

# DEFEND THE RIGHTS OF LABOR! PACK MADISON SQUARE GARDEN TONIGHT!

Faced with the menace of a host of sedition bills, anti-alien bills and other measures for the suppression of the rights of all labor, the people of New York City will gather in a united front demonstration at Madison Square Garden tonight at 8 P. M. to defend their political rights. This demonstration will be an answer of labor

and its sympathizers to the fascist threats of Hearst, to the advancing campaign to throttle all discussion and organization by workers. With Bishop McConnell of the Methodist Episcopal Church as a leading speaker, the list includes: Vito Marcantonio, of New York, and Paul J. Kvale, of Minnesota, both members of the House of Representatives; Francis J. Gorman, vice-president of the United Textile Workers Union; Mary Van Kleeck, national chairman of the Interprofessional Association for Social Insurance; Elmer Carter, editor of "Opportunity"; Clarence Irwin, district president of the Amalgamated Association of Iron, Steel and Tin Workers; Professor George S. Counts, Rabbi Edward L. Israel, Dr. Harry F. Ward and Roger Baldwin.

With political reaction preparing for war, inciting attacks against the Soviet Union, the demonstration will be at the same time a protest against imperialist war, and a pledge of defense of the Soviet Union. The Daily Worker urges its readers to pack the hall on Wednesday. Defend the rights of labor! Defeat fascist reaction!

Mass Organizations: Ask Your Membership to Collect May Day Greetings for the Daily Worker Press Run Yesterday—54,900

# Daily Worker

CENTRAL ORGAN COMMUNIST PARTY U.S.A. (SECTION OF COMMUNIST INTERNATIONAL)

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# U.S. WAR MACHINE IS WORLD'S BIGGEST

## Sugar Polls 62,930 Votes in Detroit Election for Judge

### 'RED SCARE' LAUNCHED BY HEARST

Times in Citing the Big Vote Prints Clumsy Forgery

By A. B. Magill (Daily Worker Michigan Bureau)

DETROIT, Mich., April 2.—Rolling up nearly 83,000 votes for its independent candidate for judge of Recorder's Court, Maurice Sugar, Labor in this city struck a powerful blow against the despotic rule of the open-shop auto manufacturers, and a blow for the rights of labor everywhere. Final tabulations show Sugar received 62,930 votes. This is nearly two-thirds the vote of the lowest of the nine successful candidates. The workers' nominee, who was backed by every section of the labor movement, made his strongest showing in the working class districts. In many of these districts he ran first or second. In the Negro sections, Sugar, who has become widely known as a courageous champion of Negro rights, showed exceptional strength. In most of the Negro districts he ran first, second or third. Had it been up to the Negro people alone, the labor candidate would have been elected with ease. Sugar also received a large vote among the Polish workers, the largest national group in the city.

### Received Votes Everywhere

Of great significance is the fact that the labor candidate received a substantial vote in practically all parts of the city, even in outlying sections that his campaign had not succeeded in reaching and where Ku Klux Klan influence is strong. This splendid showing was made despite the fact that it was only in the last two weeks, after the United Front Conference on March 17 in which all sections of the labor movement participated, that the campaign to elect Sugar took on a real mass character. There is every reason to believe that had it lasted only a few weeks longer, the labor candidate would have been elected.

### Attacked by Hearst

Sugar's high vote is also a smashing answer to the vicious attack made on him by the Detroit Times, organ of the fascist Hearst, which declared that he had "sought anti-American support." The Hearst sheet, in addition to attacking Sugar, gave columns of publicity to its pet candidate, George Murphy, brother of former Mayor Frank Murphy, now governor-general.

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### F. D. R. to Gag Debate on 2827

(Daily Worker Washington Bureau) WASHINGTON, April 2.—The Roosevelt administration is polishing up its gag rule machinery to prevent discussion of the Workers' Unemployment and Social Insurance Bill, H. R. 2827, when the Wagner-Lewis-Doughton bill is brought up on the floor of the House. It was learned today.

At the same time the first direct declaration of the administration's opposition to the Black 30-hour week bill was rendered in an open hearing before the House Labor Committee. W. C. Hushing, legislative representative of the American Federation of Labor, testified that he had spoken to three leading lieutenants of the Roosevelt machine about the bill. Each announced flatly that, regardless of the Labor Committee's action, they would not permit a "rule" to bring it up. The three included Speaker Joe Byrne of Tennessee, John O'Connor of New York, Tammany's chairman of the Rules Committee, and Representative Taylor of Colorado, acting Democratic leader.

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### New Scottsboro Trials Threatened by Alabama; South Stirred by Ruling

Fraenkel Says "World Interest in the Case" Spurred Verdict

While Lieutenant-Governor Thomas W. Knight of Alabama announced in Montgomery yesterday that he would proceed at once to seek re-indictments against Clarence Norris and Haywood Patterson, two of the Scottsboro boys whose verdicts have been reversed by the U. S. Supreme Court, Osmond K. Fraenkel, defense counsel engaged by the International Labor Defense, told the Daily Worker that he did not think "the State of Alabama would risk another rebuke from the U. S. Supreme Court."

In his statement on the Scottsboro decision, Fraenkel declared: "Naturally, we are delighted with the result. The decision is an outstanding victory and is a complete vindication of the position taken by the defense right along in connection with the violations of the rights of Negroes in the South, and particularly in connection with jury service. Credits Mass Protest. "It is also gratifying that the Alabama authorities failed to prevent justice in the case of Haywood Patterson by resorting to technicalities. Discussing the influence of world mass protest on the decision, Attorney Fraenkel said: "There is no doubt that the interest around the case throughout the world has prevented it from being disposed of in a routine manner, and has made it possible for the merits of the case to receive proper attention."

### Next Step

The next step in the fight, Fraenkel declared, will be a demand for the quashing of the indictments against Norris and Patterson and for the release of all the Scottsboro boys. In Montgomery, Ala., Special Prosecutor Knight hinted that a special session of the grand jury of Jackson County would be called at Scottsboro, Ala., to rush through the new indictments. In Kilby Prison, Montgomery, Ala., where Norris and Patterson are confined in death cells, came the news that they received the announcement of the Supreme Court verdict with shouts of joy. Equally jubilant were the other seven boys confined in the Jefferson County jail in Birmingham, Alabama. Patterson at first could not be convinced that the death sentences had been reversed. The oldest of the nine boys, Patterson has been through the worst ordeal. He has heard sentence of death pronounced against him on three successive occasions: at the original trial in Scottsboro, at his re-trial before Judge Horton in Decatur, Ala., and at the re-trial of himself and Clarence Norris before Judge "Speed" Callahan in the Decatur, Ala., court. Evidently believing the report was another phase of the refined

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### Times Suggests Pardon

Excerpts from the editorials in the boss press follows: From the New York Times: "It is more than four years since the case of the Negro boys condemned to death at Scottsboro began to trouble the

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### Press Views On Decision

#### New York Papers Fear Effect of Another Trial of Boys

Broad hints to the Alabama lynch rulers that continued attempts to illegally lynch the Scottsboro boys would endanger the whole system of monstrous national oppression and plundering of the Negro people, were contained in editorials in the New York boss press yesterday, commenting on Monday's reversal of the U. S. Supreme Court decision of the death sentences against Haywood Patterson and Clarence Norris. While deliberately silent on the world-wide mass fight which has forced the high court to reverse, for the second time, the death verdicts, the boss newspapers reflect in their comments the dread of the ruling class for the defense movement, organized and led by the Communist Party and the International Labor Defense, and which has rallied millions of workers and intellectuals throughout the world to the cause of Negro liberation.

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### COAL MINERS TALK STRIKE; 500 WALK OUT

Need for United Action to Guide Decision of Allegheny Locals

By Carl Reeve (Special to the Daily Worker)

PITTSBURGH, Pa., April 2.—More than 500 miners are on strike in the Russellton Mine in the Allegheny Valley against the terms of the trace signed by John L. Lewis with the coal operators. Allegheny Valley locals are meeting tonight to decide the future course of action of other locals in the Allegheny Valley. Patrick Fagan, who was booted by 6,000 miners in the New Kensington meeting yesterday, has already declared the strike outlawed and threatens to revoke the charter and take other drastic action against the Russellton local. The Hearst press today is playing up Fagan's "red scare" and attack on the rank and file. Strong Strike Sentiment. There is strike sentiment in other Allegheny Valley locals, and whatever action is taken tonight will take into consideration the necessity of the locals acting together and avoiding isolated actions. The rank and file was encouraged as reports came in from Western and Central Pennsylvania demonstrations held in the coal fields yesterday. In Central Pennsylvania demonstrations were held in Hooversville, Central City, Windber, and Ehrnfied. The only speaker who drew applause was George DeNorcy, rank and file advocate. Other speakers received no applause. In Greensburg, Thomas Kennedy was heckled and booted whenever

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### COAST TRIAL VICTIMS FACE 14-YEAR TERM

Police Mobilized When 'Guilty' Verdict Was Announced

(Special to the Daily Worker)

SACRAMENTO, Cal., April 2.—With the entire police force of Sacramento mobilized in the court room and corridors and every available deputy sheriff stationed among the hundreds of workers who had gathered to hear the verdict in the most famous frame up of California since Tom Mooney was sentenced on perjured testimony, a verdict was brought in after more than sixty hours of heated and acrimonious discussion. Six defendants, Jack Warnick, Lee Hung, Mike Plesh, Harry Collette, Fred Kirkwood and William Huffen were found guilty and eight workers including Caroline Decker, Lorine Norman, Nora Conklin, Pat Chambers, Martin Wilson, Norman Mini, Albert Hougardy and Jack Crane were found guilty on one count, namely conspiracy to violate the criminal syndicalist law which carries a sentence of from one to fourteen years in prison. That the defendants who were convicted were those who actively participated in strike struggles and demonstrations for relief proves the purpose of the capitalist government to smash by every means possible all militant movements, all fighting labor unions and every attempt of the workers to organize for militant action against starvation. A motion for a new trial was immediately asked for by Leo Gallagher, the I. L. D. attorney representing the defendants, who were remanded to jail pending a hearing on the motion and the setting of bail. This trial, the longest criminal

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### PWA Workers Rubber Strike Prepare Strike

(Daily Worker Ohio Bureau)

AKRON, Ohio, April 2.—"The workers here are getting darn tired of the arbitrary steps of the rubber companies and are preparing to enforce Section 7a themselves," John D. House, president of the Good-ropes Local of the United Rubber Workers, said today. Preparations for a strike in the Goodyear plant are under way. A strike committee of sixteen has been elected and will recruit additional members from the rank and file. Coleman Claherty, president of the union, today ridiculed the mock strike vote being taken under the auspices of the Firestone Company management and pointed out that the real strike vote will start on Sunday under the direction of the American Federation of Labor. "Sheriff Flows' stunt of deputizing 1,000 scabs doesn't scare us," House said. "All the craft union

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### Roosevelt Rushes Preparations For Impending World Conflict As U.S.S.R. Works for Peace

Soviet Peace Role Makes Deep Impression on British Journalists

(Special to the Daily Worker)

LONDON, April 2.—(By Cable)—As Capt. Anthony Eden confers with the Polish Foreign Minister Joseph Beck in Warsaw on the peace efforts of the Soviet Union, the British press here is paying more and more attention to the results of the Moscow negotiations. British journalists who accompanied Eden to Moscow remark about the deep impression produced by this visit upon them as well as upon Capt. Eden. All without exception comment on the consistent peace policy of the Soviet government. For instance, the London Times correspondent writes: "U. S. S. R. Wants Only Peace. The impression arises that the Soviet Union wants nothing but the possibility of peacefully continuing the enormous construction work which has already been started." The Daily Telegraph correspondent remarks particularly on the impression created upon the British guests by Joseph Stalin: "Stalin produced a big impression on the British guests not only by his clear comprehension of international affairs, but also by his ability to understand and estimate the viewpoint of other countries." wrote the Daily Telegraph correspondent. The Times writer expresses himself in a similar vein. At the same time he gives some details of Stalin's talk with Eden: "Stalin asked Eden whether he thought the war danger was stronger or weaker than in 1914. Eden said he considered the war danger now weaker. Stalin gave his reasons for an opposite viewpoint. (American cable reports declared that Stalin's reason for this statement was the fact that today the war danger threatened both from the West (German Fascism) and the East (Japanese imperialism.) Stalin did not go deeply into the German menace but on the contrary expressed his respect for the German people and their achievements and expressed the conviction that any attempt to isolate or squeeze such a nation in the very center of Europe is doomed to failure. Nevertheless, he added, Germany at the present time is dominated by dangerous moods, and measures of caution are necessary for the peace of Europe."

