

Support the I. L. D. Struggle for a Change of Venue to Birmingham for the Remaining Eight Scottsboro Lads—for a New Trial for Patterson

Mass Pressure Has Saved the Boys So Far

(The following article by Loren Miller, Negro journalist of California, was written before the verdict in the case of Haywood Patterson was rendered—Editor's Note.)

By LOREN MILLER

THE issue of the Scottsboro boys' freedom rests on the success or failure in completing the task of wresting the case from the hands of the Alabama courts. Thanks to the efforts of the International Labor Defense, that process has saved the boys thus far. The completion of the job rests with those of us who have been insisting that the boys must not die.

I need not linger over the point that the courts of Alabama, and the other American courts, for that matter, are rigged against Negroes. The "justice" that comes out of these courts is recorded all too vividly in the dry records of those thousands of Negroes dragging out their lives on chain gangs, rotting away in jails and murdered in prisons—for the basic offense of being poor and black in an America dominated by the white and rich. More than that, American "justice" is reflected by the universal denial of common everyday rights and privileges.

The sacrosanct supreme court of the United States has had a thumb in the pie. It overthrew the civil rights bills. It added its judicial blessings to Jim Crow schools, cars, and toilets.

Other courts have been no less hostile. Bewhiskered justices of the peace have unemployed Negroes into jails on vagrancy charges with clock-like regularity. Forms of violence, such as the ones presided over by Judge Hawkins, are as numerous as judicial districts.

NOR would I give the impression that the courts have done these things because of the cussedness of the judges. It goes deeper than that. These judges are simply carrying out the orders of those who select them. And the selectors are those who reap the profits that flow from keeping Negroes chained to the soil as peons or share croppers or in the cheap labor class in the industrial centers.

The whole rotten business has been covered up by bought and paid for testimonials from preachers, publishers, politicians, professors and other parasites—black and white—who have been, and are, willing to testify for \$198 and other good and valuable consideration, that the exploitation and inferiority of the Negro has been ordained from on high and justified by Blackstone.

RETURNING to the case in point, that of the Scottsboro boys, let me point out that the first attempt to take this case out of the hands of the courts met with stiff opposition. Led by N.A.A.C.P. leaders, who pretended a Simple Simon faith in courts and refuse to permit a Negro to serve on a jury, this opposition tried to stifle the honest protest that went up when the world learned the facts about the near legal lynching. It is to the everlasting credit of the workers and intellectuals of the world that this opposition was brushed aside. The "rotten" continued.

Protests rolled in on Alabama. They're still rolling. These protests rolled in on the United States Supreme Court. Today the boys have a new trial. That new trial is in the offing not because of legalistic formulae, but because the high court understood and Negro protesters were in no mood to countenance the butchery of boys on so flimsy a pretext.

But the Alabama courts still have their masters, the profit takers, to serve. So they are digging up new and more involved judicial and legal technicalities. They hope to raise such a smoke screen of legalisms that they will obscure the real issue: the oppression of Negroes, with its consequent demand for legal and extra-legal violence to "keep us in our places."

The ever obliging—for cash—preachers, publishers, professors, politicians and other parasites are performing their chores with new gusto. They are screaming that the International Labor Defense and the rest of us who have endeavored to save the boys are trying to hang them! They want us to still our voices and deliver the boys to the tender mercies of district and supreme court Judge Hawkins.

In other words, they want lynching with due process of law.

I DON'T believe that we who have got the case in our hands now are going to hand it back to these courts. If we do we will be guilty of contributing to the death of the boys. Our weapon is protest and mass protest. Protest that will penetrate to the remotest corners of Alabama, staying the hands of the courts while it makes the issue plain that even the victimized and kept-ignorant whites of that region will enlist on our sides.

Mass protest—from England, Germany, France, Africa, America, all corners of the world—has saved the boys thus far. Our judgment is that they must go free. It's up to us to enforce our judgment. Mass protest is our only weapon of enforcement. Its volume must swell a million fold. The lives of nine innocent boys are in our hands!

