

Biddle's New Pretext For Prosecuting Us

By FELIX MORROW

— SEE PAGE 3 —

THE MILITANT

Official Weekly Organ of the Socialist Workers Party

VOL. V—No. 38

NEW YORK, N. Y., SATURDAY, SEPTEMBER 20, 1941

207

FIVE (5) CENTS

TRIAL OF 29 SET FOR OCTOBER 20

The Government Is Railroading The 29 To Jail

Let There Be No Illusions About This Case;
Biddle And Roosevelt Are Going Through
With Their Vile Frameup Against SWP

An Editorial

On October 20, just one month from today, the 29 defendants in the government's "seditious conspiracy" prosecution of the Socialist Workers Party and Local 544-CIO go on trial in the federal courtroom in Minneapolis.

This date was set by Federal Judge Matthew M. Joyce last Thursday, after he had upheld the indictment drawn up by the Department of Justice against the defendants. After hearing a day and a half of argument on the indictment, Judge Joyce took ten minutes to decide to uphold it. He gave little more consideration to the defense plea for three months to prepare the case.

The government is determined to rush this case to trial and is having its way. The government is determined to go through with this frameup and railroad the defendants to jail. If there were any illusions on this question, they are ended by Attorney-General Biddle's letter to the ACLU (See page 3).

When the Department of Justice drew up the indictment and had it approved by a federal grand jury on July 15, its immediate purpose was to come to the aid of AFL Teamsters Chief Daniel J. Tobin. On June 13 Tobin had appealed directly to Roosevelt for aid against the Minneapolis motor transport workers, Local 544, which on June 9 had disaffiliated from the AFL and joined the CIO.

The 'radical Trotsky' organization 'must be in some way prevented from pursuing this dangerous course,' appealed Tobin to Roosevelt. Roosevelt responded to this appeal, the same day, with a statement denouncing the CIO and Local 544, and the President's Secretary, Stephen Early announced that Roosevelt "asked me to immediately have the government departments and agencies interested in this matter notified." (New York Times, June 14). They were notified — and the indictment followed.

If Biddle and Tobin thought that the indictment would demoralize Local 544-CIO, they have been proved wrong. In spite of the federal prosecution, in spite of Tobin's thugs, in spite of the open aid to Tobin by the state administration of Republican Governor Stassen, the membership of Local 544-CIO has remained firm in its solidarity with the indicted leaders. And the success of Local 544-CIO in leaving Tobin's set-up has inspired a wave of teamsters' union revolts against Tobin.

All the more necessary, therefore, is it for Biddle and Tobin to rush the trials and railroad the union leaders to jail. Only by beheading the union can they hope to force the motor transport workers of Minneapolis into Tobin's "union."

After a careful investigation, the American Civil Liberties Union has come to the conclusion that in this case "the government injected itself into an inter-union controversy in order to promote the interests of the one side (Tobin) which supported the administration's foreign and domestic policies." Roosevelt is today more than ever in need of the support of the Tobins and of crushing the militant anti-war sentiment represented by the Socialist Workers Party and Local 544-CIO.

The difficulties that Roosevelt is having in putting over his war program are indicated by the fact that he did not dare seek Congressional endorsement for the "shooting war" which he has decreed in the Atlantic. In March, 1917, for a much less decisive step — arming of merchantmen to repel submarine attacks — Wilson secured Congressional endorsement. Today Roosevelt cannot even approximate the "democracy" of Wilson! And if he does not have a majority in Congress for war, Roosevelt has far less backing for war in the American people.

All the more necessary to the administration, therefore, is a speedy conviction of the 29 defendants. It would be a serious blow against the most militant and anti-war section of the CIO. And the conviction of the Socialist Workers Party leaders would constitute a precedent, both legal and political, for further prosecutions against all anti-war groups and militant unionists.

The government is going through with this frameup. Only the widest possible support of the defendants by the labor movement, only the broadest protests against the prosecution, can save the defendants from conviction and long prison terms.

Grain For The Soviet Front



Soviet collective farmers do their bit in defense of the Soviet Union by bringing in their harvests to a grain center as a contribution to the fight against the Nazi imperialists. Their banner reads: "All the harvest for the front."

Stalinists Declare War Against John L. Lewis

The Stalinists have declared open war against John L. Lewis in the union movement because he will not declare his support of the Roosevelt war program. In an editorial on September 16, the Daily Worker says:

"The unity of labor against Hitler would also be hindered by any illusions that in spite of Mr. Lewis' support of the foreign policies of the administration, he could continue to have a progressive policy on other questions. But the person whose policies help Hitler, cannot help labor to fight on other issues. Those who may doubt this, are due for a rude awakening."

The occasion for this statement of policy on Lewis by the Daily Worker was the issuance on Sept. 14 by General Robert E. Wood, national chairman of the American First Committee, of a statement signed by an "independent group" of 58 people. These 58 included Lewis' daughter, Kathryn, and the statement is therefore regarded as an expression of his views as well.

