

Ball

LABOR DEFENDER



SEPTEMBER, 1936

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SPAIN'S Defenders

by Vaillant Couturier

Also:

JULIUS HOCHMAN

Clifford COCHRAN

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ALMANAC

SEPT. 1—September morn, made famous by a lot of silly poetry. Its only claim to distinction.



*A bombing plane is just a dove,
A submarine's a token of love,
We're shy—midst diplomatic clouds—
But our kind of peace comes wrapped in shrouds.*

SEPT. 1—The last day of the 1936 Summer Milk Fund drive for the children of labor's prisoners. Last chance to show your solidarity.



*Hoover, J. Edgar, is my name.
As a detective, I'm a demon.
I'm very good—but all the same—
I don't know who organized the G—men!*

SEPT. 7—Labor Day. All out to the big parades.



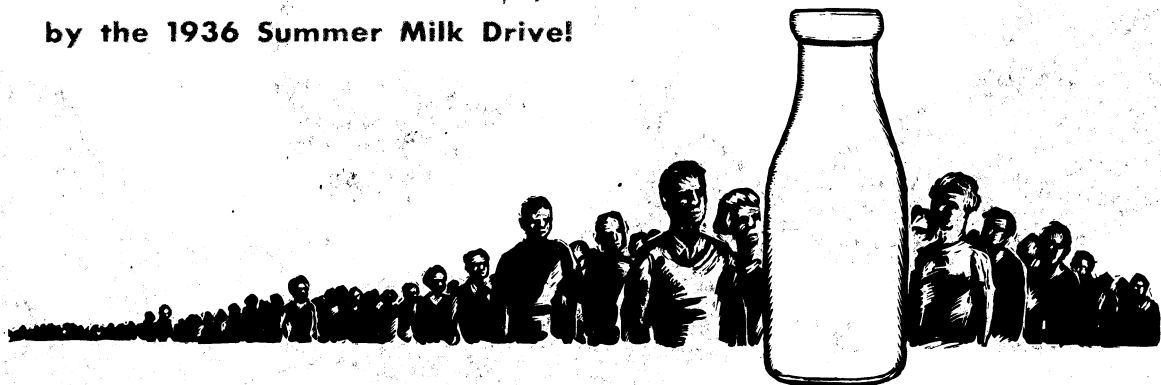
*Civil rights must be defended,
But the task grows harder when,
Their summer playtime being ended,
These nine old men come back again.*

SEPT. 15—Every body write a letter to a political prisoner. They want to hear from you.



*Concentration camps and chain gangs
Are not exceptions but the rule—
It seems the Governor of Georgia
Studies in Adolf Hitler's school.*

**That Milk Bottle was filled with \$3,000
by the 1936 Summer Milk Drive!**



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LABOR DEFENDER

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THE shameful spectacle enacted at the legal murder of Rainey Bethea, 22 year old Negro, at Queensboro, Kentucky, is truly a national disgrace. The role played by the press all over the country in whipping up a lynch spirit by lurid accounts of Mrs. Sheriff Florence Thompson's plans cannot be sufficiently condemned. This woman, seeking nation wide publicity at the expense of human life and torture should be driven from her post. The law does not require public hanging. This is left entirely to the judgment of the sheriff.

The execution of Bethea can be called nothing else but beastly lynching and should be publicly condemned by every decent, fair-minded citizen.

What can be accomplished by such condemnation is shown by recent convictions in two parts of the country. In Tampa, Fla., five of the policemen charged with kidnapping in the Shoemaker-Poulnot-Rogers flog-murder were sentenced to four years at hard labor in Bartow, Fla. More pressure can force the conviction of the other Klansmen involved, this time on murder trials, and make the present convictions stick.

In Detroit, three members of the Black Legion were convicted. They only got three months. A wider awakening of the people of the United States, and especially the trade-union movement, to the dangers of fascism, resulting in further growth of the protest and pressure movement can get real sentences against the scores of Black Legionaires guilty of murder, kidnapping, robbing, arson, and dozens of other crimes, against Negroes and trade-unionists.

Compare these sentences with the savage punishment inflicted on workers innocent of any crime save their determination to defend their right to live. The "impartiality" of justice in the United States becomes very clear. Nevertheless, the fact that they were convicted and sentenced at all is a victory for the forces of progress.

ON pages 4 and 5 of this month's Labor Defender, our readers will find a first hand account of what is happening in Spain, written by one of the greatest living journalists.

Not only does his account fling the "atrocities" lie into the teeth of the Dirty Willie Randolph Hearsts of every country in the world, but it will surely inspire all who read it with the greatest desire to give all possible support to the heroic Spanish people in their determined struggle against international fascism.

The I.L.D. calls on all its friends and supporters to give all possible aid to the

trade union committees engaged in raising funds and moral support for the fighters for liberty in Spain. The fight of the Spanish people is the fight of all enemies of fascism, all friends of freedom and democracy. More power to them, and our humble admiration for their inspiring courage.

"WE seek to dominate no other nation. We ask no territorial expansion. We oppose imperialism."—President Roosevelt in his speech at Chautauqua, Aug. 14.

Prison terms of 6 to 10 years for Pedro Albizu Campos, President of the Nationalist Party of Puerto Rico, and 7 others leaders of the Puerto Rican people has stirred furious resentment in this colony of American imperialism.

The people of Puerto Rico want independence. To thwart this fast growing movement, Senator Tydings introduced a bill calling for the establishment of a so-called Puerto Rican "commonwealth" with provisions for a tariff that would stifle any development of the country. Congressman Marcantonio on the other hand, introduced a bill calling for immediate independence with provisions for indemnity. He has also joined in the defense of the recently sentenced Nationalist leaders.

Protest the imprisonment of Campos and the 7 other leaders! Get your organizations to support the Marcantonio bill for Puerto Rican independence!

THERE is a popular joke making the rounds in Cuba about the new amnesty law. It pictures President Gomez busily writing on a grain of rice the names of all the people who would be freed as a result of his amnesty law.

At his inauguration Gomez proclaimed his pledge "to bring normalcy and peace to Cuba and an end to arbitrary military rule." After two months he finally produced an amnesty law. So far 28 prisoners have been released, none from the Isle of Pines prison or the provincial prisons. Hundreds remain in jail on framed charges of "gangsterism" and "terrorism."

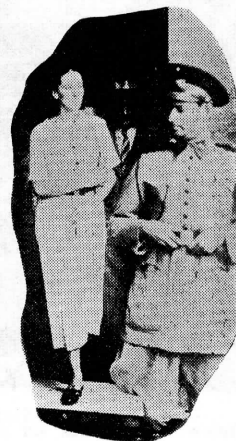
We can safely say that what amnesty has been granted resulted from the pressure of the Cuban people organized by the National Amnesty Committee of Cuba. The freedom of Cesar Vilar and Lazaro Pena, leaders of the Cuban National Federation of Labor, was won with the aid of American trade unions, including the Executive Council of the A. F. of L.

The National Amnesty Committee of Cuba is working for a real amnesty. The solidarity of American trade unions will give them the support they need.



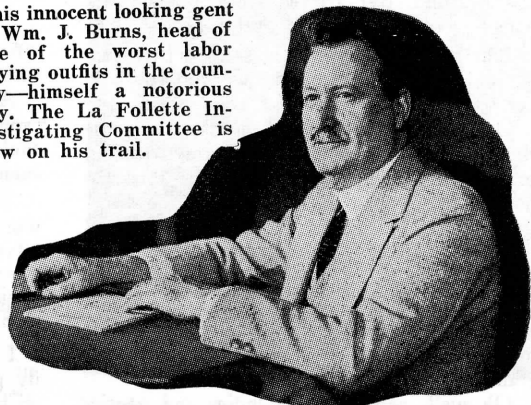
Porto Rico's fighters for freedom. (In the circle) Campos, president of the Nationalist Party, which leads the fight for independence. They have been sentenced to 6 to 10 years in prison.

Mrs. Luis Carlos Prestes, the wife of the "Knight of Hope" of the Brazilian people, herself a prisoner in the hands of Brazil's terrorist regime.



L. P. Gray, Alabama leader of the United Rubber Workers Union after the police got through "questioning" him in Gadsden, Ala. They ran him out of town for trying to speak to the rubber workers.

This innocent looking gent is Wm. J. Burns, head of one of the worst labor spying outfits in the country—himself a notorious spy. The La Follette Investigating Committee is now on his trail.





With LIBERTY'S Defenders



Above: "Long live the People's Front." The workers militia on the firing line in the mountain passes guarding Madrid.

Below: Barricades on the streets of Toledo—barricades against fascism.

By VAILLANT-COUTURIER (Editor-in-chief, *L'Humanite*)

Eleven o'clock. Left Bourget on a plane whose schedule permitted me to catch the mail from Madrid to Bordeaux. At the flying field in Bordeaux I found a huge Douglas air liner, just arrived from Madrid. Its wings were scarred with bullets.

Biarritz, Saint-Jean-Duz, sped swiftly past our auto windows—and we were at the border.

On the lower slopes of the Pyrenees, the entire population of the nearest town seemed to be engaged in digging positions for cannon. All the guns were pointed in the direction of the Trois Couronnes mountains and towards Irun.

The press had been carrying flamboyant headlines describing the fighting in these mountains as marked by the most savage butchery, stating that the dead were innumerable.

Oh well, perhaps these ladies and gentlemen were mistaken. I did not even hear any shooting.

We arrived at the end of the road, at the French end of the bridge leading into Spain. A fat priest leaning towards a gentleman with a tri-colored cabbage in his buttonhole, was gloating:

"The rebels must have won. All is calm here."

"But," smirked a fascist journalist, "It is not altogether certain that the parties of the right were responsible for the storm."

A few heavy Spanish business men, arranged in a semi-circle about a reporter who could not enter Spain, were commenting on events.

Two workers passed. They eyed these worthies slowly from head to foot and said in very loud voices:

"How come these folks are not in the mountains with their troops instead of standing here babbling about the Popular Front."

I turned towards the bridge. It was heavily guarded by Mobile Guards. Two wooden barriers stretched from either side.

As I began to cross some one shouted: "Go as far as you like. You will have a

Written in Spain—on the firing lines—throwing the "atrocities" lies into the teeth of the fascist slanderers of Spain's heroic defenders of freedom and democracy.

nice stroll. No one is permitted to enter."

I walked on, filled with a deep emotion. Comrades in civilian clothes were on guard at the bridge, none of them armed. I hailed them: "Front Populaire!"

The comrade who was with me did not mention my name. He simply said: "This is a comrade". The answer came: "Let him pass."

An auto, wreathed in scarlet bunting awaited us.

And soon we were at the City Hall of Irun.

The city of Irun had requisitioned 60 vehicles. A few of them were coming towards us.

They stopped before the City Hall. We did too. As we entered the building we saw workers—militia men, some in short jackets, others with red arm bands, coming and going on the stairs, rifles slung under their arms, pistols in their belts. They were carrying supplies—hams, boxes of eggs, cheeses, loaves of bread.

In the main hall I found a very old man, beloved by all and affectionately called "Pop" supervising the work of a group of young girls wearing blue or gray blouses and red ties. They were busy distributing supplies, interrupted by the almost constantly ringing telephone. Everything was calm and orderly.

A group of comrades arrive from the mountain side. The questions showered on them from all sides are eager, but to the point.

"How did the battle go?"

"We have smashed one of the biggest pieces of artillery at the fort. The rebels have withdrawn. They do not seem to be ready to fight."

"How many of them are there?"

"Perhaps a thousand. But they are isolated."

"Our losses?"

"Four dead—two carabinieri and two militia men. But that must be chalked up to the credit of an aeroplane that came directly from France. A present from Gil Robles. . . ."

We left for San Sebastian with the old



Singing as they march to fight for freedom and democracy.



"La Passionaria"—Dolores Ibaruri, woman Communist deputy in the Spanish parliament. Hearst has painted her as the arch-terrorist of Spain.



Largo Caballero, leader of Spain's militant left Socialists. (Portrait by a Spanish political prisoner drawn in jail—before the People's Front Amnesty released him).

man—"Pop"—and a cavalcade of five cars.

In all the villages along the route I saw the same sight; tranquil people, walking slowly through the peaceful streets on a pleasant evening waving friendly greetings to us as we passed. Beautiful girls smilingly called out "Frente Popular."

As we drew nearer to San Sebastian our progress was retarded. Ever closer together we came upon barricades still in the process of construction, but already big enough to obstruct the passage of all vehicles. Some were of sand bags, others of tar barrels, still others of old wagons.

Our leader gave the pass word. Our papers were examined. Trade union cards, party membership books were all the passports we needed.

We entered the suburbs of San Sebastian. Armed patrols, rifles on their shoulders, pistols in their belts, were on guard at all cross roads. Trucks, their tops covered with mattresses filled the roads—on the previous day rebel snipers had fired from the windows of some houses.