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### Lithuanians Flay Hilter Students Demonstrate Against the Fascist Threats

(Daily Worker Lithuania Bureau)

KOVNO, Lithuania, April 2.—A students' demonstration, hostile to German fascist threats, was dispersed by the police today. When the newspaper "10 Cento" criticized the demonstration, the students demonstrated against it. WARSAW, April 2.—More difficulties for the German-Polish alliance was seen here in the acceptance of the French Foreign Minister Laval of an invitation to spend several days in Warsaw with Capt. Eden. LONDON, April 2.—That Hitler, through the medium of an American diplomat in Berlin, is seeking to entice the British back into an alliance is the news published in the London Star under big headlines today. The Star reports that Adolph Hitler has offered Britain a new proposal "to preserve peace," actually an offer to break up the Soviet's peace successes. Hitler's proposals, aimed at the Soviet Union, propose a "non-aggression" pact with Germany's neighbors. German spokesmen said a similar proposal was made to Sir John Simon during his visit to Berlin.

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### Communist Party Backs Anti-Hearst, Anti-War Rally Call

Urging all enemies of war and fascism to back the antiwar demonstration called by the American League Against War and Fascism next Saturday, April 6, before the German Consulate and the Hearst plant, the Communist Party yesterday issued a statement endorsing the action of the League.

(Special to the Daily Worker)

The Roosevelt government, "is arming and encouraging to intervene in the U.S.S.R. by abruptly breaking off all debt negotiations with the Soviet Government." From the German consulate of 17 Battery Place workers will march to the Hearst plant at 210 South Street where they will demonstrate.

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### Three Billions Are Being Spent to Build Up Military Power

(By United Press)

WASHINGTON, April 2.—The Navy Department is conducting a series of tests with a new rapid-fire, one-pound gun. It was revealed today. Sponsors of the gun hope to raise the rate of fire with this little weapon used in Coast Guard boats during the prohibition running days from a hand-fed rate of 30 shots per minute to a mechanical-fed rate of 100 shots per minute.

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### N.B.C. Secret Parley Scored

(Daily Worker Washington Bureau)

Declaring that secret negotiations are a danger to the twelve-week-old strike, and that only increased mass picketing will win, Section 4 of the Communist Party in New York, addressed a statement to the 3,000 National Biscuit Company strikers yesterday. The statement was distributed among the strikers when it was learned that negotiations have been on between the attorneys of the Inside Bakery Workers Federal Union and the company for almost a week, while the strikers were kept entirely in the dark nor were representatives of the strike committee permitted in the negotiations. The statement of the Communist Party declared in part: "The Communist Party, since the beginning of the strike, has repeatedly emphasized that a successful settlement will depend upon the amount of pressure put upon the company. "We repeat once more that only through mass picketing can you give the finishing touches to the giant battle that you have waged for the last 12 weeks. "Secret negotiations have never won concessions from the bosses. In every case these have been used by the bosses to hide their real peace-breaking efforts."

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# Unite to Win Immediate Freedom for the Scottsboro Boys

AN EDITORIAL

THE significance of the Scottsboro victory is that it is a triumph of the work of the Communist Party as the leader of the struggles of the Negro people against Jim-crow oppression, for Negro liberation. That the highest capitalist court in the land must admit the existence of systematic Jim-crow discrimination and violation of the most elementary civil rights in the treatment of Negroes is a landmark in the fight for Negro liberation achieved by the uncompromising revolutionary position taken by the Communist Party in the Scottsboro fight. It is the Communist Party to whom belongs the honor of having begun the fight for the liberation of the Scottsboro boys and the exposure of the hideous lynch frame-up four years ago. It was the Daily Worker, organ of the Communist Party, that flung across its first page on

April 16 the first historic call to save the Scottsboro boys when the death verdicts got a few lines in only a few capitalist papers here and there. It was the Communist Party, with unprecedented energy, initiative and devotion to the cause of the struggle for Negro rights, that set in motion the working class of the whole world, millions upon millions of workers in every corner of the globe! What other party, except this international Party of the revolutionary proletariat, this Party of Lenin and Stalin, could have aroused so many millions in such a fight? And against what calumny, against what sabotage, slander, lies and treachery did the Communist Party have to fight! Not only in the ranks of the open enemy, but even more dangerous, in the ranks of the alleged "friends"! One has only to recall the typical article by

Walter Harper, leader of the N. A. A. C. P., in the December Whites of 1932, in which he repeated all the poisonous lies which later became the stock in trade of every enemy of the Communist Party in the Scottsboro fight. One has only to recall the familiar lies—that the Communist Party is "not interested in the lives of the boys, but only in propaganda"—that the Communist Party, by its mass campaign, is "prejudicing the judges" and "inflaming race friction that will hurt the boys' case"—that the Communist Party's mass campaign is "forcing the Supreme Court away from its impartiality"—and many more equally vicious. Then came the treachery of Samuel Leibowitz, taken into the case by the I. L. D., after three years of struggle, only to launch a treacherous attack against the defence at the most crucial moment.

Around Leibowitz rallied all the elements of Negro reformism, the N. A. A. C. P., the wealthy churchmen, the landlords and bootlickers. How shamelessly they sought to split the defense, sought to break the mass campaign to pieces, and bury the case away from the sight of the masses! How they rushed to the protection of the lynch courts and the rule of the Wall Street capitalists, crying to the Negro masses: to have faith in "American institutions"! What have these traitors to say now? What miserable fate would face the boys if these traitors had succeeded in their designs. But the Communist Party would not be beaten. It refused to swerve from its main purpose—to liberate the nine Scottsboro boys. It met these attacks with only one answer: (Continued on Page 2)

### Press Views On Decision

New York Papers Fear Effect of Another Trial of Boys

(Daily Worker Ohio Bureau)

AKRON, Ohio, April 2.—"The workers here are getting darn tired of the arbitrary steps of the rubber companies and are preparing to enforce Section 7a themselves," John D. House, president of the Good-ropes Local of the United Rubber Workers, said today. Preparations for a strike in the Goodyear plant are under way. A strike committee of sixteen has been elected and will recruit additional members from the rank and file. Coleman Claherty, president of the union, today ridiculed the mock strike vote being taken under the auspices of the Firestone Company management and pointed out that the real strike vote will start on Sunday under the direction of the American Federation of Labor. "Sheriff Flows' stunt of deputizing 1,000 scabs doesn't scare us," House said. "All the craft union

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### Soviets Impress The British

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This question, among other things, Eden's task was to dissolve these suspicious which arose and sharpened as the result of the fear that under the influence of Germany, England would begin to take a cooler attitude towards the project of an Eastern Pact which would tie the hands of present-day Germany. This point played an important role in the negotiations of Eden with Stalin.

In conclusion, the Times correspondent stated: "The most widespread opinion states that henceforth everything depends on the British government, which must not leave the slightest doubt with anyone regarding its actions, if peace is grossly violated."

Times Sees Difficulties "But there are almost insurmountable difficulties hindering the introduction of this element of definiteness into the British policy. In these conditions many competent observers, welcoming the brilliant light which the Berlin and Moscow negotiations have thrown on the dangerous situation in Europe, nevertheless consider that grounds for optimism are non-existent. They consider that there are measures still required for the stopping of the progressive undermining of the situation, that the clarity now reached did not change the reality of peace and war and the danger regarding the growth of armaments increasing."

The News Chronicle publishes an article by its correspondent, Cummings. Stating how the U.S.S.R. estimates the basic problems of peace, Cummings writes:

Conditions of Security "The main object of suspicion is present-day Germany. There is no necessity to frighten Germany—this is undesirable—but it is vitally necessary to create security in Europe. But that is impossible if such security is arranged only in the West. The ideal would be if Germany and Poland joined the Eastern Pact of mutual aid, but in any case the U.S.S.R. France and Czechoslovakia must carry out this pact. England's role is not to sign the pact but to recognize its necessity. No hysterical speeches are necessary, but Germany must be shown that attempts at territorial aggression will meet strong resistance. England must take a definite position. This position will not only affect Europe but also the Far East because the U.S.S.R. is convinced that Japan will not attempt to go to war unless she can reckon on financial aid from Britain."

Subway Impresses "The correspondents of the British press who accompanied Capt. Eden on his Moscow journey visited the Moscow subway and expressed their delight with the technical qualities and outward appearance of the construction. The Daily Telegraph writes: "Wide roomy stations, wonderfully faced with colored marble, illuminated by hundreds of concealed lamps, excel everything I have hitherto seen." Cummings says in the News Chronicle: "The Moscow underground is a model of art. The roomy stations are well conceived and the beautiful finish evokes a great impression with the strict marble columns and mosaic walls. The underground in Moscow is superior in construction to the London and New York subways in every respect."

The aviation factory visited by the British guests also created a big impression. "Everybody was astonished by the fine, healthy appearance of the workers in the factory, where everything is effectively organized," writes the Daily Telegraph.

WHAT'S ON Philadelphia, Pa. Biggest dance event on April 12. Scottish Rite Temple, Nadia Chilkovskiy, Miriam Bloch, and other famous New York entertainers. Tickets at Pressers and Gimbels. Harry F. Ward, national chairman of the American League for W.P. speak on "The Relationship Between War and Peace" at Mercantile Club at 8:30 p.m. on Friday, April 12. Rev. William McDonald Sharp will act as chairman. Philadelphia Workers and Intellectuals sing "Manna Wailer Music Festival, Gerrits Theatre, Tuesday, April 16 at 8 p.m. German Chorus, Preshet Gesang Verein and International Workers Chorus, also soloists. Supp. Phil. Relief Comm. for the Victims of German Fascism and United Anti-Fascist Front. Tickets 50c and \$1.00. You simply can't miss this pleasant surprise at I.L.D. Carnival and Banquet, April 13 at 8 p.m. at the Gem Theatre on Brown St. on April 4 and 9 p.m. Adm. 25c.

Milwaukee International Concert and Dance will be held Sunday afternoon and evening, April 14, at Milwaukee. Interesting program consisting of dramatic productions, solo singing, recitals, etc. Tickets 50c. Program starts at 7:30 p.m. Dancing at 7 p.m. Adm. 25c to 50c.

Chicago, Ill. Farewell Banquet to Andrew Newhoff, on Sunday, April 7 at 7 p.m. at the Gem Theatre, 384 W. Roosevelt Rd. An elaborate dinner and program has been prepared. Tickets 50c. Seats can be purchased by reservation. Reservations 35c. The banquet will welcome Herbert Weinstone, newly elected Dist. Secretary.

Newark, N. J. Remember the great Paris Commune! This will be better still! New York Workers' Committee on the Paris Commune. Sunday, April 7, at 8 p.m. Angelo Wilson, Harry Burt, Ann Burt, New Dance Orchestra, and soloists. Tickets 50c. Seats can be purchased by reservation. Reservations 35c. The banquet will welcome Herbert Weinstone, newly elected Dist. Secretary.

