

ember 6,
As from
this hour
you use your
power,
The World
must follow
you

THE INDUSTRIAL ORGANIZER

Official Organ of Motor Transport and Allied Workers Industrial Union Local 544-CIO
MINNEAPOLIS OFFICE: 406 EAST HENNEPIN AVENUE

Sec. 562 P. L. & R.

Stand all as
one
Till right
is done!
Believe and
dare and do!

MINNEAPOLIS, MINN. SATURDAY, MAY 16, 1942

FIVE CENTS

Kelly Postal's Conviction Must Be Appealed

He is Victim of Tobin "Embezzlement" Frame-Up

Tobin Dictatorship Facing Revolt

Cincinnati Drivers Fight Way Out of Tobin Receivership — Showdown Pending Between Tobin and Goudie in Chicago — Tobin Receiver Locks Door on Dubuque Drivers

The hammer blows dealt the Tobin dictatorship last summer by the Minneapolis drivers are just now beginning to take full effect on the structure of the AFL Teamsters International. From Cincinnati, from Chicago, from various Mid-Western points and from the West Coast comes news of the widening fissures in the Tobin empire.

The 15,000 drivers in Cincinnati, after 24 years of Tobin dictatorship, loosened the bonds of the Tobin dictatorship. In Cincinnati, according to the Chicago Tribune, the Teamsters Joint Council is in head-on revolt against Tobin. In Dubuque, the Tobin agents have had to lock the doors of the union hall in an effort to prevent the rank-and-file from voting on the democratic will of the people is strongly against Tobin's ugly rule.

On the west coast, Holy Land, the very agent upon whom Tobin leaned to direct his native fascist drive against the Minneapolis driving Business, has received his walking papers from Tobin.

In Chicago, the fight against Tobin at present expresses itself as a struggle between International Organizer Leslie Goudie and the Indianapolis dictator, Goudie, president of the Chicago Teamsters Joint Council since the spring of 1940, and vice president of the International, was recently ousted by Dictator Tobin.

The story is told in the Chicago Tribune for May 2, 1942, on page 2.

"Members of the Chicago Teamsters Joint Council, it was disclosed yesterday, have presented a strongly worded request that Daniel J. Tobin rescind his recent ousting of Leslie J. Goudie as international organizer for the union."

"Tobin late in March informed Goudie that he was removed as organizer 'for the good of your health,' the order to take effect April 1. Goudie's only comment on the matter within the union was: 'I don't feel sick.'"

According to the TRIBUNE, some of the council members who felt that the order of removal was a political way in which to campaign was based on the dislike for Goudie and his popularity in Chicago. The same persons said that the March Goudie was asked to form a committee of three to conduct a tire rationing study committee. The appointments were made by Tobin disregarding them and those of the Chicago representative.

On March 24 when Tobin was before the Chicago Teamsters Joint Council to explain himself he is reported to have said: "I am the international representative and have the right to remove any international representative."

Warfare Pending

A committee from the Chicago Teamsters came to Indianapolis to protest before Tobin and Goudie. Tobin rejected the protest in the usual arrogant way. He is now believed to be planning warfare in Chicago and the West.

Goudie himself is a typical Teamster. He comes from a small town, is a driver-salesman, the type of man, Butter and Egg Driver, local 772, of which he has been secretary-treasurer since 1930. He has built his power



Coming Up!

N. Y. Railroad Council Votes Support to CIO Defendants

V. R. Dunne Touring West Coast

Support for the 18 leaders of Local 544-CIO and the Socialist Workers Party convicted under the Smith Gag Law has come from the powerful Rochester Railroad Council, a delegated council from the 21 railroad unions in the Rochester, New York, area.

The Rochester progressive council is one of the hundreds of CIO and AFL councils supporting the 18. Following is the resolution adopted at its April meeting:

WHEREAS, the Smith Gag Law, passed in 1940 by Congress, is a direct attack on freedom of speech, the press and labor in general; and
WHEREAS, 18 leaders of Local 544-CIO of Minneapolis and the Socialist Workers Party have been victims of a vicious frame-up as a result of this law; and
WHEREAS, these workers are carrying this case to the United States Supreme Court to test the constitutionality of such an anti-labor law; and
WHEREAS, we recognize this as a general attack on labor and therefore a fight that all labor must rally to;

BE IT RESOLVED, that the Rochester Railroad Council goes on record condemning these convictions of workers under this law, pledges its aid in helping to fight the case to the Supreme Court; and
BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to President Roosevelt, Attorney General Biddle and Local 544-CIO of Minneapolis; and
BE IT FURTHER RESOLVED, that we donate \$5 to be forwarded to the Civil Rights Defense Committee as a contribution to defend these workers.