But the streets are filled with people! In front of the closed shops, they stop to talk, they laugh, they sing.

The churches are intact. The Marie Christine Hotel, where the rebels were entrenched has suffered very little. The Casino is battle scarred. Bullet holes are clearly visible. The battle here raged longer than anywhere else. Now there is rarely a volley.

I went to the Deputations—headquarters.

I told them my name. The tumult which followed was like an explosion of dynamite. A Frenchman. Faces light up. France is just over there, the France of the Common Front, the sister in liberty, the France against which Hitler wants to establish a Nazi base in Spain.

And there in the midst of a crowd of Guards Assaults, soldiers in red berets, militia men, workers in arms, we embraced—a symbol of our unity and the certainty of our victory.

A huge red flag decorated with a six point star—the anti-fascist emblem of Amsterdam-Pleyel, hangs from the window of the San Sebastian City Hall. The place has now been transformed into a mess hall for the workers militia. A regular transport service carries the fighters from their posts in the hills to this hall, where they eat at tables set for one hundred.

From time to time the boom of a cannon is heard to disturb the stillness and the calm of the city.

"That's the artillery barracks at Loyola," a militia man explains. "We have them surrounded. The men have had enough. They want to surrender. But the officers force them to stay while they themselves man the guns. It is they who are firing at us. And each time we answer with our siege cannon."

I went next to the headquarters of the UGT (trade union center.)

Here there is lively—but orderly—commotion. A constant coming and going of trade unionists asking for news, bringing it, looking for orders, giving them.

The long corridor is filled with people, patiently awaiting their turn to be admitted to the various offices—small rooms that open to the right and left of a wide hall at the end.

In the vestibule through which all new arrivals must pass a typewriter clicks constantly, tapping out names, motions, orders, resolutions, passes.

Here one no longer sees anarchists, autonomists, trade unionists, socialists, left republicans. Here one finds only the soldiers of liberty—the popular front—the living unity which is truly Spain.

I entered one of the offices of those in charge.

Young men and old, working side by side, men who have fought and won a republic and who refuse to see it strangled.

They had already heard that I was in Spain. Their greeting was so warm, as their faces lit with smiles of welcome and happi-

ness. I told them of what we were doing in France, of the vigilant enthusiasm which follows their every step, of the filthy campaigns in the fascist press.

"We are very well aware" one of them said, "of the sources from which the blows aimed at our republic come. We are particularly well situated here in San Sebastian to know exactly which are the doings of Hitler's agents. They have financed and armed the rebel chiefs, seconded by the fascists of France. We have—you and we—the same enemies. But here they have passed on to bloody deeds. Be sure to tell the people of France that we do not for one moment confuse them with those who lie about us while preparing to shoot us in the back."

Another said: "We have men, all the men we need. You have seen some of them. They ask us for arms. We distribute them as soon as we have captured an arsenal or when a

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Going to her post.



Marching to the firing lines. Note the children in the right hand corner.

IMPOSSIBLE,

Published for the first time anywhere in America,—the full account of a visit to Lawrence Simpson in the Nazi's stronghold—Moabit Prison. Mr. Cochran was the first American to succeed in obtaining the right to visit a Nazi prisoner. How he did it, what he saw and heard, is told in this graphic account.

By GIFFORD COCHRAN

AN American citizen can be held in concentration camps and prison for fourteen months without a trial on a charge of treason against a foreign state. This I discovered in Germany where I went in an effort to help free Lawrence Simpson from Moabit prison where he has been incarcerated. What could be done to help him and how to go about it? I had conferred with the State Department before leaving and they had assured me that to obtain him his own defense counsel was the most effective course to take. They were unable to protest, they said, as Simpson had been legally arrested according to German Law which they must respect.

Treason is defined in the dictionary as "Betrayal of the State to which the offender belongs." How could Lawrence Simpson be guilty of "treason" to the German state? According to German law (new German Law) he was.

The date set for the trial was July 28, which left me a narrow margin of time in which to accomplish this difficult objective and accordingly I wasted as little of it as possible. On arriving I flew directly to Berlin where I conferred with the American Consul, Raymon H. Geist. The nature of the charges he explained were two-fold; high treason and espionage. It seemed incredible that an American citizen could be guilty of treason to a Government to which he owed no allegiance, but I was assured under German Law (new German Law) this was now possible, that in fact *treason* was an all embracing word and could consist of almost anything. In this case the introduction of Anti-Nazi literature into Germany. As to the nature of the espionage charge Mr. Geist admitted that he had been unable to secure any information from the German officials. The German police and authorities surround every treason case with a cloak of black velvet secrecy and even the consul himself, the appointed representative of American citizens in Germany, is not entitled to see the indictment which might contain information menacing to the safety of Germany. It is quite remarkable to what extent the German State is perpetually menaced—its officials must live in a chronic state of insecurity. Even a businessman discussing his business affairs with

These drawings are the work of a German artist—an anti-Nazi political prisoner who escaped from a concentration camp. He calls them: (1) Arrest, (2) Examination, (3) Correction.



HERR KONSUL

a foreigner is guilty of treason and liable to a prison sentence.

The indictment being a secret state document, even he as the representative of American citizens in Germany had been unable to examine, the contention being that it might contain information the knowledge of which would "endanger the German State."

Of course, as you no doubt know, you need not be guilty of committing a crime in Germany. They can arrest you on suspicion and keep you in prison until they have established your guilt. There seems to be no limit to the amount of time they can keep you until they establish it, or to what extent they will go to secure a confession.

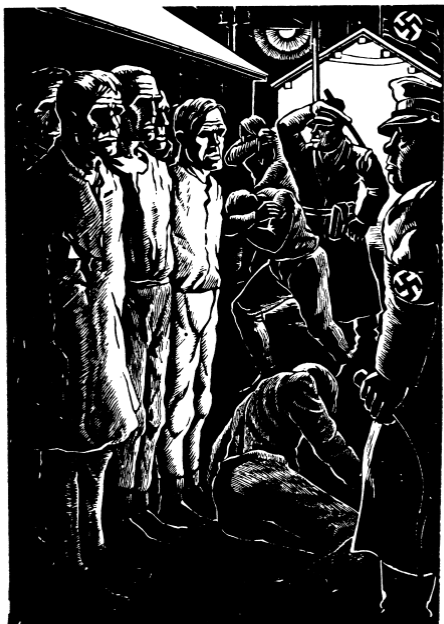
I suggested then that inasmuch as it was provided under German law that a defendant in the people's court (the special court where treason cases are handled) be allowed to appoint an attorney to act in the capacity of assistant defense counsel, that we apply for this permission from the courts. Mr. Geist's answer was illuminating. It was quite useless, he informed me, to follow any such course and explained that no foreigner in any capacity whatever is allowed to attend a German treason trial, even he as consul did not have this privilege and it would be merely a waste of time even to send such a petition.

This effectively blocked any effort on my part to provide Simpson with a non-prejudiced attorney. The VOLKSGERICHT had already appointed a German attorney for him, but it was quite likely that a State appointed lawyer would scarcely do his utmost to defend an avowed communist. In fact it was going to prove difficult to find any lawyer who for any fee would take the case, since it could easily prove damaging to their professional standing. However, if no stone was to be left unturned it was necessary to search for someone willing and able to represent Simpson.

Consul Geist had in the meantime telephoned Dr. Hartmann, the President of the Second Senate, a body which controls VOLKSGERICHT cases, informing him that I wished to see Simpson personally. It would be necessary, Dr. Hartmann replied, for me to file a petition with him. It would also be necessary to accompany this petition with a signed statement agreeing to speak nothing but German with the prisoner and that I would not discuss any subject but that of obtaining an attorney for him. This was necessary it was explained in order that I should not supply Simpson with some knowledge which might be dangerous to the Reich. Such a menace must have seemed appalling to the Nazi mind. Since this was obligatory, I complied with it and signed the agreement and prepared to await an answer. This was not long in forthcoming; in fact the very next morning I received the information that my request had been unqualifiedly refused. No grounds were given.

There was then nothing for it but to apply again, and Consul Geist agreed to present the petition personally and urge that the officials reconsider their decision. In the meantime Mr. Geist had made an appointment with a prominent Berlin attorney who arrived shortly to discuss the case. He had

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We MOBILIZE for VICTORY

An inspiring speech delivered at the 20th anniversary Mooney-Billings protest meeting called by the New York Central Trades and Labor Council

By JULIUS HOCHMAN, *Vice-Pres., Int'l Ladies Garment Workers Union.*

DURING the twenty years that have elapsed since Mooney and Billings were first imprisoned for a crime that they did not commit, there have been many meetings of the character that we are holding in the Hippodrome this evening. Yet, in a sense this meeting is different from most of those that have been held in previous years. In past years our Mooney meetings were conducted, for the most part, in the spirit of memorial meetings in which speakers paid tribute to the men who had suffered martyrdom because of their devotion to the labor movement; speeches were made eulogizing Mooney and Billings; pledges were made to carry on the fight that they had fought. It was as though the situation was hopeless and Mooney and Billings were dead.

But, fortunately, the torch that these men carried has not yet fallen from their hands. After twenty years of imprisonment, they are alive and vigorous, anxiously awaiting the day when once again they will take their places in the ranks of labor. Frequently one hears the idea expressed that the imprisonment of Tom Mooney has done more to arouse labor and advance its interests than Mooney could possibly have done in twenty years of active participation in the labor movement. This kind of sentiment, I feel, is purely a rationalization of our own inability to secure his freedom. The trade unionists—the workers of this nation need no martyrs; to inspire us in our struggles for a better life. The aims and ideals of the movement of which we are a part have always been sufficiently inspiring—have always commanded our first loyalties—our energy and devotion.

We need no martyrs to inspire us; we do need men of the calibre of Mooney and Billings at our side, aiding us in the struggle that we are conducting against entrenched greed—against those who have been aptly termed the “economic royalists” of our day;—for the right to a decent livelihood;—for industrial as well as political democracy.

And so—this evening we gather not to eulogize the fallen, not to pay tribute to someone who is no longer with us but to win freedom for men who are of far greater value to labor on the picket line than they are in prison cells. It is this sense that our meeting tonight must be different from those held in previous years. This is a meeting called for the purpose of renewing and revitalizing the movement for the freedom of Tom Mooney and Warren K. Billings; we come here to mobilize for victory.

In 1919 I was privileged to attend the National Labor Mooney Congress held in Chicago. At that time the protest movement that had developed as a result of the conviction of Mooney was at its height. The year before—in 1918—President Wilson, acting under the pressure of organized labor, had twice appealed to Governor Stephens of California to grant a new trial to Mooney. But

Governor Stephens who was the creature of the very corporation and shop interests that had framed Mooney took refuge behind some legal technicality and refused to consider a new trial. Shortly afterward, President Wilson directed a committee headed by Felix Frankfurter to investigate the case and report its findings. The committee, like every other impartial group that has looked into the case, reported that Mooney had been convicted on the basis of perjured testimony and recommended that remedial action be taken.

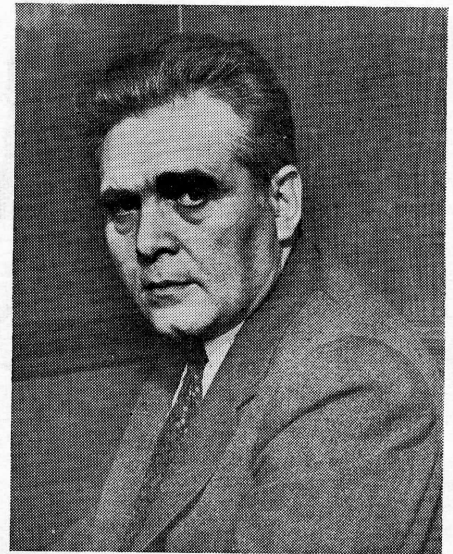
This report called forth a storm of abuse from the prosecuting attorney, from the vicious anti-union forces that rule San Francisco but it gave courage and added momentum to the forces of labor who were battling for Mooney's freedom. It was a result of the storm of protest that swept the country that Stephens commuted Mooney's death sentence to one of life imprisonment.