SOUTHERN EDITOR PLUNGES IN THE FIGHT TO KILL

He's Absolutely Not in Favor of Negroes on the Jury

(By Our Special Correspondent) DECATUR, Ala. (By Mail)—The editor of the only newspaper in Limestone County, adjoining Morgan, is a chubby, red-faced, high-browed farmer. He is a leading citizen of this poor-white, cotton county, having served twice in the state legislature and he was a teacher in the graded school. He is representative of the fairly well-to-do farmer and the city middle class, caught sufficiently between the hammer and anvil of the crisis to harbor some resentment against the rich and Wall Street. This is all the easier for him since both the rich and Wall Street are associated in his mind with the North. He is old enough to feel more keenly than other what the Bourbon south considers to be the degradation of Reconstruction—the period that followed the Civil War in which the North with the aid of the Negro people and by means of an armed dictatorship subjected the former slave-holding class. In the minds of such gentlemen Reconstruction is synonymous with "Negro domination" with "uppity niggers" with widespread rape of white women by Negroes, with social equality. And in the minds of such people the Scottsboro case, particularly the issue of the right of Negroes to sit on juries so sharply presented by the International Labor Defense at the Decatur trial, is nothing more but Reconstruction reborn.

"LET them sit on juries and vote and," he added significantly, "the next thing you'll have is social equality."

"I have nothing against niggers. I like them—if they know their place and keep it. A nigger mammy brought me up and one takes care of my children now. A nigger can come into my house—but he must come by the back door. He is made different from us white men. I really don't think he is a human. He looks so much like an ape, the shape of his skull and everything." And he adds judiciously: "He even smells different."

"I'm not a Baptist preacher and don't claim to know the bible thorough. But there it is written that Ham was cursed by Noah and this curse was a black skin. And he has borne it ever since."

Then very seriously he wants to know what the position is in the North would think about repealing the Fourteenth Amendment. His idea is that just as the question of beer is left to each state to decide, each state should also determine whether or not it should observe the Fourteenth Amendment.

"That's the point at issue—and it might lead to Civil War, yes sir!"

"THIS is greater than Ghandi and the untouchables in India."

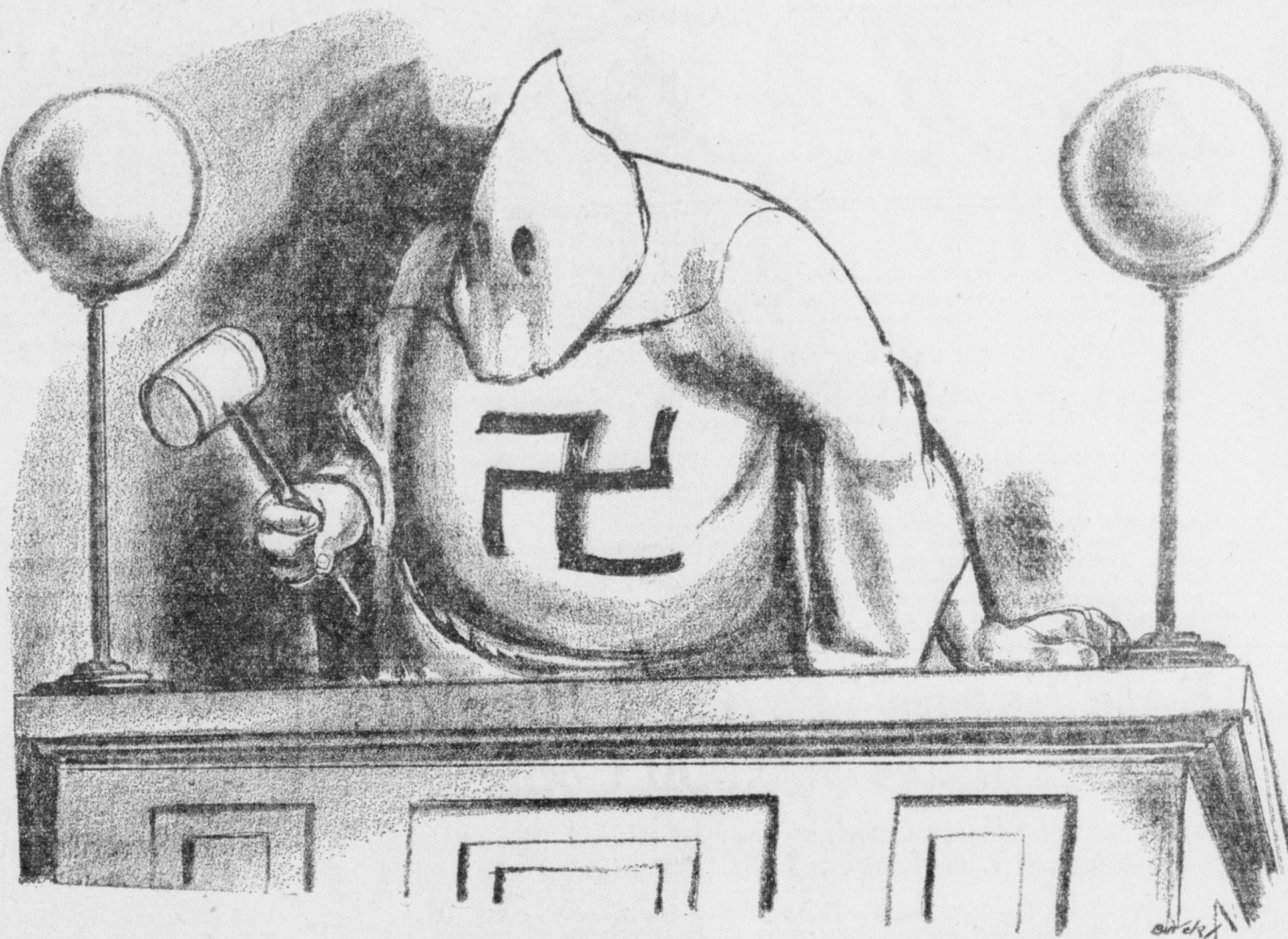
It is a Negro of Decatur speaking in the solitude of his small living room to the rear of the doctor's office. He is a tall, husky man, his whole huge frame animated by the perspective opened up by the events in the Decatur courtroom.

