,224.55.

Every member of the 52 trade unions and other groups and organizations which sent in joint donations totalling \$1,390.04 can accept the thanks expressed in these letters as thanks to him or her for their solidarity.

The I.L.D. state organizations through their various activities in connection with the drive,

—affairs, parties, sale of coupons, tagdays, concerts, etc. raised \$4,829.22 of the total sum.

So much for the Christmas part of the Christmas winter relief drive. We were able to make the holiday season a happy one for many women and children. But we were able to do more. We were able to raise their monthly allowance by 20% and this increased relief check will go to them all year round. We were able to raise the monthly relief check to the men behind the bars by 50%. Yet even these substantial increases cannot possibly satisfy us. They are still not adequate enough to provide the measure of comfort and security we all would want labor's neediest cases to have. They are still not adequate enough to thoroughly protect them from the ravages of hunger and cold.

Our winter drive terminated February 1, 1936. We extended it for one month to enable all those who still had collection materials outstanding, to wind up their affairs, and to give those who had not yet contributed adequate time to do their share. At this writing we know that the total will be raised considerably by the last day of the drive.

That is encouraging and it's always better to step forward to new activities with a feeling of success. Side by side with our campaign for America's labor prisoners and their families we conducted a drive for international relief—first and foremost of course, for medical aid to the defenders of democracy in Spain. In their behalf we raised in cash \$5,816.98 and sent across the seas medical supplies and instruments worth \$15,000. Our next step is to send them an ambulance. We also sent a gift of \$100 to the political prisoners in Cuba, \$50 to Brazil and like sums to Germany and Finland.

Despite our best wishes and all our efforts we did not reach the \$20,000 quota we had set ourselves. That means that we will have to redouble our energies during the year to

raise the number and the total income of our regular monthly pledges for prisoners relief. For those pledges are the real backbone of our relief fund. They assure the smooth running of our relief machinery all year round. And we are sure, that armed with the knowledge of the happiness their single contributions brought to so many men, women and children, all our friends and supporters will want to make a regular monthly institution of their solidarity and support and will start in February with a regular monthly contribution for labor's neediest cases.

An Appreciation

(Continued from Page 6)

ist System being still the economic concept of the land) with their white fellow-citizens. It was easy for the Southern planters, and later for the Southern industrialists, to get their Negro labor so in debt that servant become "bonded" to master—another form of slavery.

On my trip thru the South last summer I saw the conditions under which not only the tenant farmers and sharecroppers, but also the workers in the steel mills of Birmingham, were living. What struck me most, as I have said before in these pages, was the patent fact that white workers were living in the same squalor, the same hopelessness, as their black co-workers. Having had my first glimpse of the labor movement in Ireland, I could only compare it to the way the British owned press kept Protestant and Catholic workers asunder by stressing religious differences and never referring to common economic ills. I was heartened to see that where the militant labor movement (arising spontaneously in all parts of the country) had gained a foothold in the Deep South, workers were actually beginning to forget the differences of their color, and had joined forces to attack the common enemy, the ruling class.

Angelo Herndon stands as a living symbol of that solidarity on the workers front which must be built up in order that the words of our Founding Fathers, the words of Lincoln, the words of our present President, may be the expression of more than an impossible dream. Words are all right. But Angelo Herndon is a fine man, of flesh and blood, and gaiety and sincerity and passion. Let us see what they do about Angelo Herndon—and then we shall see whether all the fine words about freedom and equality and justice and the pursuit of human happiness mean anything at all.