### Coal Miners Talk Strike

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he spoke of the "truce" extending the present agreement.

Piscards Carry Demands In Greensburg and Brownsville, as well as New Kensington, a number of locals carried rank and file slogans on their placards such as: "We demand the six dollar day scale." "We demand the six-hour, five-day week." "No agreement without approval of a referendum of the miners," etc.

Only the feeling of the miners of the necessity of better organization of the rank and file and avoiding disunity in the organization has prevented widespread strikes, in spite of the disruptive efforts of the Lewis machine, the press, the coal operators and the N.R.A. The reception given to O'Hara's questioning of Pagan shows that the miners fully understand the agreement and disapprove of it. O'Hara asked, "Is the new agreement going to increase wages 10 per cent while the living costs go up 30 per cent, as did the old one?" Pagan, who was supposed to speak in Brownsville after the New Kensington meeting, never showed up in Brownsville, although this morning's Post-Gazette reported his presence and even quoted his speech.

Kennedy Police at Meeting In the afternoon the New Kensington and Tarentum Central Labor Councils held a parade at Tarentum. Speakers included Scott O'Hara of the Renton Local, Mike Stanovich of Russellton Local, Tony Minich of the Western Pennsylvania Unemployment Committee and representatives of the steel and glass locals of the A. F. of L.

Kennedy state police were on guard at the Tarentum meeting. The miners' militancy and threat of strike forced the operators to conclude the present truce. Bad as it was, it has for the time halted the efforts of the coal operators to go even further and attempt to smash the U.M.W.A. and conclude no agreement at all.

NEW KENSINGTON, Pa., April 2.—As the strike of 700 miners at Russellton Mine of the Republic Steel Corporation continued 100 per cent effective this afternoon, with picket lines at the shaft mouth for each shift, early reports indicate some general sentiment among miners other than for spreading the strike. But no action will be certain until after a conference of delegates from the Allegheny Valley Mines which is to take place this evening in New Kensington. At a meeting of the Russellton Local this morning another strike vote was taken and was unanimous in favor of continuing the strike. Favorable John Murray, and other district United Mine Workers of America officials were present, but left before the meeting was over, after Damich had been as much as chased from the platform. Some of the mines, as at Curtisville Two, and Renton, were not working today, but meetings are scheduled for today and tomorrow to sound the strike sentiment.

Harnsville Mine was picketed this morning, but worked today, and a meeting is scheduled there for tonight. The miners at Russellton are fully aware that a return to work will probably have to be made if support from the other mines is forthcoming, as otherwise many would undoubtedly be blacklisted. The local union has received a telegram from Lewis to the effect that all mines are to continue work today and consult district officials upon any issues which may arise. The Coverdale Mine is on a strike against discrimination which started prior to yesterday.

### F. D. R. to Gag Debate on 2827

(Continued from Page 1)

A Congressman supporting the measure told the Daily Worker today. The petition was filed only last week. It requires 218 to force a bill on the floor by this method, but undoubtedly the swift succession of signatures on the paper lying on the Speaker's desk is the main reason why a movement developed in the Ways and Means Committee to cut out discussion of it. Throughout the last session of Congress only thirty members signed a similar petition.

Representative Lundeen (Farmer-Labor, Minn.) and others who voted for the Workers Bill when the House Labor Committee approved it have served notice that they would move to substitute it when the Administration brought up the Wagner-Lewis-Doughton concoction which Lundeen described as "fifty pages that don't do a damn thing for the unemployed." To prevent such a move, the Administration is preparing to bring out its own measure under a gag rule excluding all proposals for amendments or substitutions except any that may be proposed by the Ways and Means Committee.

Wagner Bill Unchanged The Ways and Means Committee's draft of the Wagner-Lewis-Doughton Bill is said to be printed for distribution. This is a new development, however, that this group passed on all points at issue today, leaving the bill substantially as it was when it came from the White House. It provides no Federal Unemployment Reserves if and when the individual States act, in no case earlier than Jan. 1, 1937. It would provide Federal contributions to offset contributions by the States to the worker, and with a \$15-a-month limit on Federal contributions per pensioner. It would be administered by a "Social Security Board."

H. R. 2827 (the Workers' Bill) would provide immediate insurance for all the unemployed with benefits equal to average wages and administration by workers' committees.

# Farmers' Conference Unites Rural Poor In Class Struggle Against Rural Rich

## U. S. Relief Measures Condemned—They Aid Only the Wealthy

By C. A. Hathaway

THE Sioux Falls farmers' emergency relief conference, held March 25 to 27, was in a number of respects more significant than previous conferences of farmers. Overshadowing everything was the fact that for the first time class lines in the country-side were sharply drawn. This was reflected in a more formal discussion of "poor," "middle" and "rich" farmers, but in a more thorough examination of the effects of the crisis and the drought on the various strata of farmers, rich and poor, of the operation of the A. A. A. and the administration's drought relief measures, and finally, of the class character of the relief measures sponsored by the different farm organizations all of which had their ardent supporters at the outset of the conference.

The main decisions of the conference, which were all unanimously adopted, can be summed up as follows:

- 1—Condemnation of present relief measures as benefiting the rich farmers and tending to put the mass of the farmers on a subsistence level; a demand for immediate cash relief sufficient for a good standard of living, and relief feed to maintain live stock; the administration of relief, including the fixing of the amount in each case, to be in the hands of the farmers.
- 2—Condemnation of existing credit facilities as discriminatory against the poorer farmers; a demand for production credit to equip the farms with seed, livestock, fertilizer and machinery, such credit likewise to be under the supervision of the farmers themselves.
- 3—Rejection of such so-called farm relief measures as the Frazier-Lemke Bill or the "refinancing of farm mortgages," and the Thomas-Messingill Bill to fix prices on the basis of "cost of production," as measures reflecting the interests and aims of the big capitalist farmers; the endorsement of the Farmers Emergency Relief Bill with its provisions for the repeal of the A. A. A., the barring of evictions or foreclosures, the cancellation of debts, long term production loans without in-

terest, and adequate relief administered by committees of farmers, as the only measure reflecting the needs of the mass of the farmers hard hit by crisis and drought.

4—Rejection of inflationary measures (Senator Thomas, Coughlin, etc.), with their promise of cheap and abundant currency to liquidate farm debts and increase farm prices, as illusory proposals which, with the big monopolies firmly in the saddle, would contribute further to the total wiping out of the small farmers, and to the further impoverishment of middle strata of farmers.

5—Acceptance of the necessity for united mass action, drawing in all farm organizations, to put pressure on county, state and national governments for the immediate granting of relief and credit, and on the national administration for the adoption of the Farmers Emergency Relief Bill, H. R. 3471.

6—Condemnation of the Republican and Democratic parties; a warning against a new third party which might be equally capitalist in character; the endorsement of a clear-cut class Labor Party which would represent the class aims of the workers and the mass of the impoverished farmers.

A Marked Advance This program clearly marks a decided advance over the decisions of the Washington (1932) and Chicago (1934) farmers' relief conferences, where the issues were sometimes blurred and class lines among the farmers themselves insufficiently drawn.

The Sioux Falls decisions are all the more significant when the composition of the conference is considered. Nineteen states were represented: Alabama, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Montana, Nebraska, New York, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, Wisconsin and Wyoming, with most of the delegates, 414 in all, coming from the middle western, drought-stricken states.

The Farmers Holiday Association locals were represented by eighty-seven delegates; locals of the more conservative Farmers Union had thirty-six delegates. Other farm organizations including the Grange, Farmers Protective Associations, co-operatives, 4-H clubs, relief leagues, etc., sent forty-one delegates. The United Farmers League had 127 delegates, twenty-seven of which were fraternal delegates. The remainder of the delegates came from miscellaneous organizations, including workers organizations.

Of the delegates 243 were actual working farmers, eight were disseminated farmers, forty-three were farm women, thirty-seven were farm laborers, fifty-five were youth—the sons and daughters of farmers.

When these delegates gathered at Sioux Falls they were agreed on two things—the immediate need for more adequate relief and for production credits—and that was all influenced by the leaders of the conservative, rich-farmer-dominated organizations and the "progressive" capitalist politicians (Frazier, Lempe, Olson, etc.), there were the widest differences as to measures which should be endorsed and as to the methods of securing their adoption. A good number of the delegates firmly and honestly believed that inflationary, "cost-of-production" or "refinancing-of-mortgages" schemes were what was needed. They had confidence in the "progressive" and Farmer-Labor politicians, and believed that through reliance on them and the legislative lobbies of the conservative farm organizations they would secure relief from their present unbearable plight.

False Views Broken Down Through three days of serious discussion these false views were broken down. The delegates were shown how with a still limited inflation the prices of monopoly-controlled goods which they must buy while the prices of farm products had gone up only 11 per cent, and that the more inflation was extended the wider the gap would become between the prices they would have to pay and the prices they would receive.

They were further shown that any cost-of-production scheme would be based on the cost of producing farm products on the best land and the best equipped farms, thereby serving to strengthen the position of the rich farmer having large acreage, modern farm machinery (tractors, etc.), sufficient and well-fed live stock, money or credits for fertilizer, seed, etc., while the poor farmer, with poor land and inadequate equipment, would be more and more pressed off the open market and onto a mere subsistence basis.

Finally they were shown that the refinancing of mortgages presupposed the ability of the farmer to repay the mortgage with interest when due, a supposition based on the hope for an early overcoming of the crisis in general and the farm crisis in particular, a hope that had no relation to the realities of the

## Delegates Endorse Class Labor Party—Back Bill for Real Relief

One Aim Achieved Through such discussions and explanations the conference proceeded, hammering out its attitude on every proposal from the viewpoint: what category of farmers will be helped; what category will be injured? In the end the delegates arrived unanimously at the conclusion that the Farmers' Emergency Relief Bill, H. R. 3471—a class bill, the bill of the poor and medium sized farmers, a bill directed against the rich of both city and country—alone represented their interests and their demands.

The thoroughness of the discussion and its effectiveness in welding a unanimous viewpoint was brought out most clearly in the separate conferences which were held by the delegates of the Farmers' Union and the Farmers' Holiday Association. Each of these conferences discussed the proposals in the light of the declared stand of their own organization for either the refinancing-of-mortgages (F. U.) or cost-of-production (F. H. A.), and each conference unanimously endorsed the Farmers' Emergency Relief Bill and the other points enumerated at the beginning of this article. Furthermore, in each case, they adopted special resolutions addressed to their own organizations, calling upon their officers, locals and members to get behind the Sioux Falls proposals, and to aid in developing the mass fight to force their adoption.

In estimating the Sioux Falls conference, therefore, these advances toward a clearly defined class approach on farm problems—the rural poor against the rural rich—gives it its greatest significance. Necessarily, such an approach reflected itself also in the clearly expressed desire for closer unity with the working class—in mass struggles and in a truly class Labor Party.

## Sugar Polls 62,930 Votes

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eral of the Philippines. With the help of the Times and of his brother, who made a special trip to Detroit in order to boost his campaign, and by generous use of the well-known Murphy brand of radical-phased "New Deal" demagoguery, George Murphy was elected. He was the only one of the non-Cubans to be elected. The strong sentiment for Sugar was also reflected in the straw vote conducted by the public schools. With some schools still unaccounted for, present tabulations show Sugar running eighth with nearly fourteen thousand votes, less than five thousand behind the highest candidate, Judge Jefferies.