But Governor Stephen's “generosity” failed to satisfy the millions who were clamoring for Mooney's freedom. When the National Labor Mooney Congress convened in Chicago on January 14, 1919, one thousand delegates from hundreds of unions throughout the country gathered to demand that Mooney be granted either a new trial or his unconditional release. But they did more than make these demands of the State of California; they declared that unless their demands were acceded to by the Fourth of July, a general strike would be called to impress upon the parties responsible that organized labor was not going to stand idly by or con-

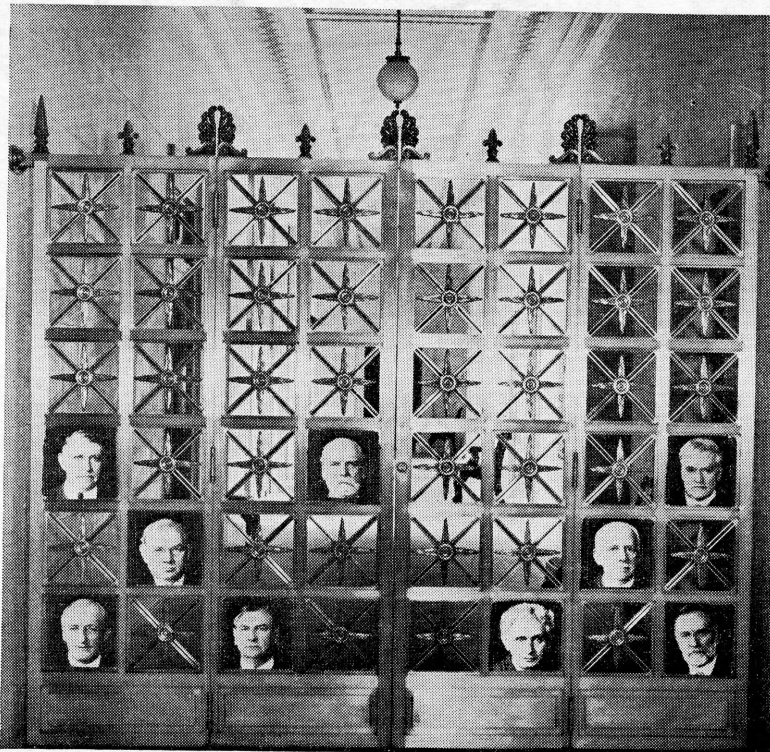
fine itself to mere words while one of their leaders was being sent to the penitentiary for life.

I remember the enthusiasm, the grim determination manifested by those who were present at Chicago that day in January. There were no eulogies that day. The speeches that were made were calls to battle; the sentiments expressed were best summarized in a line from a telegram sent to the Congress by Eugene Victor Debs—“Now is the time to prove the solidarity of our class”.

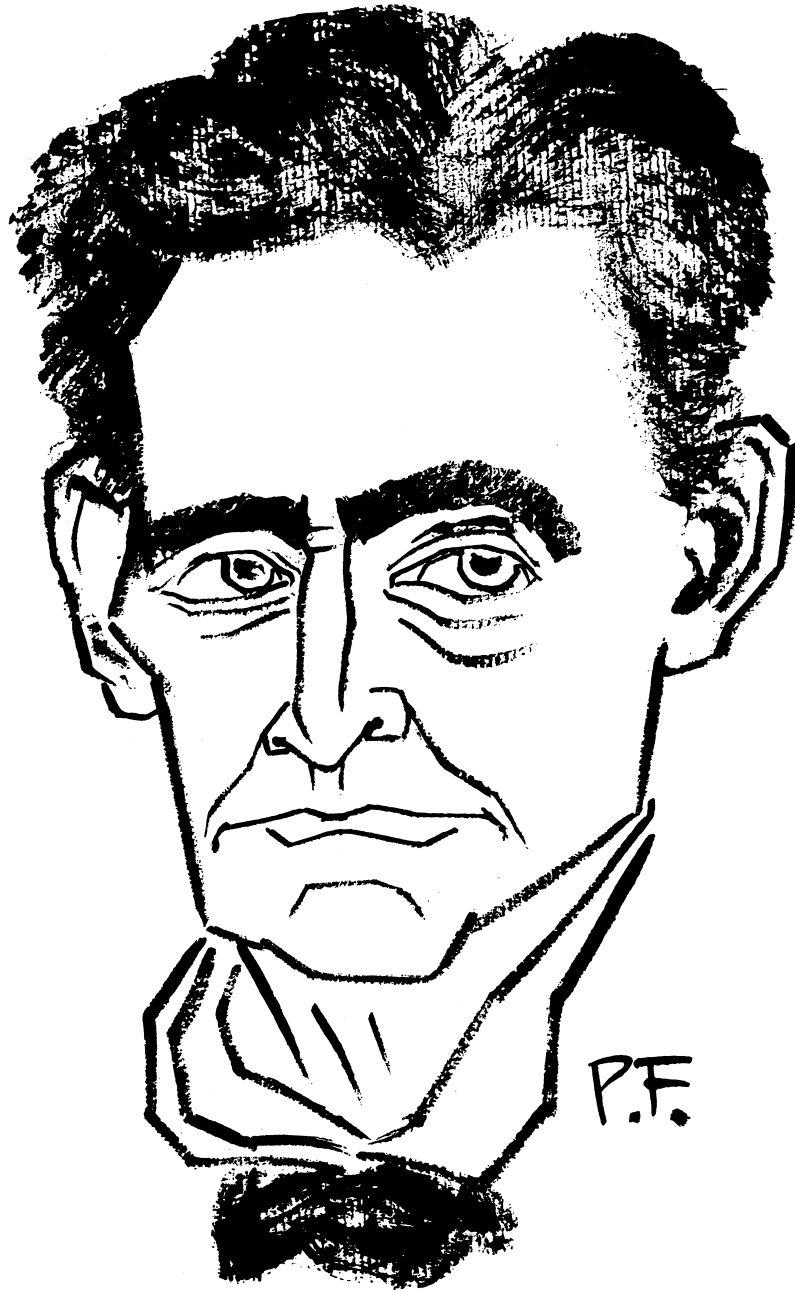
The years that followed witnessed the decline of the labor movement in this country and—as a consequence—the disintegration of the movement for the freedom of Mooney and Billings. But with 1933 new life surged into the trade union movement. Labor acquired new forces, new strength—a new vitality. Labor was winning victories and its was preparing to settle old scores. It was only natural that as the labor movement came into its own again, the fight for Mooney's
(Continued on Page 17)



Mr. Hochman is chairman of the N. Y. State Committee to Aid the Herndon Defense. He has played an active part in mobilizing support for victims of terror and oppression the world over.



Not a cross-word puzzle. Or may be it is. The nine old men of United States Supreme Court as they would look framed in the bronze gateway which leads to their chambers in the palatial new Supreme Court building.



John Brown

"But his TRUTH goes marching on!..."

"John Brown's body lies a-mouldering in the grave—But his truth goes marching on." How this great American hero and leader conducted himself during his trial and imprisonment—vividly described by an authority on the history of slavery in the United States.

By ELIZABETH LAWSON

The most famous of America's political trials lasted for but a week. The slavocracy and its courts were in frantic haste to be done with John Brown. On October 18, 1859, United States marines battered down the door of the engine-house at Harper's Ferry arsenal in Virginia, and overwhelmed the little band of men who had seized it in the hope of striking a decisive blow against the slave-power. On October 25, Brown and the remnants of his followers were brought before the Charlestown court for preliminary examination; on November 2, they were sentenced to die.

For one week, the eyes of America and Europe were on the Circuit Court at Charlestown. John Brown, suffering from a wound in the groin, another in the breast, and four sabre cuts in the head, so weak that he was carried to his trial on a litter, performed in those last days the most effective work of his life against slavery.

A grand jury, hastily summoned, handed down an indictment on three counts: treason to the state of Virginia, conspiring with slaves and others to rebel, and murder in the first degree. Each of these charges carried the penalty of death. Yet Brown's plea for time to obtain counsel was swept aside; instead, the court appointed two local attorneys, strongly pro-slavery in their principles, to defend him. At his preliminary hearing, Brown protested this legal mockery. "If we are to be forced with a mere form, a trial for execution," he said, "you might spare yourselves that trouble."

Andrew Hunter, special prosecutor in the case, wrote to Governor Henry A. Wise: "The judge is for observing all the judicial devices; so am I, but at double-quick time." Each application for delay—to obtain counsel, to subpoena witnesses, to permit attorneys who finally arrived from the North to become familiar with the case—was refused.

Charlestown during the trial and until the day of John Brown's execution was a city besieged. The prisoners, four whites and two Negroes, were brought into court accompanied by armed men; cannon were stationed in front of the courthouse; soldiers guarded the roads. Reporters were at first barred, but the state of public feeling made it impossible to withhold the full details from the press. A dispatch sent out during the first days said: "There is an evident intention to hurry the trial through and execute the prisoners as soon as possible. It is rumored that Brown is desirous of making a full statement of his motives and intentions through the press, but the court has refused all access to reporters, fearing that he may put forth something calculated to influence the public mind."

Brown's local attorney introduced affidavits whose purpose was to show the defendant as a victim of hereditary insanity. The scheme might have saved Brown's life, but it would have set his work at nothing. Jumping from his cot, he denounced the insanity plea as a

"miserable artifice"; he repudiated the efforts of his lawyers in that direction.

The charge of Judge Richard Parker was a pro-slavery harangue. The jury retired for about three-quarters of an hour, and returned with a verdict of guilty on all three counts. On November 2, John Brown rose in court for his final speech.

"I deny everything but what I have all along admitted, a design on my part to free the slaves," he declared, addressing neither judge nor jury, but the crowd that filled the court and the hall outside.

Victor Hugo, one of the great host of renowned writers whose pens were always ready to do service in the anti-slavery fight, expressed in a letter to the London *Star* his horror at the headlong rush of the Virginia court to do John Brown to death. "What has

Famous Words

Virginians! Virginians! I did not ask for quarter at the time that I was taken. I did not ask to have my life spared. If you seek my blood you can have it at this moment without the mockery of a trial. I have no counsel—if we are to be forced with a mere formality, a trial for execution—you might spare yourselves that trouble. I am ready for my fate. . . . I beg for no insult—nothing but that which conscience gives you or cowardice drives you to practise. I again ask to be excused the mockery of a trial. I do not know what the special design of this tribunal is. I do not know what is to be the benefit of it. I have no wish to add, other than that I may not be foolishly insulted only as cowardly barbarians insult those who fall into their power.—(His first speech at the trial.)

In the first place, I deny everything but what I have all along admitted; of a design on my part to free slaves. . . . Had I interfered in the matter which I admit has been fairly proved—for I admire the truthfulness and the candor of the greatest portion of the witnesses who have testified in this case—had I so interfered in behalf of the rich, the powerful, the intelligent, the so-called great, or in behalf of any of their friends, either father, mother, brother, sister, wife or children, or any of that class, and suffered and sacrificed what I have in this interference, it would have been all right. Every man in the court would have deemed it an act worthy of reward rather than punishment. . . .

Now if it is necessary that I forfeit my life for the further ends of justice and maybe my blood for the blood of millions in this slave country whose rights are disregarded by wicked, cruel and unjust enactments, I submit. . . . Let it be done.—(Just before sentence was passed.)

been the character of his trial?" Hugo wrote. "Let us sum it up in a few words:

"John Brown upon a wretched pallet, with six half-gaping wounds, bathing his mattress in blood; justice in a hurry and overleaping all obstacles; an attorney who wishes to proceed hastily and a judge who suffers him to have his way; the hearing cut short; almost every application for delay refused; every obstacle thrown in the way of the prisoner's counsel; two cannon loaded with canister stationed in the court; forty minutes of deliberation, and the men sentenced to die. I affirm, on my honor, that all this took place, not in Turkey, but in America!"

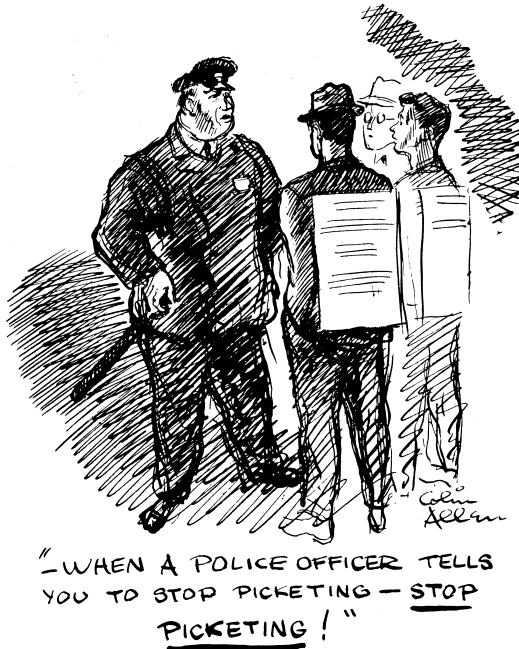
John Brown was sentenced to die on the gallows on December 2. During the thirty days of life that remained, he continued from the Charlestown jail his work for the freedom of the slaves. Letters poured in to him from almost every corner of two continents. To many of these he replied in his own hand.