FINANCIAL REPORT

by the

National Office, International Labor Defense

FOR THE YEAR 1936

(as of December 31, 1936)

ASSETS:

Cash in Bank & on Hand	\$ 648.45	
Due from Prisoners Relief Dept.	2,234.00	
Office Furniture and Fixtures	2,009.54	
Herndon Bail Bond	15,000.00	
Deposits:		
Rent	\$ 135.00	
N. Y. Telephone Co.	210.00	345.00
Loans Receivable		88.00
Due from Various Funds:		
Scottsboro	4,945.15	
Gallup	391.37	
Bail Bond	10.00	
TOTAL	5,346.52	
Labor Defender Assets	940.20	
TOTAL ASSETS		\$26,611.71

LIABILITIES:

Accounts Payable	\$ 527.00	
Labor Defender Debts	6,347.86	
Old Liabilities:		
Bridgeman Refund Exchange \$	1,315.62	
Caribbean Exchange	948.22	
Total Old Liabilities	2,263.84	
Liabilities Under Funds:		
Herndon Bail Bond	14,837.36	
Herndon Case	834.78	
Total Liabilities under Funds	15,672.14	
TOTAL LIABILITIES		\$24,810.84

NET WORTH:

Deficit January 1, 1936	36,296.37	
Less—Loans written off	40,615.04	
Adjusted Surplus	\$ 4,318.67	
Loss—Labor Defender—1936	5,407.66	
Surplus—I.L.D. 1936	2,889.86	
Net Loss for 1936	2,517.80	
Surplus Dec. 31, 1936	\$ 1,800.87	
TOTAL		\$26,611.71

PRISONERS' RELIEF DEPARTMENT STATEMENT OF RECEIPTS AND DISBURSEMENTS

RECEIPTS:

Donations for Relief	\$ 2,824.60	
Milk Fund	3,937.32	
Christmas Campaign	6,074.37	
Supplies and other Campaign material	293.79	
European & So. American Relief	5,729.77	
TOTAL RECEIPTS		\$18,859.85

DISBURSEMENTS:

Relief to Prisoners & Families	\$ 6,050.01	
European & So. American Relief	2,377.95	
Organization Expenses	2,203.92	
Christmas Campaign	1,511.59	
Milk Fund	475.53	
Administrative Expenses	2,986.53	
TOTAL DISBURSEMENTS		\$15,605.53

Excess of Receipts over Disbursements	\$ 3,254.32	
Balance January 1, 1936	1,058.59	
Balance December 31, 1936	\$ 4,312.91	

STATEMENT OF INCOME AND EXPENDITURES,

	Income	Expenses	Surplus	Deficit
DEFENSE:				
Defense Fund	\$ 2,280.98		\$ 2,280.98	
Scottsboro Case	620.64	\$ 2,100.04		\$ 1,479.40
Herndon Case	4,875.05	4,909.66		34.61
Miscellaneous Cases	926.82	2,052.15		1,125.33
TOTAL DEFENSE	\$ 8,703.49	\$ 9,061.85	\$ 2,280.98	\$ 2,639.34

SUBSIDIES

General		2,823.99		2,723.99
Caribbean (cash)		88.06		88.06
TOTAL		\$ 2,812.05		\$ 2,812.05

EDUCATION AND PUBLICITY:

Bulletins	54.14	15.32		
Anniversary Buttons	6.90			
Literature	136.54	147.04		
Organization Letters		294.99		294.99
Advertising		20.40		20.40
Publicity		161.91		161.91
TOTAL	\$ 197.58	\$ 639.66		\$ 442.08

ADMINISTRATION:

Special Stamp	\$ 630.98	\$ 98.25		
Dues—Unemployed	440.50			
Dues—Regular	3,137.07			
Initiation—Regular	355.95			
Initiation—Unemp.	92.83			
Affiliation Fees	819.06	5.00		
Supplies	237.23	59.66		
Wages		1,010.00		
General Expense		889.07		
Sustaining Members	1,440.70			
Bazaars	300.00			
Collections	114.45			
National Convention		42.63		
Prisoners Relief				
Adm. Expense	2,123.74	2,123.74		
10% Campaign	1,011.69			
Stationery and Postage		834.71		
Telegrams		93.34		
Rent		275.00		
Auditing		115.00		
Telephone		125.80		
Bank Charges		43.66		
TOTAL	\$10,704.20	\$ 5,715.86	\$ 4,988.34	