"There has not been much trouble between the whites and Negroes in this particular town. We have kept our place—but don't misunderstand me—without scratching our heads and bowing down before the white folks. Of course, this is the South and we are Niggers."

His eyes shine brightly as he relates for the hundredth time the way Dr. Brooks had told Attorney General Knight "I refuse to answer that question" and how the attorney-general had turned red as a turnip and recoiled like a rubber ball. He laughed with delight describing how the dignified, portly jurist squirmed in the witness chair trying to avoid telling the truth about the exclusion of Negroes from the jury.

SLAPPING his knee with his broad palm and laughing with delight he told how Lawyer Leibowitz made the attorney-general turn turtles when he asked him to address the witness as Mister and referred to the Negro witness by their true titles such as Doctor and Professor. "They tell me that the reds are doing this. As long as they continue, then I'm with the Reds."

LYNCH JUSTICE!



"Daily" Is Deluged With Phone Calls On Scottsboro Case

So great was the interest of New York workers in the events in Decatur in connection with the Scottsboro case, that the telephone office kept ringing all day Saturday and Sunday, with requests for information. Many of the calls were made on behalf of workers' organizations.

WORKERS AID FIGHT OF I.L.D.

NEW YORK—From every part of the country, from the South and the North, hundreds of letters have come in to the International Labor Defense Scottsboro New Trial Emergency Fund, in response to the appeal of the I. L. D. The letters, enclosing contributions for the Scottsboro defense, are from individuals, schools, clubs, and churches, Negro and white. Most of them indicate that it is the poor who will share their little most readily, to save their own.

The United States Supreme Court has ordered that her story of "rape" in the Scottsboro case, issued by the I. L. D.

"For the Scottsboro boys, enclosed you will find a money order for one dollar for the stamps you sent me," Miss Rose A. Wilson, an unemployed Negro worker, wrote. "I am a poor woman sick in bed with no support, and I am dividing with you. I only wish I could send more but I hope they will be freed and brought away from that place where they can be safe and useful citizens."

Minimum Wage Bill

NEW YORK, April 7.—The Wald Eberhard minimum wage bill passed the N. Y. Assembly today and will go to the Governor for signature. Lehman's approval is assured. This bill, while called a minimum wage bill, merely sets up a state board which will investigate the conditions in each industry where women and children are employed and will recommend a minimum wage. The bill carries with it a small penalty for those employers who violate the decisions of the Board.