"I do not feel myself in the least degraded," he wrote, "by my imprisonment, my chains, or the near prospect of the gallows. Men cannot imprison, or chain, or hang the soul. I go joyfully in behalf of millions that 'have no rights.' No part of my life has been more happily spent than I have spent it here; and I humbly trust that no part has been spent to better purpose."

The care of his family and the families of his fellow-prisoners gave him much concern. "Although I feel grateful for every expression of sympathy towards me," he said in a letter, "yet nothing can so effectually minister to my comfort as acts of kindness done to relieve the wants of my distressed family." He suggested a plan of relief: small sums should be raised among the people for the permanent care of prisoners' wives and children. In accordance with this suggestion, mass meetings were held; at one of these, in Boston, Ralph Waldo Emerson made the plea for contributions to a relief fund.

The day of execution arrived, and John Brown went from the prison to the gallows with the air of a conqueror. For thirty-seven minutes his body swung from the gibbet, and even during this time his work went on; mass meetings were gathering at which people dedicated themselves anew to the cause he had served; halls and homes were draped in mourning; church bells tolled, and Abolition clergymen held services of prayer.

"I think the end of slavery in the Union is ten years nearer than it seemed a few weeks ago," Horace Greeley wrote in the *New York Tribune*. John Brown had dramatized the issue, had sharply clarified the nature of the opposing forces. His raid on Harper's Ferry, his trial and execution, aroused the people of America and Europe to a new awareness of the menace of the slave-power. Now, as never before, they knew that the fate of all progress, and the destiny of the working-class of the world, hung in the balance in the death-grapple with the American slavocracy.

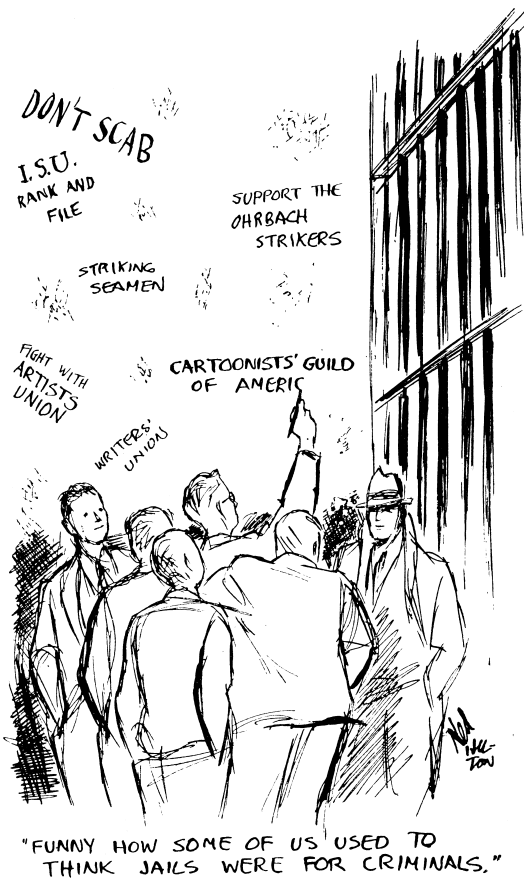


NAME? ADDRESS? MARRIED OR SINGLE?
ARE YOU AN AMERICAN CITIZEN?

The Cartoonists Guild of America went on strike against "College Humor" magazine. They were pinched and thrown into jail. Here is how some of them felt about it—drawn exclusively for the Labor Defender.



"NO, YOU CAN'T PHONE A LAWYER YAH-YAH-YAH!"



Is It CONSTITUTIONAL?

What are the issues involved in the present stage of the Herndon case—what can you do to help save Herndon from death on the chain gang—

By ANNA DAMON, Acting National Secretary International Labor Defense

When the Supreme Court of the United States reconvenes in October 1936, it will have before its "nine black robed corporation lawyers,"—as Eugene Debs named them—for the second time in four years, the case of Angelo Herndon.

The legal battle and the mass campaign for the life and freedom of this twenty-three year old fighter was begun by the International Labor Defense in the summer of 1932 immediately after his arrest in Atlanta, Georgia. Five times the case was carried to court—twice to Georgia's lower courts, twice to Georgia's State Supreme Court and once to the United States Supreme Court. In the past four years, during which the battle against his barbarous sentence has been waged, the power of organized labor defense has succeeded in accomplishing something unique in its history.

All too many political prisoners have languished in jail for months and years awaiting trial, awaiting favorable action on appeals in their cases, hostages of the powers who wanted them out of the way. *Angelo Herndon has been a free man for almost two years* out of the four in which the Georgia authorities have utilized every method, every instrument of power at their command to send him to his death on their murderous chain-gangs. This is truly a unique and significant accomplishment to the credit of organized labor defense, a powerful argument in favor of vigilant, united and wide spread mass action backing up every step in the legal battle.

What was the crime of Angelo Herndon? The whole world knows today that there was no crime. Herndon's action in behalf of the starving unemployed of Atlanta, Negro and white in their demand for bread, embarrassed, the officials of Atlanta, Georgia. It forced them to provide relief. It confronted them with a unified strength which they could not brush aside. It was for the purpose of discouraging the repetition of such actions, of holding back the further welding of this unity, of terrorizing the entire population, that Georgia authorities fell back on that very convenient law which they found at their disposal. So convenient have they found it, they have kept it hanging like a threatening sword over 18 other persons, black and white, pending the outcome of the Herndon case.

And what is this law? Can it properly be used as Georgia is trying to use it against Angelo Herndon? Is it constitutional?

The United States Supreme Court which was brought into being for the express purpose of ruling on the constitutionality of legislation in the best interests of the people has never looked into the constitutionality of this outworn slave law of 1866. When the Herndon case was brought before it 15 months ago, the majority of that court refused to consider it. They cited technical grounds which were seriously questioned and even denied by the three justices who dis-

sented from the majority decision. The Georgia State Supreme Court has twice upheld the constitutionality of the law, but never quoted any law except their own vicious decision to prove it.

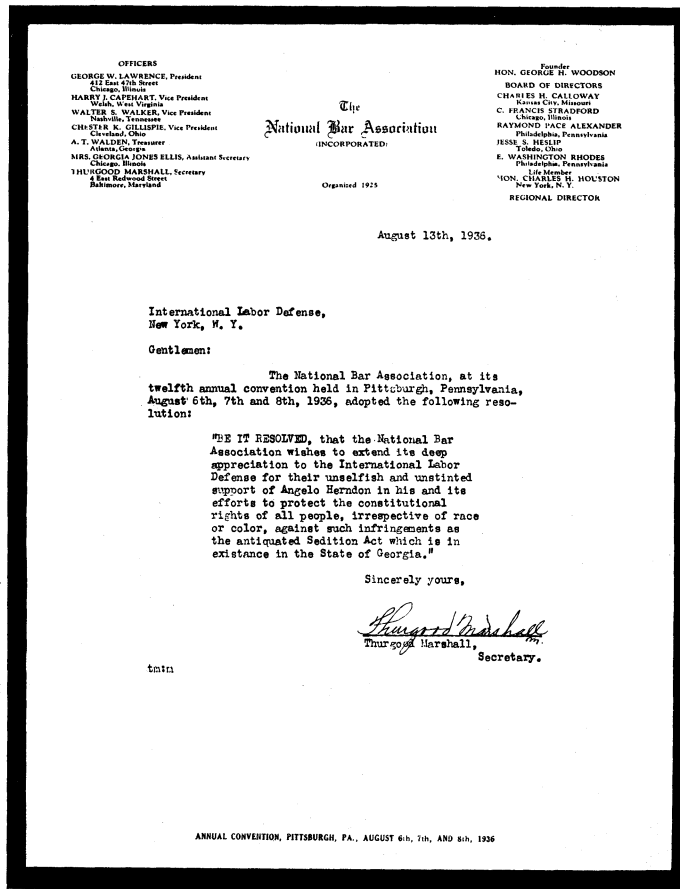
The only judge who did examine this law in the light of its constitutionality was forced to declare it *unconstitutional*. That was Judge Hugh M. Dorsey, ex-governor of

Georgia will be there to fight for it.

Appropriate defenders of this law of theirs! Georgia authorities, headed by Gov. Talmadge have openly expressed and shown their fascist ideals and tendencies. Their grass roots convention, their filthy sheet the *Georgia Woman's World* which rivals Hitler's best, their championship of the chain-gang—all in the name of protecting the CONSTITUTION against the "REDS" (including President Roosevelt in that classification) are splendid qualifications for their role as defenders of the constitutionality of the unconstitutional slave law of 1866.

The threat to organized labor, to independent political thought and action which this law embodies has been recognized by the American labor movement. It is not the only law of its kind on the statute books of our states and nation. There are dozens. But this law has become the most dramatic example

This letter speaks for itself. The I.L.D. is proud of the recognition and praise it is receiving for its work in the Herndon Case; and pledges to increase its energies and activities in behalf of all victims of terror and oppression.



Georgia, justice of the Fulton County Superior Court. His decision set Herndon free once more on bail while the state of Georgia appealed against it.

But other public officials, prominent citizens, labor leaders, jurists, educators, have considered this law and by their actions declared it unconstitutional. These are the scores of congressmen, mayors, professors of law, etc., who have signed their names to the 2,000 signature petition to Gov. Talmadge demanding that he abolish the law and free Herndon.

The State of Georgia was upheld in its appeal by its own supreme court on June 13 of this year. It is against this decision that the I.L.D. is appealing to the United States Supreme Court today. When that court convenes in October, the nine old men will be forced to consider its constitutionality, and the chain-gang officials of the State of Geor-

of this type of legislation and as such was condemned by the 55th national convention of the American Federation of Labor. The A. F. of L. not only passed a resolution urging the abolition of this law, but it also voted nation-wide support to every action of the Georgia Federation in combatting it.

We face today the hardest legal battle in the case of Angelo Herndon. The four years of struggle and partial victory have brought the underlying issues clearly to a head. During these four years ever wider sections of the American population have become involved not only in a battle for the life and freedom of a courageous young man, but also in a determined fight against the menace of fascism as represented by the 1866 insurrection law.

The biggest job in the Herndon case is now before us. It will require the utmost energy, enthusiasm, activity—and funds. A \$5,000

(Continued on Page 18)

The C. I. O. and Jersey Justice



From the top down: R.C.A.'s defenders! The mug with the hat on, attacking striker, was imported from New York's finest strike-breaking outfit!

A lady called justice

The strong arm of the Camden law.

NEW JERSEY is a state where the anti-labor character of the courts, from top to bottom, is quite open. It is a state with an unashamed open-shop policy. The political character of the prosecution and the court in a labor case is not hidden at all. It is right out in the open. It is so open that it is the general custom, when a strike is over, to release all the strikers arrested in the course of the strike, no matter what the charges against them, unless they have been given short terms in the lower courts. Since Tom Scott was released from prison in 1934, there has not been a long-term prisoner in New Jersey. There have been thousands of arrests in labor disputes, however, and hundreds of short-term convictions.

That *has been* the general policy, subject to exceptions. These exceptions have been made in special cases. Now New Jersey has one "special case" in which the exception is being made in what appears to be a setting of new policy. There are big reasons behind this change.

The different situation is in Camden, where, out of 475 arrests in the recent strike of RCA-Victor employees organized into Local 103 and 104 of the United Electrical and Radio Workers of America, 90 were held for the grand jury, on a total bail of \$485,000,000. (The total amount of bail put up during the strike, including that for hundreds whose cases were dismissed entirely or disposed of with fines and short term imprisonments up to 90 days, was well over \$1,250,000.00.) Of these 90, the grand jury discharged 17. Indictments have been brought against six, and are in preparation against the rest.

That is the factual and New Jersey background of the Camden cases. The implications of the Camden cases, however, are really national.

RCA-Victor is a Morgan-controlled corporation. Judge Frank T. Lloyd of the New Jersey state supreme court, who personally intervened and sat as committing magistrate in the Camden cases, setting bail as high as \$20,000 on charges that were really minor to all appearances, even though they were framed and false, is a Morgan judge. His brother, Horatio Gates Lloyd is a partner in the firm of J. P. Morgan and Company, and in a half-dozen more big financial and industrial corporations. His son is a Pennsylvania Railroad lawyer. Horatio Gates Lloyd, incidentally, contributed \$1,000 to the fascist Sentinels of the Republic.

The United Electrical and Radio Workers of America, an independent industrial union, was backed in its strike by the Committee for Industrial Organization of the American Federation of Labor, while William Green of the A. F. of L. executive tried to spike the strike and the union by sending in craft union organizers to split up the U. E. & R. W. of A. Other independent unions, notably the Industrial Union of Marine and Shipbuilding Workers, which has a membership of several thousand in Camden, backed

the strike to the limit. Among those held for Grand Jury are a number of members of the I. U. of M. & S. W.