Like most of Lewis' other statements on the war, it is a typical isolationist document. It criticizes Roosevelt's September 11 "shoot on sight" speech — not because it is a step in the government's imperialist war plans, but because Roosevelt took this step without first consulting Congress. It does not oppose imperialist war as such, but merely some of Roosevelt's methods in leading the country into the war. As such, it in no way serves the interests of the struggle against war and is no more acceptable to the genuine anti-war forces than it is to the warmongers.

But the important thing about the Sept. 16 Daily Worker editorial is not merely that it attacks Lewis' position on the war. For the first time, the Stalinists state that not only will they fight against his position on the war, but they will fight him on all questions. When this is added to the fact that the editorial has no word of criticism of Hillman, Knudsen's office boy, the future direction of the Stalinists is plainly indicated.

At the same time there has been evidence that the Hillmanites are not averse to accepting the aid of the Stalinists in the fight to seize control of the CIO and subordinate it to the administration.

In a long editorial bemoaning the defeat of James B. Carey at the recent UE convention, made possible only because a large number of Hillmanites at the convention were willing to unite forces with the Stalinists, the Sept. 13 New Leader, organ of the Social Democrats, warns that the Hillmanites are considering making an alliance with the Stalinists. The New Leader says: "We speak frankly because we

know that new alliances with the Communists are in the making, involving men prominent in the labor movement and close to the administration."

Thus the scene is being laid for a Stalinist-Hillmanite united front at the coming national CIO convention not only against Lewis' position on the war, but also against those progressive union policies with which his group has been associated up to now.

Class conscious workers will find nothing to choose between the Lewis position and the Hillmanite-Stalinist position on the war. But they will find disputed between these groups other important questions that will determine the future of the CIO as the progressive industrial union movement in this country.

The Hillmanites - Stalinists stand for support of and collaboration with the government in its efforts to hogtie the unions while the Lewis forces seek the independence of the CIO. The Hillmanites-Stalinists cover up and glorify the National Defense Mediation Board and Roosevelt's strike breaking, while the Lewis forces attack and condemn them. The Hillmanites-Stalinists are headed in the direction of unity with the AFL at the expense of the gains of industrial unionism, while the Lewis forces insist on extending and building the CIO so that industrial unionism will

SIU Strikes East Coast For War Bonus

BULLETIN

NEW YORK, Sept. 17.—Telegram received at SIU strike headquarters: "Members of SUP in meetings on a coast-wide scale, went on record to back you up 100% in your just action for high-bonuses." (Signed) Harry Lundberg, Secretary-Treasurer, Sailors Union of the Pacific.

NEW YORK, Sept. 16.—Indications that the Seafarers International Union (AFL) East Coast strike for higher war bonus and insurance payments, would be extended to the West Coast, were seen today when the Strike Committee sent telegrams to the Sailors Union of the Pacific, West Coast affiliate, to take action in support of the strike.

The striking seamen are demanding from the shipowners an increase in the present war bonus of \$60 per month above the basic pay, an increase in the \$5,000 war risk insurance, and the extension of the bonus and insurance payments to West Indies and South American runs. At present South American runs pay no bonus or insurance benefits. The prospect of unrestricted sea warfare in all parts of the Atlantic prompted the seamen to make these demands.

The East Coast strike has already tied up seven ships of the Alcoa line as well as ships belonging to the Calmar Steamship Company and the Waterman line. Picket lines have been thrown around the ships in New York, Mobile, New Orleans and Boston. The strike will affect scores of other ships as they reach Atlantic and Gulf ports.

The militant strikers are carrying placards which read: "American ships sunk by Nazis: S.S. City of Rayville, S.S. Charles Pratt, S.S. Robin Moore, S.S. Steel Seafarer, S.S. Sessa. How many more lives before the shipowners grant adequate war risk insurance and bonus?"

not be endangered when the labor movement is reunited.

These are life-and-death questions for the CIO. Militant workers, without conceding a single one of Lewis' false ideas on the war, will have no choice in the struggle over these questions but to side with the Lewis forces against the Hillmanite-Stalinist united front which not only wants to drag the workers into the war, but is willing to weaken and wipe out the gains of the CIO for the last 6 years to do it.

UAW Adopts Plan To Save Jobs

FLINT, Mich., Sept. 15, 1941 — The Chevrolet, Buick and Fisher Body locals in this center of the UAW, have launched a militant and vigorous campaign against the threat of priorities unemployment, and this week laid the groundwork for the mobilization of the auto workers around a fighting program which will give the lead to all workers in the automotive industry, and provide a solution for all CIO workers who are faced with similar problems.