Victoria Price on the Stand, Pliant Tool of Prosecution

By STANLEY GIBSON (Special Daily Worker Correspondent) DECATUR, Ala. (By Mail)—Victoria Price takes the stand. For two years the eyes of the working class of the world have been turned upon the frame-up system of Negroes by the state



Haywood Patterson

which she now represents in court. The United States Supreme Court has ordered that her story of "rape" in the Scottsboro case, issued by the I. L. D.

When a question is put, she seeks the danger immediately and seeks refuge in a high pitched "wh-a-a-t?" It gives her the moment she needs to escape from the trap this shrewd lawyer has carefully set to catch the truth.

She has told her story and intends to stick to it. Her's is the world's spotlight, even though she shares it as part of a frame-up system and only as a tool—and she enjoys it even though this Northern lawyer takes up her past, tells of her arrest for lewdness in Huntsville, tells how she broke up a married man's home, probes whether she had not been an inmate in a notorious house of prostitution.

There is not the flicker of an eye lash when she uses words that would make an average woman stammer in embarrassment.

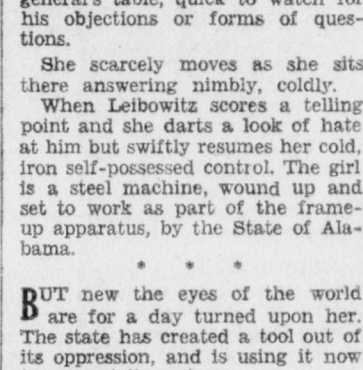
HER mind is working at full speed with the swiftness and the hardness of a steel trap. Her imagination is stimulated. An innate sense of the dramatic shows in her testimony. She embellishes her original evidence with descriptions of scenes that might have come from a melodramatic movie.

"Why did you not tell these details in your testimony at the first trial," the defense counsel shoots at her. "I did," she retorts sharply. "It's not in the record," he reminds her. "I don't know what's in the record," she returns coldly. "If it ain't in the record it should a-be."

Jew-Baiting in Ala. Denounced by Jewish War Vets, Lawyers

NEW YORK—On behalf of the Jewish War Veterans, J. George Fredman, its commander, dispatched a wire to Solicitor Wade Wright of Decatur, Ala., demanding an apology for his reference to "Jew money" in the latter's speech to the jury in the Scottsboro trial on Friday.

At the same time a group of New York lawyers, headed by Nelson K. Scherer, sent a sharp wire to Gov. Miller of Alabama, demanding the removal of Wright for his speech.



JOSEPH R. BRODSKY

NEWSPAPERS from the North and South, scribble hastily. Uninformed messenger boys rush with copy to flash to the four corners of the world. Photographers turn their cameras upon her.

Samuel S. Leibowitz, chief of the International Labor Defense trial attorneys defending Haywood Patterson and the other boys prods her with questions.

When a question is put, she seeks the danger immediately and seeks refuge in a high pitched "wh-a-a-t?" It gives her the moment she needs to escape from the trap this shrewd lawyer has carefully set to catch the truth.

I WILL NOT LET THE SCOTTSBORO BOYS DIE!

International Labor Defense, Room 438, 30 East 11th Street, New York City.

Enclosed find my contribution of \$..... to help save the Scottsboro boys.

I want to join the I. L. D. to fight to save the Scottsboro boys.

My name is.....

Street.....

City..... State.....

Southern Worker Will Re-Appear

CHATTANOOGA, Tenn. (CNA)—The Southern Worker, a Communist weekly newspaper formerly published in the South will resume publication in this section shortly, it was learned today.

The paper discontinued publication about year ago, after a period of publication during which it played a tremendous role in breaking down the barriers of race prejudice and organizing Negro and white workers together for joint struggle to better their conditions. It was cordially hated by the white ruling class, but had built up a large following among Negro and white workers and poor farmers. Together with other agitatorial work of the Communist Party in the South it helped to prepare the ground for the magnificent solidarity of the white and Negro croppers in the recent bloody struggles in Tallapoosa County, Ala.