By backing the Camden strike, the C.I.O. threw down the gauntlet to industry that it was going to organize the unorganized, and back industrial unionism whether the particular union were at the moment an affiliate of the A. F. of L. or not.

J. P. Morgan, Rockefeller (who also has an interest in RCA as well as in other mass-production industry) and Mellon, struck back at the C.I.O. through Morgan-judge Lloyd.

The defense of the Camden victims is a battle between the C.I.O. and the biggest financial interests in the United States.

Through the Camden cases, the main enemies of labor aim to strike at the prestige and the forces of the C.I.O.

Recognition of the strategic importance of the Camden struggle to the whole movement for industrial organization has been given by the C.I.O., which here for the first time faces the courts in a major battle in defense of labor's rights. The C.I.O. has assigned Powers Hapgood, United Mine Workers of America organizer originally assigned to the steel drive, to the Camden defense. He is chairman of the Joint Defense Committee set up in Camden. John L. Lewis has pledged the financial and moral support of the U.M.W. A. to the defense. Similar support from the other big unions in the C.I.O. may be expected.

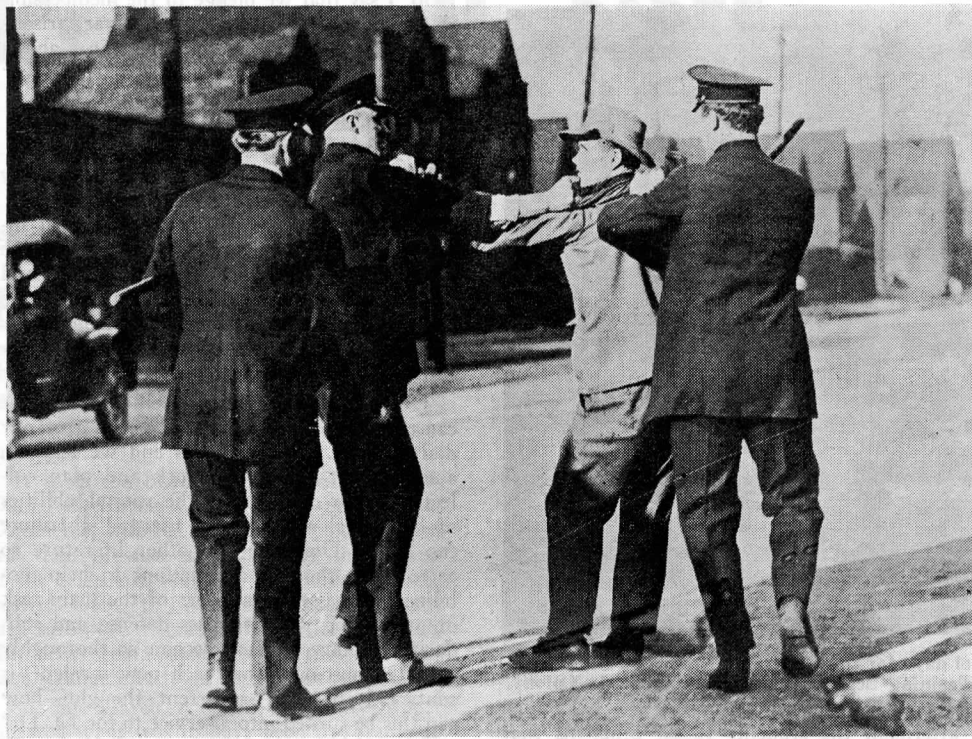
The Joint Defense Committee set up in Camden includes four locals of the U. E. & R. W. of A., two in Camden and two in Philadelphia all of which have members among the defendants; the I. U. of M. & S. W. of Camden; the International Ladies Garment Workers of South Jersey district; and many more locals of both craft and industrial A. F. of L. unions in South Jersey and Philadelphia. Other unions, including big internationals, are expected to join.

Non-trade-union organizations in the Joint Defense Committee are the International Labor Defense, the National Committee for Defense of Political Prisoners, the American Civil Liberties Union, and the League of Women Shoppers.

The defense of the Camden prisoners is the major trade-union defense task in the United States today. It is the defense of the drive for industrial organization against the organized attack of the nation's reactionaries speaking through the New Jersey courts.

The National Executive Committee of the International Labor Defense has pledged the fullest support of its national organization, of every state and district I.L.D. organization, its best forces, its utmost efforts, to the Camden defense, as led by the Joint Defense Committee.

As detailed defense plans are worked out by the committee, the tasks to be performed by the I.L.D. membership and committees will be transmitted to them. Help put them into life.



Homestead, Pa.—1919—during the great Steel Strike. The charge upon which this striker is being arrested is "Laughing at the police."

The Battle of HOMESTEAD

Notes on a conversation with a steel worker in Homestead, Pa.

By GRACE LUMPKIN

Following careful instructions I got off street car number 15 from Pittsburgh, just at the beginning of the bridge. He was waiting for me at the spot where he had promised to meet me. He said, "Do you mind the rain?" I said, "No, I want to see just where it happened." He said, "The rain is not too heavy. You can see. Over yonder across the river is Homestead.

"The Homestead strike was in 1892.

"But first I promised to tell you about Schwab. The others? Carnegie was a slippery old eel. Frick was born in a pigsty. He was the first to import police against the workers.

"Schwab was a clerk in a store. He was a fine mathematician, but never did a day's work in a rolling mill."

While working in that store he became the protege of Bill Jones, Superintendent of Edgar Thompson's plant at Braddock. Then he was hired to assist surveyors at the Braddock plant as stake driver or chain holder. He kept on being promoted.

As he rose in prominence, he called all workers "Bill".

He was looked on as a liar among workers. Very suave. He was a monstrous liar, but was a diplomat.

Once a committee with a grievance from the workers called at his home. He entertained them by playing Sewanee River and Old Black Joe on the piano, playing a dif-

ferent time with each hand.

Schwab pretended to be democratic. Once at the funeral of a worker he marched on foot behind the casket. He said, "I am very philosophical about death."

Schwab was brought to Homestead during the strike of 1892.

Our union agreement ran out on June 30th.

The strike was scheduled to start July 1, 1892.

Several weeks before July 1, 300 Pinkerton men were brought into the state and put on barges, made into houseboats for them. They were kept on the river at Sewickley where the rich people live.

On the sixth of July, after the strike had started, the Pinkertons, on converted houseboats, dressed like western badmen, with ten-gallon hats, and armed with Winchester rifles, were towed up the river by a boat known as "Little Bill", owned by the Rogers Sand Co. of Pittsburgh.

"Little Bill" towed the barges just under the bridge right across from the steel plant.

Just at daylight, between three-thirty and four o'clock a small group of strikers climbed down the embankment from the plant and went to the waters edge.

The Pinkertons launched a gangplank. The workers told them not to land.

One worker, Gil Foy, was religious, a member of the Salvation Army. He made a pray-

erful plea to the Pinkertons not to land. He knelt down and prayed.

Other workers warned the Pinkertons that they landed at the peril of their lives.

Just then the Pinkertons' leader ordered his men to fire. Nine or ten strikers dropped to the beach, wounded.

Those workers not hit by bullets assisted others to the top of a 15 foot embankment. They went to the mill yard and joined others. Women took care of the wounded.

In the mill yard were many tons of steel beams stocked there ready to be cut and shipped.

Workers got behind these, used them for barricades.

One worker, Critchlow, raised in the mountains, was a wonderful marksman. He crawled up to the barricade and picked off some of the Pinkertons with his gun.

Not many workers had guns. Some ran into town and got their own guns.

The Irish among them, belonging to the Ancient Order of Hibernian Rifles, went up the hill to the church. They broke into their club there and got the rifles belonging to their order, brought them back and went to the barricades.

During the day other workers went into the storeroom where the Company kept oil, and brought out barrels of oil.

They dumped the oil into the water, threw flaming waste on the water and set fire to oil. The flames licked up around the barges.

Some workers were shot down by the Pinkertons.

During the battle a Negro teamster, sympathetic to the strikers, took a brass cannon three feet long, mounted on iron wheels from the yard of a river captain, lifted it in his arms, carried it to the other side of the river and fired on the Pinkertons.

The fight started at daylight and lasted until six in the evening.

At six the Pinkertons ran up a white flag and surrendered. They evacuated the barges, leaving all equipment on the boats.

After the Pinkertons evacuated the boats, the workers and their wives formed two lines and forced the Pinkertons to go through. The women clouted them with clubs and umbrellas.

That was the battle of Homestead. We have had many strikes in steel. The first in 1882, another in 1889, then 1892, and the big one of 1919.

Steel workers have made history!

Lincoln Steffens

The National Executive Committee of the International Labor Defense joins with thousands the world over in mourning the death of Lincoln Steffens. Even to the last day of his life, he took an active part in the organized labor defense movement of this country. His brilliant pen was always ready to champion the cause of labor's prisoners, and all victims of terror and oppression.

SCHOOL DAYS for the I. L. D.

One teacher and some of the students express their views on the New York State I.L.D. School.

By Samuel L. Dlugin
and Four Students

The teachers and students of the New York State Training School, held July 20th to 27th, all agreed on the outstanding lesson learned at the school. The lesson is that the average member of the I.L.D., who has the desire to do so, can, with a little training, provided by our school, become a leader of the I.L.D.

Our recent school, the second of its kind, was very successful. We had 16 students, 14 from New York State, 1 from New England, and 1 from New Jersey. The basic shortcoming in the composition of the school was that we had no Negro students and too few trade unionists. The second shortcoming can be partially explained by the fact that the prospective students—workers in the fur and other needle trades industries were in the midst of their busy season and were therefore unable to attend. The seamen had recently concluded their strike and every man that was able to, shipped out. That made it difficult for us to get any of them for our school. We were unable to get Negro students because of our own weak work in organizing the Negro people. This in spite of the wide prestige that we have amongst the Negro people.

The entire student body pledged itself to overcome these shortcomings by extra work, particularly amongst the Negro people.

The school was held at the Mohegan Colony, where as a result of the very good cooperation of our branch there, we were able to get the support of the colonists in putting up the students and in providing adequate space for the classes.

The curriculum was divided up as follows: Monday, History of Labor Defense in the United States. Tuesday, Organization. Wednesday, Defense tactics in Economic Struggles. Thursday, United Front in Defense. Friday, Solidarity. Saturday, Educational Work in Defense. Sunday, Model Branch Meeting, Open Air Meeting and a mock trial.

The student body was divided into 4 groups. In the morning the instructor introduced the course for a half hour. Then the groups read collectively until noon. In the



School days for the I.L.D. The New York State Summer Training School in session at Mohican Colony.

afternoon the students raised problems that had confronted them in the morning. After this each group was assigned questions plus 1 problem. At 4 p. m. the whole body reassembled. Here the group reported on its problem, after thorough discussion, each student then had to answer the question assigned to him. In this manner we were able to teach each student how to find information on problems and how to think out a problem that might arise in the daily work in his branch.

Aside from the regular study we allotted time for lectures on the Farmer Labor Party and the Struggle Against War and Fascism; also a few hours each day for swimming and recreation.

May I repeat that the outstanding lesson learned is that most members of the I.L.D. can with the above training become leaders in the I.L.D. With this in mind, the state Executive Committee decided to organize 4 such schools a year as well as full week evening schools for those who cannot take time from their work. We feel that in such schools we have the key to the eventual solution of our problems of trained personnel.

The school has certainly succeeded in arousing me to sustained activity in the direction prescribed by the curriculum. Am I the only victim of such complete surrender? I think not. The entire student body, numbering sixteen, reacts much in the same manner.

What is it that moves us toward more concentrated activity? Is it the broadened viewpoint; the horizon focalized upon the victimized fighters in the struggle for a better life; the classic examples of mass defense action? One and all of these reasons are the moving force behind our feelings and actions. Purposeful study helped our understanding; the understanding moves us to action which will in turn assure victory in the fight for justice to class-war prisoners.

Today we have sixteen more activated people in the Labor Defense Movement. We need many more. I take the liberty to speak for the entire student body of the summer of

1936. I say that we pledge to the membership of the I.L.D. and to all class-war prisoners to carry on the defense fight in Labor's cause; we will not rest until all class-war prisoners are set free.

L. S.

The I.L.D. training school was a very valuable and interesting experience for me.

Aside from the vast amount of useful information which I gathered, the aims of the I.L.D. were crystallized in my mind; and the tasks to be performed and the obstacles to be overcome in the ceaseless struggle for the realization of those aims were very forcefully brought home to me.

How each of us may help further the cause of the I.L.D. was the meaning of our daily lessons. Toward this end we learned, among other things, to work and plan collectively; to draw upon the special abilities of individual members; to use and distribute the Labor Defender and other literature so as to rouse thought and action; to help mobilize the masses in support of the main task of organizing working-class defense and solidarity. I have, in fact, become so thoroughly "I.L.D.-conscious" that each new incident or contact brings the recurrent thought—how can this be turned into a service to the I.L.D.?