LESS—CHARGED TO CAMPAIGNS:

Herndon	34.61		34.61	
Scottsboro	1,479.40		1,479.40	
Total Income	\$20,119.28			
Total Expenses		\$18,229.42		
Total Surplus of Funds			\$ 8,743.33	
Total Deficit of Funds				5,893.47
Net Surplus		2,889.86		2,889.86
TOTAL	\$21,119.28	\$21,119.28	\$ 8,783.33	\$ 8,783.33

CERTIFICATE: We have audited the books and records of the International Labor Defense, National Office, for the year ended December 31, 1936. We certify, that the attached statements correctly reflect the financial position as of December 31, 1936, and the result of the financial transactions for the period.

MORRIS A. GREENBAUM

Certified Public Accountant

January 26, 1937.

VOICES FROM PRISON

One of the MODESTO BOYS reports. We've only just begun to smash the frame-up against you.

Your letter came a few minutes ago. Congratulations on the successful Christmas campaign and thanks for the sharing of its success with us.

All of us have been watching intently the Simpson and DeJonge cases. Two more victories for the workers!

We have been informed of the part that the I.L.D. played in securing the confession of the star prosecution witness in the Modesto frame-up and we have sent letters thanking the I.L.D. to friends in Los Angeles and San Francisco, who will forward them to the New York office. The confession, supported by over eighteen dictaphone records and the affidavits of five witnesses, and giving in minute detail the mechanism of the plot engineered against us by Standard Oil agents, members of the San Francisco police and the prosecuting attorneys, is said to be one of the most amazing in labor case exposes.

Our defense has carried the case before the California Legislature and there are high hopes of a favorable report. The resolution, introduced into the Assembly, calls for an appropriation of \$1,500 and the appointment by the Speaker of a committee of five to determine if perjury or subornation of perjury were committed in connection with our conviction. The Speaker is a liberal and we have reasons to believe that a fair committee will be appointed. The case is full of perjury—so full that even a reactionary committee would have difficulty in overlooking it.

So far as freedom of the Modesto defendants is concerned, I can see nothing indicating its probability. This is California, you know—land of Hearst, vigilantes and frame-ups.

Fraternally yours,
VIC JOHNSON

Important information about one of America's three women political prisoners—Nora Conklin.

Unless Nora Conklin is immediately released from Tehachapi Penitentiary, her health will be permanently injured.

This announcement is made by Elaine Black, Secretary International Labor Defense, (I.L.D.), Northern California District. Nora Conklin was convicted April 1, 1935 at Sacramento. California under the anti-labor Criminal Syndicalism Act, similar to the Oregon law that has just been denounced by the United States Supreme Court. Nora Conklin's conviction resulted from her activities in organizing the unemployed in Sacramento and leading them in their struggles.

Tehachapi has been called a model prison—

but Nora Conklin is developing a goiter because the water in the artesian well there—the only water she has to drink—is alkaline and lacks iodine. Several times during summer there was no water in the prison whatsoever—the well temporarily drying up for hours. No

The Governor of Kentucky is a man of few words. This penny postcard is his answer to all who asked him to pardon six innocent miners serving life sentences on a frame-up charge.

doubt many other women are suffering from various ills due to this condition.

The diet of the prison is almost totally lacking in fresh vegetables, and such things as fish and other necessary foods are seldom seen.

The International Labor Defense is demanding that the recently formed Women's Prison Board of Terms and Paroles, immediately parole Nora Conklin to her husband and give her an opportunity to have the food that is necessary to save her from a complete physical breakdown.

The I.L.D. is sending a Southern California doctor to visit Nora Conklin and a complete physical report will be sent out immediately after it is received.

From Mrs. Frank Norman

Received your letter and both the checks. I am so glad to know our monthly check has been increased. That goes to show there are more people looking to our side and really helping those that are suffering most.