S. P. Leaders Refused Support The only notable exception in the United Labor Front backing Sugar, was the Socialist Party, whose leadership opposed the endorsement of Sugar, though the majority of the rank and file of the party heartily support his candidacy. It must also be stated that the leadership of the Detroit and Wayne County Federation of Labor, by endorsing a slate of Republican and Democratic politicians and by throwing special support behind George Murphy helped to confuse the workers and to divert energy from the campaign for the independent labor candidate.

Widespread sentiment for the development of an independent labor ticket in the next elections has already manifested itself. This sentiment gains added strength from the fact that the elections throughout the state yesterday resulted in a Republican landslide by three to two. This completely reverses the results of 1932 and 1933, and indicates the continued growth of mass disillusionment with the New Deal, which for lack of a genuine labor party, finds its only outlet in voting the Democrats out and the Republicans in.

Victory Not Complete "It must be clear, however, that victory is not yet completed. We must continue the fight for the unconditional freedom of all nine of the boys. This is the demand

"Communist literature" as follows: "Rise up against the capitalist form of government. "Throw out the bosses and kill the aggressors of the common people. "Get the capitalists first or they will get you. Do your part to bring this about by electing Maurice Sugar to the Recorder's Court."

This cheap forgery, whose stoopish character every worker will recognize, is intended not only to discredit the United Front movement, but to serve as the opening gun in a campaign to amend the state law in order to bar all labor organizations and individuals identified with the labor movement from using the schools for meetings.

## New Scottsboro Trials Threatened by Alabama Press Views On Decision

(Continued from Page 1)

of the situation. This must be the demand of every friend of the boys. The Alabama lynchings, led by Thomas Knight, Jr., are not satisfied. They are determined to carry through the death sentence against the boys. "Therefore, the moment demands the most energetic immediate action of the widest possible forces. To all Negro organizations and true friends of the Scottsboro boys, who sincerely desire to win the freedom of the boys and achieve justice in this momentous case, which involves the rights and liberties of twelve million bitterly oppressed Negro people and all the masses, black and white, we appeal to you to push forward in united action, demanding cessation of prosecution and the immediate release of the boys."

IMPORTANT CORRECTION: The Daily Worker deeply regrets an error in yesterday's account of the Scottsboro reversal. It was incorrectly stated that Lester Carter, Southern white boy, had testified against the boys at the original trial in Scottsboro. As a matter of fact, Carter was held in jail in Scottsboro for sixteen days without charges, while the authorities refused to place him on the stand because Carter insisted that the boys were being framed. Later, when Carter got the opportunity to testify in Decatur, he helped riddle the frame-up case against the boys. From the very first, Lester Carter has been a tireless fighter for the freedom of the Scottsboro boys.

Arthur Brisbane, N. Y. American: "Mr. Chief Justice Hughes writes the opinion of the Supreme Court reversing the death sentences of two Negroes, Norris and Patterson, condemned in the Scottsboro case in which one of two white women found in a box-car with seven Negroes confessed that she and her companions accused the Negroes of crime to save themselves from disgrace. "Chief Justice Hughes said that excluding Negroes from the jury, which he considers proved, would make the indictments invalid. The Supreme Court decision, it is believed, may free all seven of the accused Scottsboro Negroes."

From the New York Tribune: "A sense of relief, accompanied by a general despair, will be shared by a general response to the action of the Supreme Court in again setting aside the convictions and sentences of more ordering as it can only do a new trial. "After the Supreme Court decision it may perhaps be realized that the best these proceedings any further will accomplish nothing save to make worse a tragedy from which there can be no good issue now."

From the New York Post: "Scottsboro is fated to mark another milestone in the long struggle of the black man for justice, a struggle that the Emancipation merely began. "The case goes back for retrial, and another conviction seems probable. It really fair trial in Alabama under present conditions seems highly unlikely."

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### PWA Workers Prepare Strike

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city. Prior to the close of the meeting one of the workers had been ejected from the gallery for heckling Deutsch.

After the meeting the electrical workers, infuriated at the Board of Aldermen to do nothing for them, despite glib assurances to the contrary from Tammany Aldermen, choked the corridors of City Hall demanding that Deutsch meet with them. A delegation of five was finally admitted into the office of the Aldermanic President. Unqualified support to the members of Local 3 to the point of stopping work on all P.W.A. jobs if necessary, was unanimously voted yesterday by the Building Trades Council of Greater New York according to a statement yesterday by Roswell D. Tompkins, secretary of the Council.

Hearing Continued The hearing before Anna M. Rosenberg, State N.R.A. Compliance Director, called early yesterday to ascertain whether the work on the city-owned Independent subway is to be operated under the Railway Safety Appliance or the Contractors Code of the Electrical Industry, was continued in the early part of the afternoon without reaching any decision.

The hearing was also to act on the charge of the union that the General Railway Signal Co. and the Union Switch and Signal Company have violated provisions of the code and the labor provisions of the contract as to wages and hours on the job. Mrs. Rosenberg declared that it was impossible to reach a decision because of insufficient information. All parties involved were asked to exchange further information on complaints made and to be prepared for another hearing next Tuesday.

A meeting of the Aldermanic Committee on Rules, where the question of the prevailing wage will be discussed, will be held here tomorrow at 2 p.m., it was announced.

### Rubber Strike Plans Pushed

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are cooperating with us closely and will walk out with us shutting down the plants tight. We are tired of waiting on labor boards," he said. The Citizens Committee, organized by Mayor Myers and composed of rubber manufacturers, bankers, leading business men and clergymen to smash the strike, suffered first setback today when the American Legion adopted a hands-off policy and decided to await developments. The policemen's and firemen's pension board has protested against the high pay for the special deputies, on strike duty while County Commissioners prepare to transfer \$35,000 from the County Hospital fund to pay these thugs.

Conversations with workers from all plants reveals a strong determination to strike to a finish and they display great anxiety over the possibility of William Green preventing action.

AKRON, Ohio, April 2.—The National Labor Relations Board took a hand to forestall the strike today, when Ralph A. Lind, regional director of the National Labor Relations Board, arrived from Cleveland to discuss the situation with all interested parties. He suggested to the companies that they accede to the recent ruling of the National Labor Relations Board for an employee election. But so strong is the sentiment for a general rubber strike that is doubtful if the workers, having tried them for two years with no success.

CHICAGO, Ill. Farewell Banquet to ANDREW NEWHOFF Dist. Sec'y, I. L. D. and Welcome to HERBERT NEWTON SUNDAY, APRIL 7th - 7 P. M. Cafe Royal, 3854 W. Roosevelt Rd. Tickets 75c—Reservation at 1703 W. Madison, Call Beely 3452.

Last 9 Days!

## To Get a Copy of Hunger and Revolt

The special subscription and coupon offers on Burck's popular book end April 12th. While the limited supply of copies lasts, you can still get a copy with a subscription, or with 15 consecutive coupons—plus \$1.00 for the book and 20c to cover postage.

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A numbered coupon will appear each day in the Daily Worker. Fifteen consecutive coupons and \$1.20 entitles you to a copy of "HUNGER and REVOLT: Cartoons by Burck."

DAILY WORKER 50 E. 13th St., N.Y.

### US Has Biggest War Machine

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millions to come out of the Works Relief and P. W. A. funds.

Huge Air Force In airplanes the United States with 2,800 war planes is topped only by France, which reports 3,000 planes. The U. S. Navy leads the world with 373 warships, with Britain's 276 the closest competitor. With present legislation pending, the Army air force will be brought up to 2,320 planes for this branch alone, giving American imperialism the most powerful air force in the world as estimated by the Army experts themselves.

250 "Mystery Guns" At the same time it was revealed yesterday that the Navy is now building 250 new "mystery guns," said to be among the most deadly in the world. The manufacture of these artillery weapons is being done in secret, with the factories going twenty-four hours a day. Also, the government has just authorized the purchase of fifteen more Martin bombing planes as part of last year's war program. Personally supervising these tremendous war preparations is Roosevelt himself, who has on more than one occasion pushed the war appropriations bills through Congress.

In addition to this war preparation, the Roosevelt government is getting ready to launch an immense conscription of men for war as embodied in the McSwain Bill, allegedly written to "take the profits out of war."

### Trial Victims Face Prison

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trial in the history of the country, exceeded only by the seditious trial of the Palmer days, lasted over eighteen weeks. The Longshoremen's strike of San Francisco was the signal for a concerted drive against all militant unions in the state and as a result of raids conducted simultaneously twenty-three workers were arrested in this city on July 20th, 1934.

On September 11th the Grand Jury returned indictments against seventeen on six counts of criminal syndicalism but these counts were reduced to two through the militant efforts of Leo Gallagher, attorney for the defendants. The trial started November 26th and nearly six weeks were spent in selecting a jury from panels totaling 250 jurors. A special staff of prosecutors was selected to handle the trial.

Tomorrow Leo Gallagher will face Judge Lemmon on a charge of contempt of court as a result of his militant protest against prejudicial actions of the court.

### Strike Truce Refused By Millinery Workers

LOS ANGELES, Calif., April 2.—Negotiations to settle the general strike of millinery workers collapsed as workers refused to accept the suggestion of Dr. Towne Nylander of the Regional Labor Board that a "truce" be declared and a vote be taken of the employees in the industry to determine their representatives.

There were many reports of strikers being beaten by hired thugs.

DETROITERS! NEW THEATRE UNION of DETROIT and New Dance Group Present: New Theater Nite • 1. "God's in His Heaven" • 2. "America - America" • 3. "Opus 134 - A Flat" • 4. 3 Modern Dances Saturday, April 6th Maccabee Auditorium Woodward at Putnam ADMISSION: 35c and 50c

Millions Joined In World Fight For Nine Boys

LL.D. Carried Struggle for Their Freedom To All Countries

Massive army of mass protest and mass defense, an army numbering millions, led by the International Labor Defense, has been marching through the streets of the United States and many European countries since the original Scottsboro lynch verdict in April, 1931.

From the first moment that the I. L. D. entered the Scottsboro case, upon the request of the parents and the boys themselves, a call for mass defense of the nine innocent boys was issued.

Millions responded. On April 10, 1931, the first big Scottsboro protest meeting was held in Harlem at St. Luke's Hall.

On April 26, 1931, the first Scottsboro protest demonstration organized by the I. L. D. was held in Harlem and was smashed by the police.

On May 1, 1931, workers in May Day demonstrations in 300 cities throughout the country raised the cry, "The Scottsboro Boys Shall Not Die. Free the Innocent Scottsboro Boys."

International Mass Protest. By the time the I. L. D. carried the appeal against the original Scottsboro lynch verdict to the Alabama State Supreme Court, hundreds of mass meetings and demonstrations of protest in support of the I. L. D. fight for the lives of the boys had taken place in many parts of the world.

On April 24, 1931, the I. L. D. received a copy of the first protest telegram from the Berlin Transport Workers Union, demanding the immediate unconditional release of the Scottsboro boys. Huge protest demonstrations before the American embassies in Chemnitz, Berlin and Leipzig were held, at which 5 German workers were arrested.

Two large and representative all-Southern Scottsboro Conferences initiated by the I. L. D. were held in Chattanooga, Tenn. At Camp Hill, Ala., Ralph Gray, leader of the Negro sharecroppers, was killed and five others wounded as a result of a Scottsboro protest meeting held there.

European Scottsboro Tour. After the State Supreme Court denied the appeals brought there by the I. L. D., the mass defense campaign was intensified. Ada Wright, mother of Roy and Andy, and J. Louis Eshedahl, the late national secretary of the I. L. D., sailed for Europe on April 27, 1932, to conduct the international Scottsboro defense campaign.

They were invited by the International Red Aid of which the I. L. D. is the American section, to organize an organization with 14,000,000 members in more than 72 countries throughout the world.