The tour of 22 eastern cities by V. R. Dunne, sponsored by the Civil Rights Defense Committee, was so successful that the CRDC is now touring Brother Dunne, Local 544-CIO organizer, throughout the Middle West and along the West Coast.

Dunne has been speaking on behalf of the 18 members of the Socialist Workers Party and Local 544-CIO who were convicted in the Minneapolis labor trial last December of violating Poll-Tax Smith's "Gag" Law.

Everywhere trade union, labor and liberal groups of all kinds have welcomed Brother Dunne's tour and extended support to the Civil Rights Defense Committee on behalf of the 18 defendants. Brother Dunne will return to Minneapolis the end of May.

Drivers, Who Know Him Best, Asked to Support His Appeal

Local 544 In New Quarters

The Motor Transport & Allied Workers Industrial Union, Local 544-CIO, has moved into its new headquarters at 406 East Hennepin Avenue. The union offices occupy Rooms 12-14 on the second floor. The offices are open Monday evening and each day from 9 to 5 p. m. There are numerous halls and auditoriums in the immediate neighborhood, available for union membership meetings. Local 544-CIO retains its old telephone number, Atlantic 4911.

Many Central Labor Bodies Support 18

The list of central labor bodies in various cities who have adopted resolutions pledging moral and financial support to the 18 defendants in the Minneapolis "sedition" trial is growing more impressive week by week.

Among the CIO councils and AFL central bodies who have supported the defense are the following:

New Jersey State Industrial Union Council; Steel City Industrial Union Council (Pittsburgh); United Shoe Workers Joint Council No. 13, New York City; Bridgeport Industrial Union Council; United Auto Workers District Council, Lockport, N. Y.; CIO Council No. 2 of Bucks County, Quakertown; San Francisco Industrial Union Council; St. Louis Industrial Union Council; International Ladies Garment Workers Joint Board, Baltimore; St. Louis Joint Advisory Council, U. R. & W. Employees; Dress & Waistmakers Joint Board, ILGWU, A.F.L., New York City.

Among the local unions to contribute to the Civil Rights Defense Committee in recent weeks are the following: United Auto Workers, Goodyear Aircraft Local, Akron, \$50; Newton Tile Local No. 75, New Jersey, \$10; United Rubber Workers Local 107, Trenton, \$25; Doll & Toy Workers Industrial Union Local 224, Trenton, \$25; Textile Workers Union Local 277, Newark, \$25; United Rubber Workers Local 205, Trenton, \$10; AFL Amalgamated Lithographers Local 1, New York City, \$10; Brewery Workers Local 4, Buffalo, \$5.

Tobin's case against Kelly Postal is so raw that Judge Hall threw it out of court.

In recent months the Tobin forces in Minneapolis have become desperate as Local 544-CIO began to forge ahead, winning the first Labor Board election it was given the opportunity to participate in, and signing a union contract at a wage scale of 9c-14c an hour higher than the Tobin sell-out contracts.

Tobin's receivers here pressed the county attorney to send Postal to trial again. At first no local judge would accept the case. An out-of-town judge was brought to Minneapolis and assigned the case. Local 544-CIO attorneys filed an affidavit of prejudice against the judge. Finally Judge Selover accepted the second "embezzlement" case against Postal.

Judge Selover's conduct of the case was far different from that of Judge Hall's, though the charges, the evidence, everything, was practically identical with the first trial.

Judge Selover's charge to the jury was practically an instruction to find Postal guilty. In effect, Judge Selover told the jury that a union's membership, by a deno-

An Innocent Union Leader Must Not Be Sacrificed to Tobin's Despotism; Kelly's Only 'Crime' Is His Belief in Honest Democratic Unionism

Under pressure of the instructions of Judge Arthur W. Selover, the district court jury on April 24th returned a verdict of guilty against Secretary-Treasurer Kelly Postal of Local 544-CIO, elected official of the Minneapolis drivers. Brother Postal was charged with "first degree grand larceny" in a case growing out of the revolt of the Minneapolis drivers against the dictatorship of President Tobin of the AFL Teamsters. On May 1st Judge Selover sentenced Postal to serve up to five years in Stillwater penitentiary.