After this personal contact with the teachers of the I.L.D. school (although of short duration) I feel that our trust in their leadership is fully justified. They have inspired me to the determination to "put my shoulder to the wheel" to help build an ever stronger I.L.D.

HELEN SCHECHTER
Ernest Thaelman W. E. Br.

I don't know whether I will ever be able to thank the I.L.D. sufficiently for giving me this grand opportunity of attending school. Not only has it led me in the path of doing my work in a more constructive, more organized manner, but it has taught me one greater lesson—and that is how to work with other people, to respect their opinions and to be patient with them. The reason I stress this, is that I know that in my future work, I shall come across just this problem. I shall meet people from all walks of life, people who may differ with me on many important issues and in order to cope with them, to work shoulder to shoulder with them, I must know that they too have a lot to offer me.

GERTRUDE KLEINMAN
Flatbush Branch

As a member of the I.L.D., elected and accepted by the Summer School for a training course at Mohegan Colony, I crammed a long study-time into one short week. I never felt that I lived so intensely and to such good advantage.

Under the assistance and guidance of fine teachers, all of whom are experts in their particular field, I have learned an entirely new attitude and approach to other members of the organization, an attitude needed to achieve a unified defense movement, better work for relief, broader educational and cultural successes.

I hope that I will prove by my own work, that I will have been worthy of both my nomination and participation in the school, and repay in that way the help given me by the I.L.D.

ARMANDO PELLEGRINI

It's a phoney, Mr. ROPER

"It's mutiny Thaswatitiz! It's mutiny," said Secretary Roper. "It is not," said the I.L.D. and here's how we proved it!

By **LOUIS COLMAN**

EVERY admiralty lawyer in the world knew it. Every sea-lawyer holding forth in the foc's'le could discuss it. Not a seaman in the American merchant marine wasn't fully aware and confident of this fact:

A strike of seamen in a safe harbor is *not mutiny*.

It took the brilliant and fertile brain of Daniel C. Roper, United States Secretary of Commerce, inspired by the shipping interests and their pressure apparatus; by the ravings of the transportation and communications industries lobby, to invent the crime of mutiny in a safe port. Secretary Roper had probably also been seeing some Hearst movies. They have strange effects on susceptible people.

So, on March 2, 1936, Secretary Roper initiated what was to have been the frame-up of the century.

It was on that day that the 374 seamen making up the crew of the SS California, went on strike, demanding a contract as favorable as that which is generally enforced on the west coast. This strike was called in San Pedro, Calif., while the SS California was moored to a dock there. It took the form of obeying all orders except the order to cast off and release the ship from the pier.

When the strike was ended upon an agreement of arbitration which was to begin when the SS California docked in New York, Secretary Roper put in his oar. He recommended to the United States Department of Justice that all the members of the crew be prosecuted for mutiny on the basis of their strike in San Pedro.

The SS California docked in New York. The crew was held without discharge by the International Mercantile Marine Company while the owners waited for the mutiny prosecution which Secretary Roper had promised them, to start.

A hitch developed, however. Public opinion was not prepared for such an action. The Department of Justice knew quite well that it was as yet without legal foundation. Two things were lacking: a more appropriate situation as regards the rousing of public opinion, and perhaps a better case. So the prosecution idea was dropped for the moment, the crew discharged, the leaders of the strike logged from two to six days pay and blacklisted.

The seamen of New York recognized the situation very well. They struck, tying up 50 ships in New York harbor for two and a half months. The California incident and the threat of mutiny were the sparks that set the strike going. And at the same time the seamen opened an offensive for an investigation of the scandalous conditions of safety at sea. Secretary Roper had said they were to blame. They proved that the ship-owners were to blame, the seamen victims of these conditions as well as the passengers. Roper promised an investigation. Nothing happened.

Meanwhile, his big mutiny frame-up was not forgotten. No retraction was made of the

charge that seamen striking a ship moored to a dock in a harbor of safety were guilty of "mutiny." It hung over every seaman as a governmental threat to break any strike that might be called. Roper and the ship-owners were waiting a more favorable opportunity.

At this point, the International Labor Defense, which was actively participating in the defense of the striking seamen against police terror (see *Labor Defender*, July, 1936, p. 17), decided that it was necessary to publicly dispose of the "mutiny" charges once and for all. If Roper didn't know it was a phoney, he would be told, and that in a public manner.

At the request of the National Executive Committee of the I.L.D., V. Henry Rothschild, New York attorney, and a member of the International Juridical Association, made a complete study of the laws governing mutiny in the United States. This was published in the June issue of the *Yale Law Review*, and in the June and July issues of the *Bulletin of the International Juridical Association*. That settled the matter so far as lawyers were concerned, for it gave them all the legal data and decisions which showed what every seaman knows (but what Secretary Roper was either too ignorant or too much under the direction of the ship-owners to admit): that a strike in a safe harbor is not "mutiny" under the U. S. statutes.

But it was necessary also for all seamen, and the general public, to know that the "mutiny" charge was illegal. They had to be informed that Roper's bluff had been called—otherwise the fantastic threat might continue to operate. Again on the proposal of the N.E.C. of the I.L.D., the International Juridical Association went to work.

A report was prepared, reciting the history of the mutiny charge, citing the research of Lawyer Rothschild, containing besides document after document, many of them based on original research, to show the absolute necessity in which seamen find themselves to strike for the barest economic subsistence, for minimum safeguards against the hazzards of the sea.

The letter which accompanied this report when it was submitted to the Secretary of Commerce, was signed by noted attorneys and economists: Samuel L. M. Barlow, Bruce Bliven, Paul F. Brissenden, Walter Gellhorn, James P. Gifford, Nathan Greene, Jerome Michael, Amos Pinchot, Whitney North Seymour, George Soule, Dorothy Van Doren, Kenneth E. Walsler, Bethuel M. Webster, Herbert T. Wechsler, Louis S. Weiss—and even reactionary William McFee, for whom this "mutiny" frame-up was too crude and raw.

The letter said:

"The purpose of the report is to bring to the attention of the Department of Commerce and to public attention at large the desperate situation in which seamen now find themselves. Mutiny is a crime; indeed a

felony. The Department of Commerce has charged mutiny against seamen who, in the absence of action by the government itself, have sought by organization, strike and protest to better their own conditions. The Department has never retracted that charge. Efforts of the men, therefore, are and must be carried on in an atmosphere of fear and distrust—fear of criminal prosecution and distrust in the impartiality of government officials who have threatened that prosecution. Both the fear and the distrust corrode all efforts to work out on a modern and decent basis a major maritime problem, involving alike important labor aspects and the whole question of safety at sea."

From page 23 of the 32-page printed report submitted to the Secretary of Commerce with this letter, we re-print the following recommendations:

"The Department of Commerce must promptly revoke its charge that a strike in a port of safety constitutes mutiny, for, by making this charge, the Department has unjustifiably threatened the right of seamen to organize and to strike. In addition, the following legislation should be enacted for the protection of that right:

"1. Regulations should be issued governing the method of employment and discharge of seamen so as to obviate blacklisting and discrimination because of union activity. The recent statutory provisions making it a criminal offense to coerce witnesses in investigations of maritime disasters should be extended so as to make it a criminal offense to blacklist or in any way discriminate against seamen who make recommendations or report violations of statutory regulations. Evidence of blacklisting because of union activity should

(Continued on Page 18)



Do they look like pirates and mutineers? These upright citizens are seamen—on the picket line for safety at Sea.

The MAN without a COUNTRY

Everybody talks about helping America's youth. Read Gov. Lehman's idea about help and find out what you can do.

By **FRANK CREMONOSI**, *President, Allied Printing Helpers Union*

When the big printing bosses framed Murry Melvin, 24 year-old vice-president of the Allied Printing Helpers Union, on a charge of beating a strikebreaker, little did they suspect that they were starting a snowball rolling from the top of the hill of organized labor. It was started off by an obscure resolution protesting the frame-up passed by a group of members of the Typographical Union employed by the Typographic Service Co., 216 E. 45th St., where Melvin was leading a militant strike, and has grown rapidly into an avalanche of protests from trade unions, organizations and individuals all over the city.

On April 4th, 1936, Melvin was given an indeterminate sentence on Rikers Island by Judge Morris Koenig of the Court of General Sessions. Since then, the New York City Board of Parole, into whose hands fell the responsibility of setting Melvin's term, has been flooded with communications urging that it take immediate action to free Melvin. Their original policy of the "*Court cannot commit a miscarriage of justice therefore we will treat the Melvin case as any ordinary criminal case*" was fought bitterly until they commuted Melvin's sentence to a six month's term.

So, Melvin is to be released on September 1st. However, upon his release, this young trade union leader, must report back periodically to a Parole Officer for two and one-half years!

In addition, Melvin is to be a "man without a country". He has lost all his citizenship rights as a result of his having been convicted on the framed-up, felony charge.

But there is something you can do to re-

store these rights! First write to Governor Lehman urging that he grant Melvin a complete pardon. This will restore his lost rights and will completely erase the case from his record.

Next, have your organization pass a resolution to be sent to the Governor for a pardon. Pass petitions around among your friends. This is not only the fight for the complete freedom of Murry Melvin as one young man who has been torn from his devoted young wife thrown into prison and disfranchised in the land of his birth.

This is a fight for every man and woman who toils,—and their children. The framing of Murry Melvin is a challenge to modern American youth. Thousands of young people are leaving schools and colleges, faced with unemployment and no prospect of a job. If they find work they are told to feel "lucky to be working", even when they are being miserably exploited.

Murry Melvin represents youth's protest against starvation and misery. The leadership he gave the young printing helpers was of the type that made the slave-driving bosses sit up and take notice. Here was a young man who had succeeded in exposing the argument that they had so successfully been advancing for so many years. "Unless there's a future for you in the trade there's no sense in a Union." Melvin had gone further than showing that as long as these young workers were on the job they could get **LIVING WAGES!** He had actually organized the "unskilled kids", as the employers had termed them for their own benefit.

A pardon for Melvin! Force recognition of the fact that youth has a right to live.

ed over him for three hours so the Immigration Department would not be cheated of another victim. All of them were tense and worried about their families. They all impressed upon me that I would be there a long, long time.

I was arrested Thursday noon and Saturday noon I was informed to pack my belongings, that I was to be released. The International Labor Defense had raised \$1,000 cash for this purpose. Needless to say, all those held for deportation were astounded. Many of them gave me their names and begged me to connect them with the lawyer that I had. All had given the best years of their lives to building America into the wonderful country that it is today. A number of them were trade-unionists.

This experience has impressed me so much that although the International Labor Defense had defended me before, I have pledged that I will not rest until I have done everything to build it into the powerful force that it should and must become. The quick action in securing my freedom has a tremendous and significant impression for all workers. It is vital that the courage and morale of labor's fighters be maintained at all costs. I pledge to do it in the following way: I will build a branch of the I.L.D. in my neighborhood. Secondly, a bail and defense fund is an immediate necessity, so all arrested can be released a bail and defended. I pledge to collect at least \$200 within the next year toward establishing a bail and defense fund of thousands of dollars.

When the cold iron of the jail bars close behind you, then you feel what it means to be helpless and trapped. You cannot fight back. It is too late then. Only the force of defense working for you on the outside can arouse mass defense for you.

Today all workers are equally in danger of being arrested, foreign born and native born, today, tomorrow, next week, or next month. Don't wait until it is too late. If you do nothing else, make up your mind to become a member of the I.L.D. even if you only become a dues paying member. Build an arm of protection for you and your family.

I make this personal appeal to all friends of labor. Do your part for those who are victimized because they stand up for the rights of labor. Urge action in your organization to affiliate your organization to the I.L.D. and thereby strengthen it numerically. Share a small part of your pay to build a fund that will make it possible to release labor's victims, as soon as they are jailed, so they can continue to struggle for progress and freedom.

I personally shall feel much more confident and able to continue the work I have done in the past if every friend of labor, of the Daily Worker and the Sunday Worker come to the aid of those victimized for loyalty to labor and their families. Show it in deeds.

Erich Becker

As we go to press we learn of the sudden death of Erich Becker, militant German worker, who faced deportation to Nazi Germany. His last words were, "Mobilize to defend democracy and freedom. Stop the deportation of the foreign born."

"Dearborn 1926"

A glowing tribute to the I.L.D. by one who has felt its helping hand in Chicago.

By "**Whirlwind**" **LARSON**

Trapped! In 1934 I had applied for permission to re-enter America. I came here in 1904. Repeated attempts to become naturalized failed because of my loyalty to labor activity or because of economic circumstances.