On May 7, 1932, one German worker lost his life and 12 were seriously wounded, when a Scottsboro protest demonstration organized by the German I. L. D. was smashed by the police in Chemnitz. Thousands of workers in Switzerland, Czechoslovakia, Denmark, Sweden, Norway, Belgium, Holland, joined in international solidarity with the fight led by the American I. L. D. for the freedom of the Scottsboro boys.

Mass Campaign Intensified. During this same period powerful protest actions were being mobilized by the I. L. D. in the United States. One hundred and fifty thousand post cards demanding the immediate unconditional release of the boys were mailed to the U. S. Supreme Court.

National Scottsboro Week was declared and observed with mass actions from Oct. 3 to Oct. 10, 1932. On Oct. 10, Mother Moore went with an I.L.D. delegation to the U. S. Supreme Court where the appeal was being argued. On that same day the Fifth National Convention of the I. L. D. opened at Cleveland, Ohio, with Scottsboro defense as the keynote.

November 7, 1932, was set as International Scottsboro Day by all the sections of the I. L. D. Demonstrations before American embassies and in the streets were held all over the world. A militant mass picket line marched before the U. S. Supreme Court in spite of repeated attempts by the police to smash it. Sixteen were arrested and many were beaten and clubbed. And the U. S. Supreme Court was forced to grant the new trial.

The second lynch verdict in Decatur, Ala., became the signal for renewed activity. Ruby Bates, who had bravely announced from the witness stand, "Those boys never touched me, they are innocent," addressed thousands in New York City, and accompanied Mother Patterson in a mass march to Washington, where together with leaders of the I. L. D., trade union organizations and 5,000 Negro and white workers, they presented petitions circulated by the I. L. D. and signed by 200,000 at the White House.

After Horton was forced, by the voice of mass protest to reverse the second lynch verdict, the I. L. D. organized tours covering several hundred cities all over the country. Ruby Bates and Scottsboro mothers alone addressed 221 meetings. Mrs. Patterson, Mrs. Wright, Ruby Bates and Lester Carter, Richard B. Moore, national field organizer of the I. L. D., toured the country from coast to coast winning new scores of thousands of workers to the support of the mass defense campaign of the I. L. D.

The International Labor Defense will continue the fight until the pledge it has made to the Negro and white masses in the United States and throughout the world. "The Scottsboro Boys shall be freed," is made good.

The Milton and Treverton, Pa., units have undertaken to distribute "Dillies" in the special wrappers in the special campaign for prospective readers and subscribers. What is your unit doing to increase circulation?

Text of the Supreme Court Ruling in the Scottsboro Cases

(Special to the Daily Worker) WASHINGTON, April 2.—The text of the Supreme Court decision in the appeal of Clarence Norris, in which the central issue raised by the International Labor Defense, that of the right of Negroes to serve on juries, is upheld, follows in full. The decision in the appeal of Haywood Patterson differs in that the technical question of the time of filing appeal was raised by the State. The fundamental question of Negro rights covered in the Norris decision is made by the Supreme Court to apply to both cases.

SUPREME COURT OF THE UNITED STATES

No. 534—October Term, 1934.

Clarence Norris, petitioner, and the State of Alabama—on writ of certiorari to the Supreme Court of the State of Alabama.

Mr. Chief Justice Hughes delivered the opinion of the court.

Petitioner, Clarence Norris, is one of nine Negro boys who were indicted in March, 1931, in Jackson County, Alabama, for the crime of rape. On being brought to trial in that county, eight were convicted.

The Supreme Court of Alabama reversed the conviction of one of these and affirmed that of seven, including Norris. This court reversed the judgments of conviction upon the ground that the defendants had been denied due process of law in that the trial court had failed in the light of the circumstances disclosed, and of the inability of the defendants at that time to obtain counsel, to make an effective appointment of counsel to aid them in preparing and presenting their defense. Powell versus Alabama, 287 U. S. 45.

After the remand a motion for change of venue was granted and the cases were transferred to Morgan County. Norris was brought to trial in November, 1933. At the outset a motion was made on his behalf to quash the indictment upon the ground of the exclusion of Negroes from juries in Jackson County where the indictment was found.

Motion Denied at Trial. A motion was also made to quash the trial venire in Morgan County upon the ground of the exclusion of Negroes from juries in that county. In relation to each county the charge was of long continued, systematic and arbitrary exclusion of qualified Negro citizens from service on juries, solely because of their race and color, in violation of the Constitution of the United States.

The State joined issue on this charge and after hearing the evidence, which we shall presently review, the trial judge denied both motions, and exception was taken. The trial then proceeded and resulted in the conviction of Norris, who was sentenced to death.

On appeal, the Supreme Court of the State considered and denied the Federal question which Norris had raised and affirmed the judgment. 156 So. 556. We granted a writ of certiorari. 293 U. S. 552.

(1) There is no controversy as to the constitutional principle involved. The principle, long since declared, was not challenged, but was expressly recognized by the Supreme Court of the State. Summing up precisely the effect of earlier decisions, this court thus stated the principle in Carter vs. Texas, 177 U. S. 442, 447, in relation to exclusion from service on grand juries: "Whenever by any action of a State, whether through its Legislature, through its courts or through its executive or administrative officers, all persons of the African race are excluded, solely because of their race or color, from serving as grand jurors in the criminal prosecution of a person of the African race, the equal protection of the laws is denied to him, contrary to the Fourteenth Amendment of the Constitution of the United States." Strauder vs. West Virginia, 100 U. S. 303; Neal v. Delaware, 103 U. S. 370, 397; Gibson v. Mississippi, 162 U. S. 565. "This statement was repeated in the same terms in Rogers vs. Alabama, 192 U. S. 226, 231, and again in Martin v. Texas, 200 U. S. 316, 319."

Applies to All Juries. The principle is equally applicable to a similar exclusion of Negroes from service in petit juries. Strauder vs. West Virginia, supra; Martin v. Texas, supra. And although the State statute defining the qualifications of jurors may be fair on its face, the constitutional provision affords protection against action of the State through its administrative officers in effecting the prohibited discrimination. Neal v. Delaware, supra; Carter vs. Texas, supra; Compare Virginia v. Rives, 100 U. S. 313, 322, 325; In re: Wood, 140 U.

278, 285; Thomas vs. Texas, 312 U. S. 378, 283, 285.

The question is of the application of this established principle to the facts disclosed by the record. That the question is one of fact does not relieve us of the duty to determine whether in truth a Federal right has been denied. When a Federal right has been specially set up and claimed in a State court, it is our province to inquire not merely whether it was denied in express terms but also whether it was denied in substance and effect.

Facts Must Be Examined. If this requires an examination of evidence, that examination must be made. Otherwise, review of this court would fall of its purpose in safeguarding constitutional rights.

Thus, whenever a conclusion of law of a State court as to a Federal right and findings of fact are so intermingled that the latter controls the former, it is incumbent upon us to analyze the facts in order that the appropriate enforcement of the Federal right may be assured. Creswell v. Knights of Pythias, 225 U. S. 246, 281; Northern Pacific Railway Company v. North Dakota, 236 U. S. 285, 293; Ward v. Love County, 253 U. S. 17, 22; Davis, Director General v. Wechsler, 243 U. S. 22, 24; Fluke v. Kansas, 274 U. S. 380, 385, 386; Ancient Egyptian Order v. Michaux, 279 U. S. 737, 745.

(2) The evidence on the motion to quash the indictment. In 1930 the total population of Jackson County, where the indictment was found was 36,881, of whom 2,688 were Negroes. The male population over 21 years of age numbered 8,801, and of these 666 were Negroes.

Qualification of Jurors. The qualifications of jurors were thus prescribed by the State statute (Alabama Code, 1923, Sec. 8603): "The jury commission shall place on the jury roll and in the jury box the names of all male citizens of the county who are generally reputed to be honest and intelligent men and are esteemed in the community for their integrity, good character and sound judgment, but no person must be selected who is under 21 or over 65 years of age, or who is an habitual drunkard, or who being afflicted with a permanent disease or physical weakness is unfit to discharge the duties of a juror, or who cannot read English, or who has ever been convicted of any offense involving moral turpitude. If a person cannot read English and has all the other qualifications prescribed herein and is a freeholder or householder, his name may be placed on the jury roll and in the jury box." (S. Gen. Acts, Alabama, 1931, No. 47,659.)

No Negroes Called. Defendant adduced evidence to support the charge of unconstitutional discrimination in the actual administration of the statute in Jackson County. The testimony, as the State court said, tended to show that "in a long number of years no Negro had been called for jury service in that county." It appeared that no Negro had served on any grand or petit jury in that county within the memory of witnesses who had lived there all their lives. Testimony to that effect was given by men whose ages ran from 50 to 76 years. Their testimony was sustained. It was supported by the testimony of officials.

The clerk of the jury commission and the clerk of the Circuit Court had never known of a Negro serving on a grand jury in Jackson County. The court reporter, who had not missed a session in that county in twenty-four years, and two jury commissioners, testified to the same effect. One of the latter, who was a member of the commission which made up the jury roll for the grand jury which found the indictment, testified that he had never known of a single instance where any Negro sat on any grand or petit jury in the entire history of that county.

Many Negroes Qualified. That testimony in itself made out a prima facie case of the denial of the equal protection of the law guaranteed by the Constitution. (See Neal v. Delaware, supra.) The case thus was supplemented by direct testimony that specified Negroes, thirty or more, in number, were qualified for jury service. Among these were Negroes who were members of school boards, or trustees of colored schools and property owners and householders. It also appeared that Negroes from that county had been called for jury service in the Federal Court.

Several of those who were thus described as qualified were witnesses. While there was testimony which cast doubt upon the qualifications of some of the Negroes who had been named, and there was also general testimony by the editor of a local newspaper who gave his opinion as to the lack of "sound judgment" of the "good Negroes" in Jackson County, we think that the definite testimony as to the actual qualifications of individual Negroes, which was not met by any testimony equally direct, showed that there were Negroes in Jackson County qualified for jury service.

Negro Names Written In. The question arose whether names of Negroes were in fact on the

jury roll. The books containing the jury roll for Jackson County for the year 1930-31 were produced. They were produced from the custody of a member of the jury commission which, in 1931, had succeeded because of race or color. The testimony showed the practice of the jury commission. One of the commissioners who made up the jury roll in question and the clerk of that commission testified as to the manner of its preparation. The other two commissioners of that period did not testify. It was shown that the clerk under the direction of the commissioners, made up a preliminary list which was based on the registration list of voters, the polling list and the tax list, and apparently also upon the telephone directory.

Clerk Testifies. The clerk testified that he made up a list of all male citizens between the ages of 21 and 65 years without regard to their status or qualifications. The commissioner testified that the designation "Col." was placed after the names of those who were colored.

Exclusion Illegal. The trial judge limited the defendant's proof "to the present year, the present jury roll." The Sheriff of the county, called as a witness for defendants, scanned the jury roll and after "looking over every single name on that jury roll, from A to Z," was unable to point out "any single Negro on it."

For this long-continued, unvarying and wholesale exclusion of Negroes from jury service we find no justification consistent with the constitutional mandate. We have carefully examined the testimony of the jury commissioners upon which the State court based its decision. One of these commissioners testified in person and the other two submitted brief affidavits.

By the State act (gen. acts, Ala. 1931, No. 47, 55), in force at the time the jury roll in question was made up, the clerk of the jury board was required to obtain the names of all male citizens of the county over twenty-one and under sixty-five years of age, and their occupation, place of residence and place of business. (Id., p. 58, Sec. 11.) The qualification of those who were to be placed on the jury roll were the same as those prescribed by the earlier statute which we have already quoted. (Id., p. 59, Sec. 14.)