I am glad to say that things are clearing a little in my life here. By this I mean people are learning what the Communist people are like and that they are not some one to be afraid of but that they are human beings. I have been given some work since Xmas by a lawyer here and he is in Washington now. He is connected with the Social Security Board and expects to open up an office here and before he left for Washington he said he would use me steady when he returns. I trust he don't hear scary tales about me and change his mind on his return.

Give my regards to every one up there. I think of each and every one so much. Greetings,

MRS. NORMAN AND FRANKIE

From an ex-prisoner.

We send you our joint letter of appreciation for your money order drawn in favor of my wife, Flora McShann for the month of November and the many other kindly benefits rendered in the past two years of my imprisonment by the Prisoners Relief Committee of the I.L.D. and especially the national office. We fully appreciate these past favors and pledge our full support to strengthen and build the I.L.D. We send you our personal appreciation. As for myself, I am doing fair. Gaining some weight and strength. Warmest regards,

JAMES G. McSHANN

Frankfort, Kentucky.

This will acknowledge your communication of Dec. 21.

The conviction of the Harlan miners was sustained by the Court of Appeals of Kentucky. There has been no miscarriage of justice. I gave careful consideration to this case, and under the circumstances do not feel justified in showing Executive clemency.

Sincerely yours,

A. B. CHANDLER,
Governor of Kentucky.

Philadelphia Lawyers?

To read the Philadelphia RECORD (Democratic) you'd think it was a straight Republican trick, but there isn't any question that the court racket which that paper has been exposing applies to Democratic racketeers and white slavers as well as to those of Republican faith.

In a series of articles citing chapter and verse on hundred of cases, the RECORD has exposed the Philadelphia judges' racket of "reconsideration." Here's how it works:

A notorious racketeer or white slaver, or the perpetrator of a particularly anti-social crime is arrested and brought to trial. The jury finds him guilty. The public is interested and aroused. The judge delivers a fierce lecture, sentences the prisoner to the maximum. Then he has a choice of two ways of pleasing the politicians back of the racketeer:

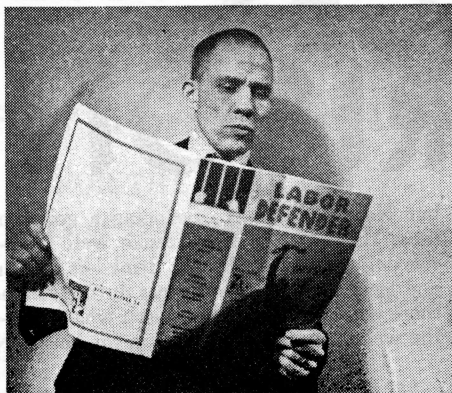
1. He can sit down in his private office the same day, after court is over, and "reconsider" his sentence, either suspending it or changing it to something meaningless, Or,

2. He can choose in the first place to sentence the prisoner to county court, in which case the committing judge has full and undisputed power to "parole" the prisoner at any time he wishes.

As the RECORD points out, the poor unfortunates who get into the clutches of the law through poverty, are NOT among those benefiting from this system. But by painstaking research the RECORD discovered 1,000 cases of each type of racket. The records are so wound in red tape it sometimes takes a week to track down one of the cases and expose it.

These are the courts that some people are surprised strikers don't respect.

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SIMPSON

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WEBB GOODMAN

Auspices: NATIONAL COMMITTEE FOR THE
DEFENSE OF POLITICAL PRISONERS

FRIDAY, FEBRUARY 12

10 P. M. till 4 A. M.

• • •
SAVOY BALLROOM
140 Street and Lenox Avenue

• • •
Tickets: R. 534, 156 5th Ave.
and all Workers Bookshops

Medical Aid
to the Defenders
of Democracy in

SPAIN

The INTERNATIONAL LABOR
DEFENSE has already sent
\$15,000 worth of medical supplies,
surgical instruments, anaesthetics,
anti-toxins to the heroic fighters
against fascism in Spain.

OUR NEXT SHIPMENT is to be a well
equipped AMBULANCE

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