Thinking that my request, to be at the Federal office, had to do with my re-entry application, I innocently waited. "Are you Larson?" an official asked me. When I said yes, he remarked to another official, "You know Larson, he's their star salesman (meaning the Daily and Sunday Worker)." Then the police arrived and I was handcuffed and taken to the county jail. What a feeling of confidence and strength it gave me to know

I remembered "Dearborn 1926", the telephone of the I.L.D. office—what satisfaction to know my rights taught me as a member of the I.L.D. I immediately called the office and informed them of my arrest.

A million thoughts flashed through my mind. Now I understood the grief and tragedy of thousands of helpless foreign born. Fathers separated from children and their wives and mothers. When I arrived in jail all those held for deportation were anxious to hear news from the outside. Few of them were members of organizations. One had been held for over five months. In desperation he had attempted suicide. Doctors had work-

We MOBILIZE for VICTORY

(Continued from Page 7)

freedom was renewed with added vigor and even greater determination than in the past. This year, the twentieth since Mooney's imprisonment, will be marked by gigantic mass meetings throughout the country. Here in New York, one of the strongest centers of organized labor, we must do our part. We must determine to make the freedom of Mooney and Billings a milestone in the progress of the labor movement. Let us prove our new power by testing it in conflict with the enemies of labor who keep Mooney in jail.

I stated before that we needed no martyrs to inspire us; that we needed no symbols to give us strength and courage. But Tom Mooney can become another kind of symbol for organized labor. His freedom can become a symbol of strength; it must become a symbol of victory.

But we shall not be content with the release of Mooney and Billings. There are others who require and merit our best efforts. In the past few years—more than at any other time in the history of organized labor in this country—we have suffered flagrant violations of the rights supposedly guaranteed to us by the constitution. There are in this nation's jails nearly a hundred men—workers—serving long terms for labor activity. In 1935 alone, 17,700 men and women were arrested and 48 were murdered in the course of labor struggles. Our meetings have been smashed, our organizers beaten and jailed, our most valiant fighters tortured and murdered in cold blood. Our constitutional rights have been ignored and our rights as citizens denied to us by the very people who attempt to mask their reactionary aims by vehement protestations of their faith and love for the constitution and law and order; elements similar to those who framed Mooney and Billings with the aid of a crooked prosecuting attorney—a perjurer and a prostitute.

We cannot depend upon men such as these to free Mooney and guarantee our civil rights. We cannot rely upon the honesty and good faith of Liberty Leaguers and the puppets whom they place in public office to do their bidding. These are our enemies. There are few men in office today who have the courage to do what they know to be right as Governor Altgeldt did in the Haymarket case. He dared to grant absolute pardons to the three Haymarket prisoners who were still alive when he took office; an act for which he was reviled and hated by all reactionaries—and applauded by every fair-minded person in the United States. The maintenance of civil liberties is something that the workers alone can guarantee through their organized might.

A short time ago, on the occasion of the meeting of the General Executive Board of my union in California, I visited Tom Mooney at his cell in the San Francisco jail. From the time that I had attended the Labor Congress for Mooney, I had been eager to meet him. I often speculated as to the type of person Mooney was. I doubted that any man could stand up under the torture of the monotony of twenty years of prison life. Frankly, I expected to find him a bitter and disillusioned man,—bitter not only against those who had railroaded him to jail—but bitter also against the labor movement that had not fought energetically enough to win his

freedom. It gave me genuine pleasure to find that he was not only in good health but in excellent spirits. Far from being bitter and cynical he displayed the enthusiasm and interest of a new recruit.

Mooney is an amiable and charming host. Within a very few moments we had become so engrossed in conversation that even the prison bars were forgotten.

He has followed the labor movement closely and impressed me with his good sense, his knowledge and his understanding of current problems. But Tom Mooney's real greatness lies in the fact that he has not permitted his own circumstances to blind him to the general interests of the labor movement. His own freedom is to him a question of minor importance—simply another skirmish in the larger campaign for the rights of labor.

Tom Mooney need not have remained in jail these many years had he been willing to accept a conditional pardon. He felt that

With LIBERTY'S Defenders

(Continued from Page 5)

battalion of soldiers fraternizes with us. Tomorrow at Loyola we will find artillery. But we need more. And the fascists of France are conducting a campaign to prevent the government from selling us arms,—while the governments of Italy and Germany are openly and publicly supplying Franco with aeroplanes and bombs."

"Disorder? Atrocities? Massacres? Have you seen any? We don't need them. We have no use for such methods. They, the rebels—they have done some fine things. They have taken the wives and children of Civil Guards and forced them to march before them, while they advanced against these very Civil Guards, making of these women and children a living barricade against loyal bullets. Tell the people of France everything that you see here. You will go everywhere with us. You will see the truth."

For hours we sat in that little room, talking feverishly. The telephone interrupted us constantly. The young leader of the Popular Front in Guipuzcoa looked down the gleaming sides of his double-barrelled Winchester, and then up at the ceiling as if trying to recall what sleep might be like.

I know how they feel. I too have gone on and on without sleep. Physically they must be on the verge of utter collapse from weariness. But they keep going, alert, clear-minded, with an enthusiasm fed by their heroic spirits and determination. Personal needs and problems have been brushed aside. These people are engaged in a labor of giants for themselves and for us.

My stay in Villafranca under a veritable rain of fire, shells, pounding in our ears constantly, bullets ricocheting from the sides and roofs of all buildings made it clear to me why the commanding officer had said that an immediate decisive stand was essential. The new military commander—the one in charge until the previous day had been killed in action—was engaged in reorganizing his forces into better military formation. He was assisted in this task by a young metal worker—Jesus Larranada—a Basque Communist—who

to have done so would have been an admission of guilt—a blot on the record of organized labor.

Had Mooney been fighting only for personal liberty, he would have accepted a parole, but he is fighting the battle of an idealist; like a true member of an oppressed class, he fights not for personal gain but for the vindication of his class.

Within the next few years the labor movement will write a new chapter in the political and economic life of the American workers. We face conflicts of unparalleled severity. We need competent men—men who know how to fight; we need Tom Mooney outside of jail—aiding us in our common struggle. Tom Mooney's freedom will be a great contribution not only to his life but to the labor movement.

We do not ask the rulers of California to be generous; we do not plead for mercy.

We demand justice and are prepared to fight for it with all the strength and all the power that organized labor has at its command!

showed remarkable abilities of leadership. He never seems to sleep any more. He is all over at the same time; and he is always smiling. I had the privilege of seeing people of such calibre as Larranada in the Soviet Union during the civil war there. This young worker is certainly on the road to becoming a great military leader.

The rebels were unable to capture a convent that is situated to the northeast of the city. But they had succeeded in scattering small squads throughout the woods and the fields, just up to the city boundary formed by the railroad tracks. This enabled them to open fire on all vehicles passing on the two roads that lead to Irun.

This morning, however they were surrounded. Their retreat was entirely caught off by the workers militia from Irun and they are fighting desperately.

At every turn in the road our car seemed to find itself within a hundred yards of the rebel advance guard. As we approached one of these turns a woman and two children stood there—she told us what awaited us and showed us where to turn. She would not come with us because that was her post.

We turned. A little further on a volley of bullets greeted us—not very well aimed—one out of fifteen reached the sides of our car. One bullet however did strike home and wounded our chauffeur in the thigh.

As for the woman and the two children—they were shot at their post. We found their bodies that evening, horribly mutilated.

That is the kind of warfare the friends of Hitler are conducting in Spain—truly worthy of their master.

I have just learned that in the counter attack near Renteria, the workers militia, after a bloody battle, captured a rebel who for one hour had held them back single-handed.

He was shot. In his pockets they found German credentials.

Every minute it becomes more clear that the civil war in Spain is part of an international fascist aggression against liberty and peace.

IMPOSSIBLE! Herr Konsul

(Continued from Page 6)

previously represented another American citizen—Roederer, charged with espionage, and had secured an acquittal. After much discussion he agreed to handle the case, the German Government permitting, provided that it would be understood that he was acting by the request of the American Consul. This put him under the protecting wing of American officialdom.

Consequently on this second petition to the 2nd Senate, we included in the request that this attorney be allowed to handle the case. Consul Geist presented it personally urging that for the sake of international good feeling the officials accede to the requests.

The answer, as in the first case, came back promptly; an emphatic no.

Since international good will had proved an ineffective inducement it seemed necessary to take stronger measures. International bad-will appeared more forceful. Consequently Consul Geist, set off on a series of official visits to various members of the Ministry of Justice and the Second Senate. He assured me on returning that he had vigorously protested their refusal, and threatened that, failing to grant permission for me to visit Simpson, the German Government would find itself in direct contact with the State Department at Washington. The men in charge, Mr. Geist informed me, would seriously reconsider their decision, but in the meantime they must be permitted to investigate me; for all they knew, it was inferred, I might a thoroughly dangerous character, and one more menace to the German Nation.

During this time Mr. Geist and I paid a formal visit to the Minister of Justice, where we saw a certain Dr. Busch, an official apparently with some influence in these matters.

Dr. Busch asked me whether the Simpson family were German naturalized Americans, to which I replied "no." It would seem that any American who has previously been a German cannot be a *real American!* Mr. Geist showed him copies of protests by trade unions, of which he has a stack, and mentioned that the State Department was being literally bombarded by these protests. He made a suggestion that if Simpson were placed on an American ship and allowed to return home the German government would hear nothing more on the subject. This was received with amazed horror and a throwing-up of hands. IMPOSSIBLE, Herr KONSUL!

However, our protests did bear fruit, for on the 8th of August, I received word from the American Consulate that the permission to visit Simpson in prison had finally been granted.

I arrived at Moabit Prison, where Simpson has been incarcerated for the last four months, with the Consul and Dr. Zieger of the Volksgericht. He were ushered into a huge vaulted hall resembling an immense cathedral, rather out of keeping, I thought, with the rows of small barred windows visible on the outside. The rest of the prison, one gathered, was not designed in the same ecclesiastic style. Somewhere at the back, behind the spot where the altar would be, we passed through a small barred door which licked into place behind us. Then down a long corridor flanked by little rooms on each side. These were evidently used for interviews. We went into one of them.

After a short wait, a very sick and miserable looking young man was brought in by a guard and we were introduced to Lawrence Simpson.

Consul Geist opened the conversation by explaining that I had come from America with sufficient funds to obtain the services of an attorney. If Simpson wished to avail himself of this opportunity he would have to sign a power of attorney empowering me to act on his behalf; he laid this on the table.

"I should like to know in exactly what capacity you have come here, and for just what reason you are interested in my case," Simpson said. "Do you represent the International Labor Defense? I wish the case to be handled by them and by no one else."

I explained that unfortunately the laws of the third Reich made it impossible for this organization to function within the borders of Germany; that I was there merely as a private individual, willing and anxious to help him out of his plight; that I had learned of his case in the newspapers and discussed it with his father in New York.

"Are you a member of any defense organization interested in this type of case?" he then asked me.

This I had to deny, explaining that though I did not actually belong to any such organization, I was nevertheless very sympathetic to them in their work. I begged him to give me his confidence, and to believe that I was sincerely anxious to help him from a purely humanitarian motive. He accepted one of my cigarettes and I hoped that I had been able to convince him.

"Maybe you can understand," he said after a few puffs, "that it is difficult for me to believe that anyone outside of the I.L.D. or some such body, could go to such trouble and expense in my case unless they had some personal axe to grind. You do not look like a working man, and I refuse to be put into the position of a betrayer of the working class by accepting your help. You wish me to sign a document giving you power of attorney, yet I cannot understand what your object can be. You say you admire the work of the International Labor Defense, and at the same time maintain that you are not a member of it. This seems to me an unnatural situation."

I explained that unnatural though it might seem, it was nevertheless true and reiterated my sincerity.

At this point Mr. Geist addressed the prisoner, repeating that I was genuinely anxious to aid and that he recommended accepting my help. Here he pushed the power of attorney before Simpson. He suggested that Simpson sign it, and that if he did not like the lawyer he had found, that he would be at complete liberty to refuse his services. Simpson thought this over for a while, and I hoped that he would finally accept. Here Dr. Zieger, the German official, having been silent up to now, joined the conversation.

He urged the prisoner to follow the course recommended and implied that to accept our offer would be the wisest thing to do. I saw distrust immediately come into Simpson's eyes and wished that Dr. Zieger had remained silent. It was obvious that Simpson would never believe that a Nazi official would recommend any course really good for him. The whole thing, to the prisoner, at once took on the appearance of a trap. I knew then that we

were lost. Once more I attempted to intervene. All I could do, and I was well aware how ineffectual, and at this point, insincere it must sound, was reiterate my sincere sympathy.

After a long pause, during which he thought over the entire situation, Simpson turned to me.

"I thank you very much for your interest and sympathy, but, under the circumstances, I must refuse your help. I prefer to go to trial in the usual way."