State Evidence Fails. The member of the jury board who testified orally said that a list was made up which included the names of all male citizens of suitable age; that black residents were not excluded from this general list; that in compiling the jury roll he did not consider race or color; that no one was excluded for that reason and that he had placed on the jury roll the names of persons possessing the qualifications under the statute. The affidavits of the other members of the board contained general statements to the same effect. We think that this evidence failed to rebut the strong prima facie case which defendant has made. That showing as to the long-continued exclusion of Negroes from jury serv-

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Cannot Accept Statement. The general attitude of the jury commissioner is shown by the following extract from his testimony: "I do not know of any Negro in Morgan County over twenty-one and under sixty-five who is generally reputed to be honest and intelligent and who is esteemed in the community for his integrity, good character and sound judgment, who is not an habitual drunkard, who isn't afflicted with a permanent disease or physical weakness which would render him unfit to discharge the duties of a juror and who can read English and who has never been convicted of a crime involving moral turpitude."

In the light of the testimony given by defendant's witnesses, we find it impossible to accept such a sweeping characterization of the lack of qualifications of Negroes in Morgan County. It is so sweeping, and so contrary to the evidence as to the many qualified Negroes, that it destroys the intended effect of the commissioner's testimony.

"Violent Presumption." In Neal versus Delaware, supra, decided over fifty years ago, this court observed that it was a "violent presumption" in which the State court there had indulged, that the uniform exclusion of Negroes from juries, during a period of many years, was solely because, in the judgment of the officers charged with the selection of grand and petit jurors, in Delaware, were "black" and "colored." Negroes were utterly disqualified by want of intelligence, experience or moral integrity to sit on juries.

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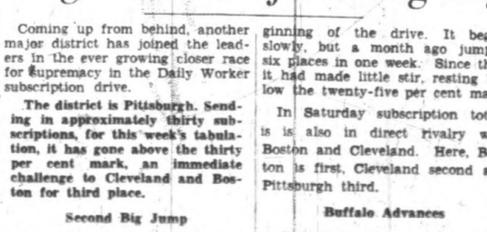
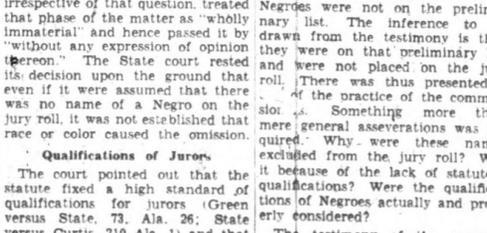
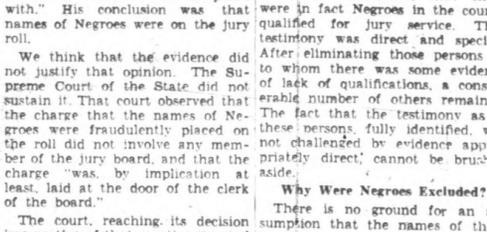
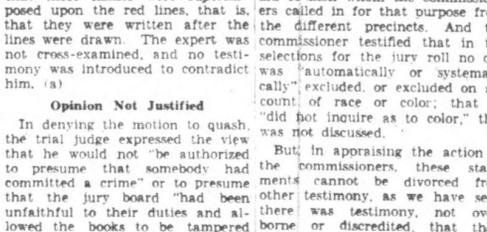
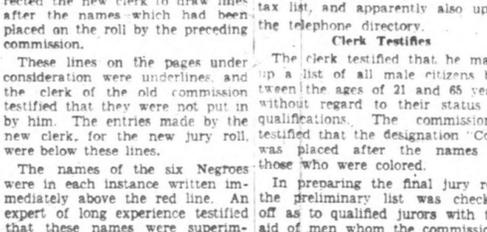
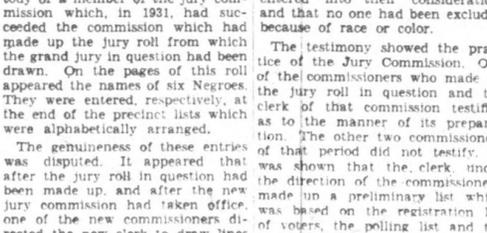
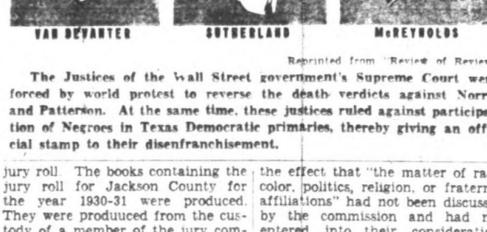
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MASS ACTION FORCED RULING



other qualification. The commissioner's answer to specific inquiry upon this point was that Negroes were "never discussed." We give in the margin quotations from his testimony. (b).

State Court Found Wrong. We are of the opinion that the evidence required a different result from that reached in the State Court. We think that the evidence that for a generation or longer no Negro had been called for service on any jury in Jackson County, that there were Negroes qualified for jury service, that according to the practice of the jury commission their names would normally appear on the preliminary list of male citizens of the requisite age but that no names of Negroes were placed on the jury roll, and the testimony with respect to the lack of appropriate consideration of the qualifications of Negroes, established the discrimination which the Constitution forbids. The motion to quash the indictment upon that ground should have been granted.

(3) The evidence on the motion to quash the trial venire. The population of Morgan County, where the trial was had, was larger than that of Jackson County, and the proportion of Negroes was much greater. The total population of Morgan County in 1930 was 46,176, and of this number 8,311 were Negroes.

Within the memory of witnesses ever served on a jury in that county or had been called for such service. Some of these witnesses were over fifty years of age and had always lived in Morgan County. Their testimony was not contradicted. A clerk of the circuit court, who had resided in the county for thirty years and who had been in office for over four years, testified that during his official term approximately 2,500 persons had been called for jury service and that not one of them was a Negro, that he did not recall ever seeing any single person of the colored race serve on any jury in Morgan County.

Many Negroes Available. There was abundant evidence that there were a large number of Negroes in the county who were qualified for jury service. Men of intelligence, some of whom were college graduates, testified to long lists (said to contain nearly 200 names) of such qualified Negroes, including many business men, owners of real property and householders.

When defendant's counsel proposed to call many additional witnesses in order to adduce further proof of qualifications of Negroes for jury service, the trial judge limited the testimony, holding that the evidence was cumulative.

We find no warrant for a conclusion that the names of any of the Negroes as to whom this testimony was given, or of any other Negroes, were placed on the jury rolls. No such names were identified. The evidence that for many years no Negro had been called for jury service itself tended to show the absence of the names of Negroes from the jury rolls and the State made no effort to prove their presence.

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# HOME LIFE

By Ann Barton

The events in Harlem have been discussed and analyzed in other parts of the Daily Worker. All of us by now know just what hunger, discrimination, meagre relief, was the background to what took place. It is of the fighting spirit of the Negro women, that we want to speak of here. No matter how spontaneous was the expression of the resentment against their conditions of the people of Harlem, the women of Harlem showed what a powerful force they can be when they are organized and clearly conscious of what are the needs of the Negro people and of the working class.

In the April 2nd issue of the New Masses, Louise Thompson, an eyewitness, tells of the actions of some of the Negro women involved in the events in Harlem. Here are excerpts from that article.

"Don't you realize a colored child's been hurt, he may be dying and we can't find out nothing about him?" the tall woman said. "Get out of here," shouted the policeman. "What the hell can you do about it? Go on home before you get into trouble."

"Immediately a chorus of women's voices answered him, stridently, indignantly. I approached one of the policemen. 'Can't you give us some explanation?' I asked. 'Surely these women are entitled to know if the boy is injured and where he is.' 'If you know what's good for you,' he replied, 'you'll get on-out of here. . . . We'll take care of the kid.' 'Yes, you'll take care of us, just like you do when they lynch us down South,' a Negro woman answered. 'We'll take care of our own. I'm a mother. It might've been my child. Colored folks don't get no protection nowhere, in New York or down South.'"

"They began to shove us out of the store. The last to leave was the tall, dark woman. A cop threatened her with his nightstick."

"Hit me, go right on and hit me!" she challenged, clenching her umbrella all the firmer. The cop lowered his night-stick. We moved toward the door. By this time the crowd had grown into a huge mass, pushing forward to find out what was happening. . . . Mounted police cantered down the street, breaking into a gallop where the crowd were thickest. Horses' hoofs shot sparks as they mounted on the glass-littered pavements. The crowds fighting doggedly, gave way. The women more stubborn even than the men, shouted to their companions 'What kind of men are you—drag them down off those horses.' The women shook their fists at the police. 'Cops! Cops! Cops!' they shouted here in Harlem on 125th Street."

LOOKING at the newspapers the next morning at the pictures of those arrested for "looting," and their "loot," I understood how long denied were the simplest needs of the people of Harlem. One Negro, for instance, carried under his arm, the things his wife needed for her daily housewifely tasks—a wash basin and a hamper. To the readers of this column, the events in Harlem, should bring clearly to us the need of winning the masses of Negro women to the revolutionary workingclass movement.

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# From Factory, Mine, Farm and Office

## HIGH FEES HURT UNION

### Allentown Bosses Prepare New Attacks

By a Textile Worker Correspondent. ALLENTOWN, Pa.—The McBride Silk Mill has closed down, throwing 150 workers out on the streets to starve. It is reported that the Tuscan Mill is also preparing to close down. In the Adelaide Silk Mill, the bosses are introducing the six-loom system, and in this mill, a worker states, the wages are as low as 20 cents per loom, which would mean \$1.20 for a day's pay. The workers in the Adelaide Mill are unorganized, and the mill owners feel that they can make the workers accept any wages or conditions. This is the time for the union to come forward and organize the workers in the Adelaide. If the Adelaide is allowed to institute the six-loom system other bosses will try to force the workers to accept the same system.

## \$1 a Week Camps Relief Less Than Carfare

By a Worker Correspondent. DES MOINES, Ia.—A few days ago I happened to see a Daily Worker in the home of a friend of mine which contained an article from Omaha, Neb., concerning the transient relief there. The writer stated that transients were being forced to go into camps and work a dollar for a 30-hour week. In the past three months I have been in over 25 camps or relief stations. In 15 different states, and every one of them were forcing the transients to go to a "dollar a week" camp or move on.

The only kind of literature I saw in those camps was of the reactionary type. Anyone could see with half an eye the fascist character of every one of them. Some, however, were more pronouncedly fascist than others. El Paso, Texas, is by far the worst I have seen in my travels. It has occurred to me that it would be a darn good idea to form some kind of an organization that would be adaptable to the transient workers' conditions. Many of these workers are radical and very sympathetic to the Soviet government in Russia. Most people seem to have the idea that a transient worker is unreliable simply because he is traveling most of the time, but these same people fail to take into consideration that many of us keep traveling because there is nothing else that we can do.

In spite of the hypocritical "good neighbor" and "Rehabilitation" demagoguery of the Roosevelt administration, the New Deal is being daily more and more exposed as the ruthless attempt of Yankee imperialism to find a way out of the crisis by further attacks on the standard of living of the oppressed masses of the colonies. In Puerto Rico, this process is meeting with more opposition daily, and has become the springboard for rising unrest directed against the domination of Wall Street. Although small in size (3500 square miles) and population (1,500,000), Puerto Rico, "model colony" of Wall Street in the Caribbean possesses great military, economic and diplomatic value. Its strategic position in relation to the Panama Canal, its diplomatic value as the "show window" of Yankee imperialism to the vast Latin American continent, plus its importance as a source of enormous colonial super-profits, make it the object of special care on the part of American finance capital.