Taking the program of the International Executive Board of the UAW as a starting point, the Flint locals have proposed to enlarge and expand that program towards a real solution. The UAW top committee in charge of the unemployment problem brought about by defense priorities has already reached an agreement with the Automobile Manufacturers Association to transfer UAW men on a preferred basis to defense plants on a seniority basis.

The Flint plan, as initiated in the Chevrolet local, and now fully endorsed by the Buick and Fisher Body locals, proposes first of all the setting up of rank and file committees representative of the various departments in each plant to mobilize the rank and file and lead the fight. In addition the Flint plan demands the

following:

1. All workers covered by UAW agreements shall be transferred to and have preference in defense industry on a seniority basis (already agreed to).

2. All UAW workers shall receive the same rate of pay on defense jobs to which they are transferred as they now receive in the auto plants.

3. In order to effect this program and avoid unemployment, and to AVOID THE NECESSITY OF GROUPS OF WORKERS LEAVING THEIR RESPECTIVE TOWNS to distant localities, the following supplementary points shall be instituted.

a. All production schedules in auto shall be compressed to be carried out in the first months of the year to the end that no mass-layoffs shall be

necessary in the coming three to four months.

b. The question of the distribution of defense orders, their geographical location, their plant allocation, as well as the question of the geographical location of new defense plants shall NO LONGER BE DECIDED BY INDUSTRIAL MANAGEMENT ALONE, but shall be decided by joint committees of the UAW and the auto manufacturers with the purpose that men shall not be forced to hunt jobs in various cities, but that jobs be brought to cities which the demands of labor indicate.

c. Specifically for Flint, the union shall demand that the Buick plant being built in Chicago be used for some other purpose, and the assembly of (Continued on page 2)

Demurrers Not Granted SWP, 544-CIO Leaders

Judge Overrules Charge of Defendants
That Basis for Indictments Is False

MINNEAPOLIS, Sept. 12.—Overruling demurrers to an indictment charging 29 men and women, including leaders of the Socialist Workers Party and of Motor Transport and Allied Workers Industrial Union Local 544-CIO with "seditious conspiracy", Federal Judge Matthew M. Joyce today set the trial of the 29 for October 20th.

His action was taken immediately after a day and a half of argument by defense attorneys that the indictments were faulty because they failed to give sufficient detail about the alleged "conspiracy". The constitutionality of the Smith Act, passed in June, 1940, which constitutes the basis for one of the counts against the defendants, was also attacked.

Opening the argument for the defendants, former Judge Arthur LeSueur argued that the indictment contained nothing but the "conclusions of the prosecutor" that the defendants were planning "to bring about the overthrow by force of the government of the United States". No detail about the steps by which this alleged overthrow of the government was to be brought about were included in the indictment and therefore "it is improper and unlawful to send defendants to trial under such an indictment," LeSueur insisted.

Opinions of liberal jurists were cited to prove that indictments which contained only general and undefined charges of crimes are faulty, and that criminal charges against defendants

must be made directly in the indictment and not inferentially. Referring to the indictment drawn up by the Department of Justice and voted July 15 by a Federal Grand Jury in St. Paul against the 29 defendants, LeSueur said that its charges were

"in words only, and were not backed up by one single allegation of a criminal act."

Moreover, he pointed out, there was no record in the indictment of the role of individual defendants. (Continued on page 2)

NOTED FIGURES SIGN FUND APPEAL FOR 29

NEW YORK, Sept. 15.—The Civil Rights Defense Committee, an organization rallying support to the 29 defendants who will go on trial in St. Paul on October 20 to face charges of "seditious conspiracy" to overthrow the government, today released an "Emergency Appeal" signed by James T. Farrell, Carlo Tresca, John Dos Passos, Margaret De Silver and Charles Rumford Walker. The appeal has also been endorsed by the American Civil Liberties Union.

The signers of the Appeal characterize the indictment of the 29 members of the Socialist Workers Party and of Motor Transport and Allied Workers Industrial Union, 544-CIO as "the most sweeping attack upon civil liberties and labor's rights in many years," cite the need for funds to pay for bail, legal expense and publicity, and urge prompt and generous contributions to the Civil Rights Defense Committee, 160 Fifth Ave., New York City.

The full text of the Appeal follows:

"The Civil Rights Defense Committee, which is directing the general defense in this case, has already, together with the National CIO, provided bail and counsel for the defendants. It requires \$7,500 to pay for bail premiums, legal expenses and publicity. It must provide for 29 defendants during a trial of several months.

"The Federal prosecutors, anxious to obtain speedy convictions, have demanded trial early in October. The defendants have only a few weeks to prepare their case and rally public support. They need help — and need it quickly.

"We urge you to aid the defendants by contributing — promptly and generously — to their defense fund. Make all checks payable to the Civil Rights Defense Committee. (Signed) James T. Farrell, Carlo Tresca, John Dos Passos, Margaret De Silver, Charles R. Walker."