Regretfully I said goodbye and shook hands. The guard entered and Lawrence Simpson was taken to his cell.

The fight to free Simpson from the tentacles of Nazi law has been in checked in Germany, but will continue with even greater force and more effectiveness in America.

IS IT CONSTITUTIONAL?

(Continued from Page 11)

defense fund is necessary to assure not only the timely and proper filing of the legal records, briefs, papers, etc., the preparation of the legal arguments, but also the gearing of the machinery for still further broadening the front of public opinion in support of Angelo Herndon.

750,000 signatures must still be collected to reach the called for 2,000,000. Many important organizations must still be won for the Herndon defense. Hundreds of prominent and influential people must still be secured as active participants in this struggle.

Unity of action—as exemplified by the Joint Committees to Aid the Herndon defense which already exist nationally and in many important centers throughout the country—has many encouraging accomplishments to look back upon. Spurred on by these partial victories and by the inspiration which Herndon's unflinching courage and steadfastness holds constantly before us, we must now go forward determined to win complete victory. Angelo Herndon must be saved from death on the chain-gang and the thousands of Angelo Herndons must be saved forever from the menace which this savage unconstitutional law represents.

IT'S A PHONEY

(Continued from Page 15)

be made a cause for cancellation of ship subsidy contracts.

"2. The law should be amended so as to protect the right of seamen to organize and to strike in order that there may be no ground for further misconception about the legality of a peaceful strike in a port of safety."

On July 24, Lawyer Weiss, one of the signers of the report, took it to Washington. Secretary Roper was conveniently away, but the report was submitted to Acting Secretary Colonel J. M. Johnson.

Said Acting-Secretary Johnson: "At no time have officials with authority said that the San Pedro affair was a mutiny."

As the *New York World-Telegram* said: this statement was "not in accord with the record."

But even in lying, the Department had to admit that its colossal frame-up, intended to strike fear into the hearts of American seamen and to break their strikes, had collapsed.

The charge of mutiny against striking seamen is dead. R.I.P.

VOICES FROM PRISON

Follow-up on last month's report.

In protest against the Modesto Frame-up and the action of the California judiciary in upholding it, the 35,000 members of the Maritime Federation of the Pacific Coast will stage an hour's strike during the first week of September. The action was voted in a coast-wide referendum of the rank and file.

The adverse decisions of the California Appellate and Supreme Courts aroused the indignation that we had hoped for and expected. The Modesto Defense Committee has been reorganized and is now functioning with a vigor that it sadly lacked before. Mass meetings are being planned for the larger cities of the Pacific Coast, and the date of August 30th has been set for the one to be held in San Francisco. We hope to make it one of the largest ever held there. Pamphlets are being distributed, demonstrations are being planned for Labor Day, and there will probably be others on September 6th, anniversary of our imprisonment. The case is so flagrant that even the conservatives are backing it—now that the militants have got it under way.

In our program we are accenting the importance of spreading and intensifying the boycott against the products of the Standard Oil Company. May we expect your help in this, and in the general publicity that is needed to crack the frame? While I have not been able to secure any of your literature recently, friends have told me that you have done some very good work in our behalf.

All are in excellent spirits and proud of the support given us by the maritime unions, labor, and its friends.

With warm fraternal greetings,
VIC JOHNSON
58032

Soon you'll be PRESENT at the meetings.

Your letter and enclosures reached me in due time but due to rush of other affairs I have been unable to reply until now . . . regarding the Cleveland meeting (called by the Cleveland Federation of Labor to mark the 20th anniversary of Mooney-Billings case—ed.) I have not to date received any further information about it. It is probable, however, that information has been forwarded to Tom Mooney, but, because of the great amount of work that we both have had on our hands in connection with the meeting we conducted here on July 26 he failed to call my attention to the report. Every minute of our time has been occupied either by arrangements for the meeting or preparations for bringing the present court proceedings to a close.

Our meeting here was a remarkable success from the financial standpoint, although it was not as well attended as we had hoped it would be. In a hall with a capacity of better than 12,000 we had about 9,500. The collection, however, ran to \$1,880.00 cash

on the floor and \$2,150.00 in pledges—\$2,000 of which was pledged by the Railroad Brotherhoods to be paid at a future date . . . the spirit of the meeting, however, I am informed was wonderful and the Longshoremen and the Garment Workers gave us a wonderful demonstration of their solidarity in our behalf.

Sincerely and fraternally,
WARREN K. BILLINGS

We certainly will send it.

These few lines will inform you that we received all the money you sent us. At the same time we want to inform you of our failure to receive the Labor Defender. We are going to ask a special favor of you, if you don't mind. Can you send us the book (Get It Right) that is the title of the book. We will appreciate it very much and it will be a great help to us because we want to improve and brush up on our writing. Until the next time we remain,

JUAN L. OCHOA
LEANDRO VELARDE
MANUEL AVITA

(three Gallup miners serving 45-60 years at hard labor on framed-up murder charges.)

Glad to hear from you again.

I have been sick. That is the reason you haven't heard from me for so long. The children all said to tell you hello and that they would write to you next time. I want to thank you for the extra money to get the children milk. I must have some pictures taken of them, as soon as I can get the money together. Thanks again for all you have done for us.

Mrs. NAN MOORE.

(widow of a Harlan Kentucky miner murdered during the strike in 1931. She is forced to live in Tennessee.)

We'll deliver your messages.

You will think me a very ungrateful political prisoner. I have already served eight months of my three year sentence and this is my first letter to you. But, I do have an alibi . . .

In "our" prison, we too are too warm just now. This prison is situated some 4000 feet above sea level in the Tehachapi Mountains not far from the Mojave desert, and altho we have frequent breezes and even very strong winds up here, it gets very hot at times. The prison is over a day's round trip from Los Angeles and two days round trip from San Francisco, which gives you an idea of its isolation. Nevertheless we have a goodly number of visitors, who bring us the news about the campaign to repeal the Criminal Syndicalism Law, the progress in the elections, the activities of the C.I.O. etc. We were very fortunate in being able to hear Browder and Ford make their acceptance

speeches, and were as happy as can be about it.

We were very glad to hear that Otto Richter was granted permission to go to Belgium. I knew him personally in San Francisco and have often thought of him. If this letter reaches you before his actual departure please give him my warmest and heartiest good wishes and much happiness with his wife.

Our regards to yourself and all the others and also to our fellow prisoners throughout the country.

LOUISE TODD
No. 58292

I want you to know that I have got out of the place where they blackjack and ball and chain the human being. I received every single check that you sent me and I received all your letters but I couldn't write because I was only allowed one letter a month.

I thank all those who didn't forget me. From now on I want to do all that I can to help in any way.

I will never forget the punishment that I got in the workhouse. After I was released I was given a bundle of letters sent me while I was in. I never got any of the magazines that were sent me. The only thing that I could get to read was the Hearst Sun-Telegram or the Pittsburgh Press.

Fraternally yours,

Naum Acheff. (Released from the Blawnox Workhouse, the worst hell-hole in Pennsylvania, where he served two years for helping stop an eviction.)

SUCCESS!

The 1936 Milk Drive is over.
We reached our \$3,000 quota because:

Men and Women and Children in

35 States and
165 Cities

were on the job to help us provide milk for the children of labor's prisoners. We want to thank all those who helped make this drive a success. We know they have joined the ranks of the thousands of friends our little wards have in every corner of the country.

Please write more often.

Fellow workers I am writing you all a few lines in answer to the money I have received from you. I sure was glad to get it. It has always come in very handy each month to get little things that I need. Well as I can't write very much I will close as ever yours,

A Harlan miner

C. W. RENO
(Serving a life sentence on a frame-up murder charge growing out of the Harlan strike in 1931).

VOICES FROM PRISON

Follow-up on last month's report.

In protest against the Modesto Frame-up and the action of the California judiciary in upholding it, the 35,000 members of the Maritime Federation of the Pacific Coast will stage an hour's strike during the first week of September. The action was voted in a coast-wide referendum of the rank and file.

The adverse decisions of the California Appellate and Supreme Courts aroused the indignation that we had hoped for and expected. The Modesto Defense Committee has been reorganized and is now functioning with a vigor that it sadly lacked before. Mass meetings are being planned for the larger cities of the Pacific Coast, and the date of August 30th has been set for the one to be held in San Francisco. We hope to make it one of the largest ever held there. Pamphlets are being distributed, demonstrations are being planned for Labor Day, and there will probably be others on September 6th, anniversary of our imprisonment. The case is so flagrant that even the conservatives are backing it—now that the militants have got it under way.

In our program we are accenting the importance of spreading and intensifying the boycott against the products of the Standard Oil Company. May we expect your help in this, and in the general publicity that is needed to crack the frame? While I have not been able to secure any of your literature recently, friends have told me that you have done some very good work in our behalf.

All are in excellent spirits and proud of the support given us by the maritime unions, labor, and its friends.

With warm fraternal greetings,
VIC JOHNSON
58032

Soon you'll be PRESENT at the meetings.

Your letter and enclosures reached me in due time but due to rush of other affairs I have been unable to reply until now . . . regarding the Cleveland meeting (called by the Cleveland Federation of Labor to mark the 20th anniversary of Mooney-Billings case—ed.) I have not to date received any further information about it. It is probable, however, that information has been forwarded to Tom Mooney, but, because of the great amount of work that we both have had on our hands in connection with the meeting we conducted here on July 26 he failed to call my attention to the report. Every minute of our time has been occupied either by arrangements for the meeting or preparations for bringing the present court proceedings to a close.

Our meeting here was a remarkable success from the financial standpoint, although it was not as well attended as we had hoped it would be. In a hall with a capacity of better than 12,000 we had about 9,500. The collection, however, ran to \$1,880.00 cash

on the floor and \$2,150.00 in pledges—\$2,000 of which was pledged by the Railroad Brotherhoods to be paid at a future date . . . the spirit of the meeting, however, I am informed was wonderful and the Longshoremen and the Garment Workers gave us a wonderful demonstration of their solidarity in our behalf.

Sincerely and fraternally,
WARREN K. BILLINGS

We certainly will send it.

These few lines will inform you that we received all the money you sent us. At the same time we want to inform you of our failure to receive the Labor Defender. We are going to ask a special favor of you, if you don't mind. Can you send us the book (Get It Right) that is the title of the book. We will appreciate it very much and it will be a great help to us because we want to improve and brush up on our writing. Until the next time we remain,

JUAN L. OCHOA
LEANDRO VELARDE
MANUEL AVITA
(three Gallup miners serving 45-60 years at hard labor on framed-up murder charges.)

Glad to hear from you again.

I have been sick. That is the reason you haven't heard from me for so long. The children all said to tell you hello and that they would write to you next time. I want to thank you for the extra money to get the children milk. I must have some pictures taken of them, as soon as I can get the money together. Thanks again for all you have done for us.

Mrs. NAN MOORE.
(widow of a Harlan Kentucky miner murdered during the strike in 1931. She is forced to live in Tennessee.)

We'll deliver your messages.

You will think me a very ungrateful political prisoner. I have already served eight months of my three year sentence and this is my first letter to you. But, I do have an alibi . . .

In "our" prison, we too are too warm just now. This prison is situated some 4000 feet above sea level in the Tehachapi Mountains not far from the Mojave desert, and altho we have frequent breezes and even very strong winds up here, it gets very hot at times. The prison is over a day's round trip from Los Angeles and two days round trip from San Francisco, which gives you an idea of its isolation. Nevertheless we have a goodly number of visitors, who bring us the news about the campaign to repeal the Criminal Syndicalism Law, the progress in the elections, the activities of the C.I.O. etc. We were very fortunate in being able to hear Browder and Ford make their acceptance

speeches, and were as happy as can be about it.

We were very glad to hear that Otto Richter was granted permission to go to Belgium. I knew him personally in San Francisco and have often thought of him. If this letter reaches you before his actual departure please give him my warmest and heartiest good wishes and much happiness with his wife.

Our regards to yourself and all the others and also to our fellow prisoners throughout the country.

LOUISE TODD
No. 58292

I want you to know that I have got out of the place where they blackjack and ball and chain the human being. I received every single check that you sent me and I received all your letters but I couldn't write because I was only allowed one letter a month.

I thank all those who didn't forget me. From now on I want to do all that I can to help in any way.

I will never forget the punishment that I got in the workhouse. After I was released I was given a bundle of letters sent me while I was in. I never got any of the magazines that were sent me. The only thing that I could get to read was the Hearst Sun-Telegram or the Pittsburgh Press.

Fraternally yours,
Naum Acheff. (Released from the Blawnox Workhouse, the worst hell-hole in Pennsylvania, where he served two years for helping stop an eviction.)

SUCCESS!

The 1936 Milk Drive is over.
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