## THE 'NEW DEAL' AT WORK IN PUERTO RICO

Sugar and the Costigan-Jones Bill. All Puerto Rican economy is based on sugar, thus smashing all native industrial development, heightening the dependence of the colony on American products, and constituting of the colony an "economic (raw-material) appendage of foreign capital." In 1934, sugar occupied 68 per cent of the total exports. Four huge American plantations possess 68 per cent of the total sugar land and produce over 50 per cent of the total production. The domination of Yankee imperialism is by no means indirect, all Puerto Rican life—roads, legislature, courts, etc.—being ruled by the sugar trusts. Sugar, subject to the caprice of the world market, suffered a tremendous drop in 1924, causing deep ravages in the economy of the monocultural countries. The chief sufferers were the smaller native sugar mill owners (centralists) who were forced into ruin by the all devastating power of the imperialist plantations, the sugar colonies, systematically robbed and exploited by the sugar kings, and the factory and agricultural workers, whose ranks were decimated by crisis rationalization and whose starvation wages were further slashed year after year. Roosevelt and his imperialist way out of the crisis gave birth to the

Costigan Jones Bill, which applied the crop restricting provisions of the A.A.A. to the sugar industry, under the assumption that prices would rise. The quota assigned to Puerto Rico for 1934 was 803,000 tons and for 1935, 780,000 tons, a reduction of 263,000 tons from capacity. Nevertheless, the price of sugar did not rise to any appreciable extent. To aggravate the situation thus created, 240,000 tons of sugar in warehouses come under the quota provisions. The plantation owners, by merely cutting their own administration cane and refusing to accept the cane of the colonos (small farmer) can weather the storm, deliver beyond the quota is filled and make his colonial profits. But for the colonos, the prospect is—destroyed sugar fields and bankruptcy. For 20,000 sugar workers, the prospect is—unemployment, and for the remainder—lower wages, longer hours and only three months of work. The hope of Roosevelt's New Deal is beginning to leave its imprint on Puerto Rico. A month after the zafra (harvest) started, with still no solution in sight, unable to cut their cane in many cases, due to the retiring of the usual sugar factory or bank credits, the uncertainty of the colonos broke through the landlord-controlled Colonos Association. In Arecibo, a "strike" was declared, and no cane cut for a week, until the centralists announce the basis for the milling. The bankrupt condition of the entire peasantry found expression in the call, issued by the pro-imperialist-landlord-controlled Farmers Association, a week after events in Arecibo, setting a date for a general assembly of all economic, political, labor and civic entities to take action on the following program: 1) Boycott of all North American products; 2) Stoppage of all sugar mills; 3) Closing of the island legislature; 4) Strike of taxpayers, until the Roosevelt administration announced its plan in regard to the purchase of the mortgaged lands. This assembly, controlled by the bourgeois politicians, merely sent a cable to Roosevelt and Wallace, threatening drastic action (general stoppage of all island activities for three days) unless the policy of the government was not immediately announced. The traditional supporters of Yankee imper-

# From Factory, Mine, Farm and Office

## MILL JOBS FEWER

### John Anderson Reports on Burlington

(Following is a letter from John Anderson, textile union leader in the recent strike in Burlington, N. C., who was among the six textile workers framed by the mill owners on a charge of having planted dynamite during the strike. Anderson is now under a long sentence of imprisonment although the frame-up nature of the charge has been clearly exposed.)

BURLINGTON, N. C.—The Burlington mills are now going on three days a week. The people are being lured to see what the New Deal is bringing them. Many of them are losing their cars. The Oneida Mill in Graham, N. C., put on one of the greatest stretch-out systems of all time on Monday a week ago, with a cut of approximately 50 per cent. They stretched them from six to ten looms on upholstery. We have three mills which are shut down indefinitely, two hosiery mills and a cotton mill, which had not been shut down any in 14 years prior to this time. I have also been informed that one of our large rayon mills is going to stand idle two or three weeks beginning April 1. One of the little yarn mills in the southern part of this county came out openly with a 15 per cent cut in wages.

Our local papers are still feeding us on better business for the future. But just when the future will come they are not able to tell us. It has also been rumored that these mills are letting contracts for higher fences with more barbed wire on top. It looks like they are trying to build interne camps for the employees. I am of the opinion that there are more people out of work in Burlington now than at any time during the past four years. I have talked with more people that have been out of work in the past three or four weeks and are unable to get jobs than I have in the past five or six years.

The relief projects have cut their help to 24 hours per week. Men with families of three or four are making \$7 per week. They pay \$2.50 per week for rent. You can then imagine how these people are living under our present prosperity.

It is pitiful to look at these people and their conditions. I have been quiet for some time and had nothing to say as I have been victimized as a labor leader in this section, but cannot stand to see humanity forced down so far below reasonable standards. God in Heaven never created men to be slaves of the capitalists in this country. Perhaps they may make a slave of me, but if it takes that to free the mass of people from the slavery they are imposing on people, I would be glad to give my freedom.

There is but one hope I can see and that is to organize a "United Front" and let o-e be for all and all for one. JOHN ANDERSON.

## Pharmacists Fight Lesson Concerning Organization

By a Worker Correspondent. CUSHING, Okla.—I am a Negro woman and, as I have no family, they will not give me any work on the F. E. R. A. I am a school teacher with good references, but that does not help. I joined the Unemployment Council here two months ago. When I was called on by the case workers of the F. E. R. A. I showed them the different things I had from the Unemployment Council. I never asked for a check or anything, but they quietly wrote me a check for \$4.30. They said they thought I needed it.

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## The New Deal Drive Against Living Conditions

Of the total of 123,000 sugar workers a few years ago, it is computed that only 60,000 found work this zafra, with the prospect of only three months labor. They earned an average of \$169 for the past year. The needle workers (50,000), women and children, working in disease breeding conditions, earn, according to the magnanimous N. R. A. code, two dollars weekly, and recently the "great President Roosevelt" as the Socialists characterize him, has seen fit to protect the interests of the Yankee needle bosses by reducing even this miserable minimum. The other sections of the working class earn about the same average slave wages, and are under the grip of the sugar industry rhythm, working only a few months a year (stevedores, railroad, truck-drivers). The demagogic words of a political leader, who said: "Our nation is a nation of beggars, and those who work, do so for the same misery that the beggars beg for," have a basis in fact.

## Roosevelt Prepares for War in the Caribbean

Hand in hand with these "salvation" plans, go the New Deal drive for war, in which Puerto Rico is an important base for the protection of the Panama Canal. The U. S. Army has 1,000 regular troops quartered on the island, plus several military and naval bases and two powerful radio stations. A fortified naval base is maintained on Culebra Island, off the coast, which at present is the scene of the maneuvers of the Atlantic fleet. Governor Winship, who also claims the distinction of being an army general, was an interested spectator at these maneuvers. Sham air battles are being fought daily over San Juan, the capital, and it has been reported "theoretically" destroyed. The National Guard has been given orders (published in the press) to learn the use of poison gas. When the present dredging of San Juan Harbor is completed, the entire Atlantic fleet will be a fortified base. A huge dock is being built in Ponce, on the southern coast, which will permit the anchoring of eight deep sea vessels. It has been reported that ten million dollars will be spent constructing "fortified air bases" under the guise of public works, the strategic roads, the military headquarters and the fortifications are being repaired. In the World War, Puerto Rico supplied the troops to guard the Panama Canal, and several native regiments are quartered there now. It need only be added that the Police Force is organized on the Prussian model under the command of an American army officer.

# YOUR HEALTH

Medical Advisory Board

Doctors of the Medical Advisory Board do not advertise.

Meal and Milk. C. Z. of Chicago, Ill., sends us the following clipping: "British medical men declare positively that 'drinking milk within two hours after eating meat is highly detrimental to the digestive system.' Moses could have told them that long ago. His rules allow no milk with meat! The Bible rules forbidding you to 'seethe' or otherwise cook a kid in its mother's milk was intended to protect those that eat the meat and does not merely express sympathy for the mother. 'Milk, a most valuable food, should be taken from infancy to old age, but not with meat.' 'We are not aware of any recent dietetic studies relative to the inclusion of milk and meat at one meal, which prove that this mixture is 'detrimental to the digestive system.' We can only say that both, being protein foods, are not necessarily in one meal. But we have seen no serious digestive ailments whose cause could be traced to the habit of having milk after a meal containing meat. Milk has for years been used as a means in healing and curing stomach ailments, with meat more or less excluded from the diet at first. It is our experience that people with good digestions can digest with meat, and those who have some stomach ailments would suffer not only if they drank no milk after meat, but even if they religiously separated the very dishes in which meat and milk are kept. Nervousness and Constipation. R. H. of Ridge, Mont., writes: 'I am a girl of twenty-one years and am recovering from a nervous breakdown due to over-work, worry and responsibility, since I was thirteen years old, having had to care for my father's household. Also, I have always been very constipated, and still am. I have a good appetite, but I don't think I eat foods that are supplying the right nutrition. Are there any kinds of simple exercises good to strengthen weak and depleted nerves? I am not able to do strenuous ones. I have read that deep breathing is very good for the nerves, also not to eat much salt. Is this true? Will warm or hot milk help, also daily baths, and what should the temperature be? In addition to this I know I must try to correct some very nervousness mentally, but my condition is mostly physical. I do some work at home, dishes, etc., and other light work, but I get all exhausted and nervous if I try to do very much. I weigh 122 pounds, and am four feet, eleven inches. I have been gaining weight since I was sick. My tongue is very coated and I have a terrible complexion, muddy, sallow and very dry.' Our Advice. THERE are no special foods, diets, exercises, tonics or deep breathing exercises to 'strengthen' the nerves. Using or not using salt does not make any difference. A daily bath, if available is advisable, but for cleanliness, not for the nerves. The doctors who examined you have told you that there is no organic condition present that you have no physical disease. From your letter we believe that they are right. We believe your troubles are due in large part to too great interest in your body and your symptoms. You are especially too much concerned about your bowel tract, your diet and the number of your bowel movements. Your diet should include fruits, vegetables, meat, milk and cereals. If you are constipated you should take mineral oil one to two table-spoonfuls at night until you get a regular movement. Then it should be discontinued. The bowels should move once a day, but if you miss an occasional movement it is not a tragedy. In order to rid yourself of this excessive interest in your body and its functions, you should acquire and encourage other interests in the people and conditions around you. You should take part in the activities in your neighborhood. Best of all would be for you to get a job. We know how difficult it is to find jobs today, but if you could find work, it would help you greatly. We strongly advise you against taking 'nerve tonics.' They are a complete fraud. You can make better use of the money by spending it on food or on books, but not on books telling about diseases and symptoms. In brief, forget your bowels and redirect your interests to the world outside.



AN OBITUARY. By a Worker Correspondent. NEW YORK.—A friend of mine has died. A man who was known as a "good man," a real American and a credit to his country. A genuine family man, devoted to his wife and child and leading faithfully every day to keep up with the mortgage on his home. In his neighborhood he was pointed out as a model husband and an ardent churchgoer. In his political views he followed blindly without question the Roosevelt regime and policies. Woe to him who would say differently in his presence. A picture of the President hangs in the front parlor. Now he has died. Here is his obituary—an analysis of what he has left behind which will not be mentioned in the death notice in the newspapers. A wife in a sickly state with a one-year old child. On her hands is a mortgaged home, which possession (in name only) will bar her from the benefits of the Widows Pension, (also inadequate) and also Home Relief assistance. She must in order to partake of welfare in her desperate need, release the home to the bankers, and be declared a total bankrupt to the satisfaction of the State, Federal and municipal authorities. What a travesty on justice. This man should have joined the struggle to force enactment of sufficient insurance to take care of such emergencies. He should have fought for passage of H.R. 2827, for a workers and farmers government which would have guaranteed his loved ones the roof over their heads.