Recently, many workers and their organizations in the South and in the North have donated funds to enable the paper to resume publication, especially in view of what the Scottsboro trials now proceeding in Decatur, Ala., the recent indictment of five Tallapoosa Negro share-croppers, the approaching trial in Atlanta, Ga., of six Negro and white organizers and the struggle for the freedom of Angelo Herndon, young Negro organizer, sentenced to 30 years in the Georgia chain gang. Many Negroes, realizing the necessity of rallying the white Southern workers to the support of the growing struggles of the Negro toilers, have donated to the fund.



SAMUEL S. LEIBOWITZ

JACKSON, Tenn. (CNA)—An all-white jury last week, returned a verdict of guilty against Roy Ross, 22, accused of killing Ernest Benson, white. The jury ignored Ross' sworn testimony that the "confession" presented as evidence of his guilt was extorted from him by brutal third degree methods by the police. No direct proofs was offered to connect Ross with the murder.

Condition of Negro Students in South

(By a Negro Worker Correspondent) COLUMBIA, S. C.—I have been reading the Daily Worker and like it better than any other paper I have ever read. I am a student of the Booker T. Washington High Colored School of Columbia, S. C. I can't hardly go to school because I haven't books, shoes fit to wear or sufficient food to eat.

In Columbia schools, colored and white, the children have to furnish all books, pencils and other school tools. They also have to buy their own lunches. The children have to walk two and three miles to school through rain, sleet or snow.

I am hoping the time will come when Columbia and all over South Carolina will be organized into a Communist Party to fight for all workers' rights, Negro and white.

Lynch Evidence

NEW YORK.—That the lynch gangs that have been organized in Decatur and vicinity are continuing their activity is seen from a wire received by the "Amsterdam News," New York Negro newspaper from two of its correspondents now in Decatur who telegraphed that they have received "assurance of protection from any mob action."

The correspondents, who, incidentally, are being jim-crowed at the trial, are William N. Jones, managing editor of the Baltimore Afro-American, and P. Bernard Young, son of the owner of the Norfolk, Va. Journal and Guide.

'The Stench of Southern Slave Market'

(From Our Special Correspondent) DECATUR, Ala., April 9.—Twelve bigoted southerners exhalng the stench of the slave market walked into the Decatur courtroom today and upheld the system of oppression of the Negroes.

In the face of the whole world they flung their verdict of "guilty and the electric chair" for Haywood Patterson with a grin on their faces. That grin said, "We will teach those niggers a lesson."

At 11:55 a.m. they turned over their slip of paper bearing the verdict of the Bourbon South: "We find the defendant guilty as charged."

Haywood Patterson, standing between the soldiers armed with automatic rifles, lowered his head and was immediately escorted out of the courtroom.

Seventy-eight telegrams and hundreds of protest letters were admitted during the last days of the trial, and the hundreds of protest wires received by Attorney-General Knight are only an indication of the storm of protest that will now be let loose.

The Scottsboro case has only begun. As it goes through all the legal stages for re-trial and appeal to the higher courts of capitalism, it will gather about itself all the forces that will finally remove the dead weight of oppression of the Negro masses.

All White Jury in Jackson Convicts Third Degreed Negro

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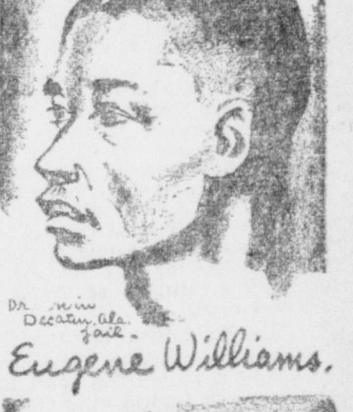
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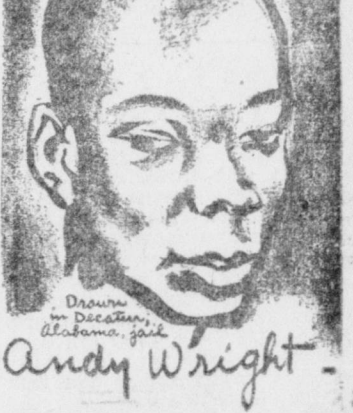
Clarence Norris



Charles Weems



Eugene Williams



Andy Wright



Willie Robinson



Roy Wright



Olin Montgomery

MEET WED. TO HIT MURDER VERDICT