Local 544-CIO is appealing Kelly Postal's conviction to the Minnesota Supreme Court, and is asking the Minneapolis drivers to contribute to the appeal. It is estimated that \$1,500 will be required to obtain a printed transcript of the trial record and to carry the case to the higher court. Local 544-CIO is undertaking to raise this sum.

The conviction of Kelly Postal is a frame-up through and through. The \$5,000 which he is alleged to have embezzled from Tobin is part of the union treasury which the Local 544 membership instructed Postal to turn over to the Union Defense Committee in order to keep the union's property out of Dictator Tobin's hands, when the union voted to disaffiliate from the AFL and join the CIO last June.

An almost identical charge of "embezzlement" against Postal, involving \$1,000 of the same union property, was dismissed last February by District Court Judge Levi Hall after presentation of state testimony in a trial. Judge Hall ruled the state had not established criminal intent in the case.

Judge Hall vs. Judge Selover
Judge Hall's instructions to the jury in that first trial present a true picture of the situation, and constitute a fitting exposure of the Tobin frame-up machine which is trying to railroad an innocent union leader to prison.

Judge Hall told the jury, in the first trial, that: "By a resolution of a majority of the (Local 544) membership, he (Kelly Postal) was directed to turn over all of the moneys of the union to the Union Defense Committee. That this resolution directing him to turn over these moneys was open and avowed can not be disputed, as it was heard, according to state's witnesses, through the loudspeaker system even by those assembled outside the building. The membership of the union must have believed they had a right to transfer these moneys by resolution as they attempted to do. Postal, the defendant, was the agent and steward of this membership and turned over their moneys at their direction . . ."

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cratic majority vote does not have the right to decide what international union they shall belong to, and what disposition shall be made of funds contributed by them to their own local union treasury.

According to Judge Selover, union democracy is a crime. He ruled that a clause in Tobin's constitution, denying the right of a local union to disaffiliate if seven members oppose it, stands higher than the rights of a majority of union members to determine what union they shall belong to or how their money shall be spent.

The jury refused even then to convict Postal. The jury received the case at 4:45 p. m. Friday, April 25. Seven hours later it was deadlocked. Members of the jury appeared before the judge and he instructed them in substance that if Kelly Postal and the union membership had violated Tobin's constitution, they must find Postal guilty.

Under pressure of such instructions, the jurors retired and came in with a verdict of guilty. Judge Selover virtually forced the jury to convict Kelly Postal, and then he imposed a prison sentence of up to five years on as honest and militant a union leader as can be found.

Local 544-CIO Contract \$1-a-Day Better Than Tobin AFL Contract

Better than Tobin's contract by one dollar a day—by twenty-five dollars a month—by three hundred dollars a year!

That is the contract signed by Local 544-CIO with the Waterman-Waterbury company, covering a dozen drivers, helpers and warehousemen at that plant.

Yes, \$300 a year! That is what it is costing the Minneapolis drivers because Stassen's crooked labor conciliator, Blair, helped Tobin and the bosses shove the Casey sell-out contracts down your throats.

Had Stassen, Blair and the bosses permitted you to express your true will, to be represented by Local 544-CIO, each of you would be receiving at least \$25 more monthly than you were forced to accept in the sell-out contracts negotiated behind your backs by Tobin, Casey and Stassen.

Local 544-CIO's contract with Waterman-Waterbury is the first union working agreement signed by the union since the Minneapolis drivers revolted against the dictatorship of Daniel Tobin last summer. The contract provides for hourly wages of 85c for drivers, 80c for helpers, and 75c for warehousemen.

Record Is Filed For Appeal in 'Sedition' Case

The record of the Minneapolis "sedition case" was filed with the clerk of the Circuit Court of Appeals in St. Louis, Mo., in the middle of April.

Defense attorneys for the 18 members of Local 544-CIO and the Socialist Workers Party convicted of violating the Smith "Gag" Law have until July to file briefs. The government will have until September to file its reply briefs.

The Civil Rights Defense Committee expects oral arguments on the appeal will take place before the Circuit Court sometime in October. A decision can be expected soon after the oral argument.

The American Civil Liberties Union is aiding the defendants and the CRDC in carrying the appeal to the higher courts. The defense is also being supported by the Workers Defense League and many labor and liberal defense groups, church leaders, and unions from coast to coast.