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"FRESH AIR FUND" of the MEDICAL ADVISORY BOARD 50 East 13th St., New York City I enclose \$... as my contribution towards sending children of unemployed workers to Camp Wood-Cliff. Name \_\_\_\_\_ Address \_\_\_\_\_ City and State \_\_\_\_\_

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# Sacramento Verdict Evidence of New Terrorism Against Labor

### MASS PROTEST FORCED SPLIT VERDICT—UNITED FRONT MUST BE BUILT AT ONCE TO FORCE NEW TRIAL OF FRAMED WORKERS

**E**IGHT workers have been found "guilty" in Sacramento, California, on charges of "criminal syndicalism," and face prison terms from one to fourteen years.

This brutal verdict comes after a trial lasting over eighteen weeks, a trial marked by every trick of capitalist frame-up, by perjury, false witnesses, stool-pigeon testimony, and above all, by an organized campaign of terrorism and lynch incitement carried on every day by the capitalist press.

In this capitalist frame-up of workers, seized for no other "crime" than that they were active in organizing miserably oppressed agricultural workers on the

slave ranches of lower California, the fascist Hearst press had a leading part.

The long deliberations of the jury, the split verdict, freeing six, are obvious evidence of a compromise forced upon the court by the nation-wide mass pressure of workers from all over the country.

The meaning of the Sacramento verdict, in the most monstrous California frame-up since Tom Mooney was framed in 1917 by the Power Trust, is that the employers, the open-shoppers and their reactionary agents, are getting ready to wield this club of "criminal syndicalism" against American labor in a new drive against all trade unions and working class groups.

The stoolpigeon activity of the Trotskyite Mini got its reward in the recommendation for his probation.

The Socialist Party of California added to its record of sabotage by refusing to participate in any united action to fight for the defendants.

*But the mass pressure that cracked the frame-up, forcing the release of six of the defendants, is a force that can smash the whole frame-up. The great victory in the Scottsboro case is a mighty proof of the power of mass pressure!*

The open co-operation of the Court and its Judge Lemmon with the perjurers and prosecutors reveals once again how obedient to the capitalist class are all capitalist courts.

In California, mass meetings are being organized all over the state. In Los Angeles a tremendous protest demonstration is planned for April 6 in the Philharmonic Auditorium. On May 1 a large united front demonstration has been arranged at the Dreamland Rink in San Francisco!

The example of these protest meetings should be followed all over the country! The united front defense of the Sacramento defendants must be built!

Rush protests at once to Judge D. M. Lemmon at Sacramento and Governor Frank Merriam, also at Sacramento! Demand a new trial for the Sacramento defendants!

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WEDNESDAY, APRIL 3, 1935

Trade Commission reveals, to the N. R. A. chief, Donald Richberg, proved unavailing. Richberg saw nothing wrong in the N. R. A. helping to enforce monopoly gouging through high prices.

This contrast gives a typical example of the N. R. A.—false promises to labor, high, monopoly profits for capital.

### The Wilkes-Barre Writs

**I**N Wilkes-Barre, Pa., 29 leaders of the Anthracite Miners of Pennsylvania are in jail for refusing to obey an injunction which ordered them to call off the strike of 14,000 miners against the Glen Alden Coal Company.

Tomorrow, 91 other miners are ordered to appear before Judge W. A. Valentine, who issued the mandate ordering the strike called off, on contempt of court charges. They also face jail.

When the 29 appeared before Judge Valentine, he asked them whether they would obey Judge Valentine's mandate. Their answer was "No." He asked them whether they would obey the injunction if it was upheld by the State Supreme Court, to which it was being appealed. Their answer was a louder "No."

"We have seven more sets of 91 to step in and carry on the leadership of those which are jailed," the miners of Wilkes-Barre say.

These miners, fighting for their elementary, daily needs, are carrying on a struggle against this vicious injunction. It is a struggle for the rights of all labor, against law-making by decree, against the power of courts to determine whether a worker shall have the right to demand a living wage.

Support the striking miners of Wilkes-Barre! Defend their right to organize and strike. Send your own protest, and the protest of your union local, your mass organization.

### 'New Deal' in Aluminum

**A**NDREW MELLON'S aluminum trust netted a profit of \$6,466,149 for the year 1934—a 300 per cent increase over 1933.

On the other hand, the more than 10,000 workers of the trust had to conduct a bitter strike in August, 1934, in an effort to catch up with the rising cost of living. Today the workers find themselves no better off than they were at the lowest point of the crisis.

Meanwhile, while Arthur V. Davis, chairman of the Aluminum Company of America directors, is gloating over the broadening market for aluminum products, Mellon, former Secretary of the Treasury, appeared before the Board of Tax Appeals, to explain why he defrauded the government of \$3,000,000 in income tax, at the time when he was still a cabinet member.

The "broadening" of the market is undoubtedly to be attributed to increased building of airplanes in the United States and abroad.

Aluminum workers can see from their own case how the Roosevelt "New Deal" works out. For the bosses—a 300 per cent increase in profits! For the workers—continued poverty and want!

### The Vote for Sugar

**T**HE first reports just wired in from Detroit indicate that Maurice Sugar, united front candidate of labor, for the office of Judge of the Recorders Court, polled the large vote of 63,000.

This mass vote for an avowed fighter against the employers is more than two-thirds of the vote for the winning candidates, and is a splendid indication of what could have been accomplished had there been organized a mass Labor Party to back Sugar in his fight.

The committee that roused this widespread support for a working class candidate had none of the resources that would have been available to an organized party. Yet it was able in a short time to pile up this mass support.

Sugar had won the respect of the workers as a fighter for their rights and interests against capital. He is a foremost fighter for Negro rights. The mass vote for him is therefore a direct answer to the slanders of the Hearst press against him. The 63,000 vote is a defiance of the fascist threats of Hearst.

## Party Life

By CENTRAL ORGANIZATION DEPARTMENT

Fighting High Prices

A Consumers Strike

Changing Slogans

THE struggle against high

prices of commodities,

against the taxing of the

poor, against the lowering of

the living standards of the

workers in one form or another

will become an every-

day struggle during this period of

monopoly capitalism. We must

learn how to conduct these strug-

gles and how to learn from our mis-

takes. We can learn lessons from

the recent struggle against high

prices of kosher meat in Phila-

delphia and Chicago.

First, we must prepare for the

struggle by mapping out a clear

line of perspectives and make clear

to the workers whom the struggle

is against and how to conduct it.

In these struggles it will be neces-

sary to draw in the middle class,

since they, too, are victims of mono-

poly capitalism.

Although we kept saying that we

want the butchers with us, we put

too much emphasis on the slogan,

"pick the butcher shops." By this

we oriented the whole struggle

around the butchers instead of the

trusts, and instead of politicizing

the struggle by exposing the politi-

cians of the neighborhood, the Con-

sumers' Division of the N. R. A.

and the whole price-fixing policy of

Roosevelt.

Second, the slogan "Don't Buy

Kosher Meat" was a good slogan for

rallying thousands of workers for

the struggle. But, at the same time

it should have been clear that we

could not keep masses from buying

meat for a long period of time and

unless we succeeded in broadening

the struggle and politicizing it,

drawing hundreds of workers into

our movement, the whole struggle

would collapse within a short period

of time. This we did not see. For

a short time we succeeded in par-

alyzing the Kosher Meat Industry,

but instead of organizing open

hearings, demonstrations in front

of the trusts, demonstrations in

neighborhoods, delegations to the

consumers' division of the N. R. A.

in Washington, we continued with

our slogans—"Pick the butcher

shops" and "Don't buy meat." We

did not once invite the local politi-

cians or someone from the price-

fixing board to our meeting and

demand from them a stand on this

question.

Our literature, Daily Worker and

even the Jewish Freiheit, were not

distributed properly, and the Frei-

heit carried statements which would

only confuse the workers. For ex-

ample, after it was decided at a

fraction meeting that the two

slogans "Pick the butcher shops"

and "Don't buy meat" be left in the

background, and where in one sec-

tion it was decided at a mass meet-

ing that the workers, in order not

to isolate themselves, should buy

meat, the Freiheit came out the

next day with a statement in which

the article centered around both of

these slogans. This shows that the

comrades leading the struggle did

not have the correct orientation and

did not know how and when to

change the slogans when it was

## MASS PRESSURE DOES IT AGAIN!

by Burck

# FREE THE SCOTTSBORO BOYS!



## Letters From Our Readers

### Harlem Worker is Witness Of Police Brutality

Brooklyn, N. Y.

Comrade Editor:

As an eye-witness who saw the

events that took place in Harlem, I

wish to express my views of what

took place. The matter is of grave

political as well as of social im-

portance. To analyze the basis of

what took place in Harlem, one must

know many important factors.

Since working in a grocery store

on the outskirts of Harlem, I can

see before my very eyes the

vicious discrimination, rotten jim-

crowism, beating and mauling of

the Negro people. These are not

isolated cases.

One thing I wish to bring out,

that the recent event in Harlem

was not a race riot, but the result

of brutal beating and terrorizing of

the Negroes by our guardians of the

law, the New York City police force.

B. M.

### Sees Coming War, Pledges Revolutionary Struggle

Merion Station, Pa.

Comrade Editor:

Your analysis of world events is

gratifying. I am not connected

with the Communist Party in any

way. You might say that I am a

strong friend and sympathizer.

I am twenty-six years of age, just

right for the army, good vision,

good hands, good everything, of a

long line of American stock. I

learned what little I know of Com-

munist by reading the foul lies of

the capitalist press and reasoning

about what has passed my vision

of the American scene in the past

five years.

A great power to the Soviets. I

for one will do my best at any post

at which I am placed to win my

fellows-soldiers for the revolution.

Hope this does not sound boast-

ful, but no one will be able to say

when the time comes that I am not

an American and that I am not

### Will Later Make War in Name of "Americanism"

Philadelphia, Pa.

Comrade Editor:

With war approaching, the

"statemen" and publicists and lec-

tures are dusting off all the old

speeches and belching forth the

pious prattle that has always pre-

ceded a display of righteousness,

indignant and militant "American-

ism." Recently the Hon. P. H. Hud-

brandt, Representative from South

Dakota, threw the following smoke

bomb: "In the name of the toiling

masses who fight, suffer and die in

war supervised by others; in the

name of the Nation's Mothers; in

the name of true Americanism that

despises the false; and in the name

of humanity itself, let us insist

upon peace."

"Toiling masses, mothers, human-

ity itself"—these are but false god-

god-a fearful, murderous, venge-

ful god, Profit! And when this

holiest of holies is threatened, when

capital is endangered, what matters

the suffering and death of the

toiling masses, what matters the

Nation's mothers, what matters

humanity itself? The toiling masses,

plus the mothers, equal humanity,

and the mothers create the toiling

masses, but for what and for whom

do the masses toil?

The masses, too, have been led

to worship of that god. They will

waken, will stop forging their own

chains, and will come to realize

their own power. To their chil-

dren, speeches like that of Hilder-

brandt, will be absolutely incom-

prehensible. H. A.

### Urges Action Against Yorkville Nazis

New York, N. Y.

Comrade Editor:

Last night at the Yorkville Casino

(86th Street between Second and

Third Avenues), a mass meeting

celebrating the Saar "victory" was

held. The Nazi organ, "Deutsche

Beobachter," was everywhere in

evidence. But no Red Builders sell-

ing Daily Workers could be seen.

As a bourgeois sympathizer, I'm

forwarding this information to a

place where I know it will do the

most good. Advising Rabbi Wise,

Dickstein, Untermyer and their

ilk is a waste of precious time.

Since the "Feuhner's" latest pro-

ouncements, the Nazis in Yorkville

get more brazen by the minute. A

leaflet which was distributed and

which I am sending you, will bear

me out.

We need more Red Builders in

Yorkville and particularly in 86th

Street from Lexington to Second