

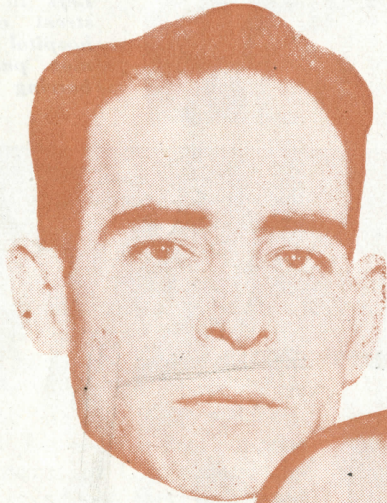
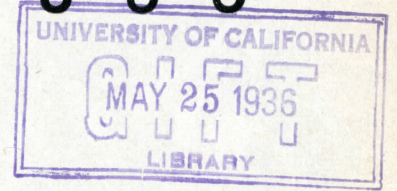
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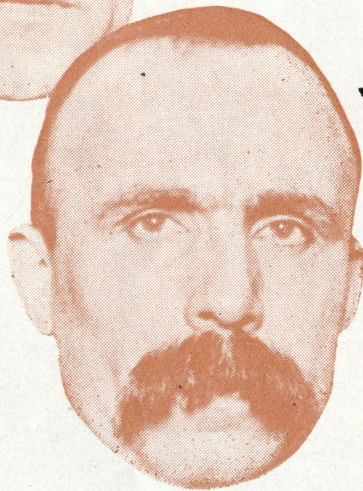
# **DEFENDER**

● AMERICA'S ONLY LABOR PICTORIAL ● PUBLISHED BY THE I.L.D. ●

**AUGUST**  
**1 9 3 5**



**Sacco**



**Vanzetti**



**Angelo Herndon**

Labor's Heroes 1927—1935

**Their sacrifices were not in vain**

# VIEWS

## of the Month

*Left to right: An Omaha street car striker in the hospital — National guardsmen patrol Tacoma streets barring the path of lumber strikers.*



*Above: In the forests of Oregon. They are not hunting. These guardsmen are slugging a lumber striker.*



*Above: Uncle Sam's cannon fodder for the next war. These boys are the first of 60,000 new recruits in the U. S. Army. They are a part of Roosevelt's new eight billion dollar war program. Protest against imperialist war and fascism August 1st.*



*Above: Aberdeen, Washington — Arresting a "rioter and trouble maker" — a lumber striker.*

*Below: Bayonets — the bosses' answer to those who strike for higher wages and the right to organize.*



## 20 YEARS on the Chain-Gang?

**A** YEAR ago, the month of August marked the culmination of the first triumph in the fight conducted by the International Labor Defense to free Angelo Herndon. The drive to raise the \$15,000 cash bail demanded by the state of Georgia went over the top on August 3, 1934.

Since then Angelo Herndon has been a free man. Since then the United States Supreme Court in a 6 to 3 decision refused to review the case of Angelo Herndon—sliding out under a technicality. Since then Angelo Herndon has toured the country from coast to coast lining up thousands and thousands of supporters and friends not only for his own battle, but behind the fight to free the Scottsboro boys, Tom Mooney, and all class war prisoners. He is still free—until the Supreme Court reconvenes in October and decides whether or not they will grant him a re-hearing.

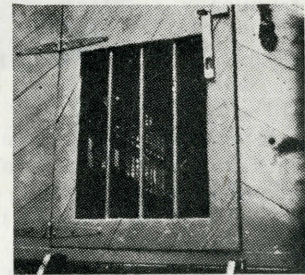
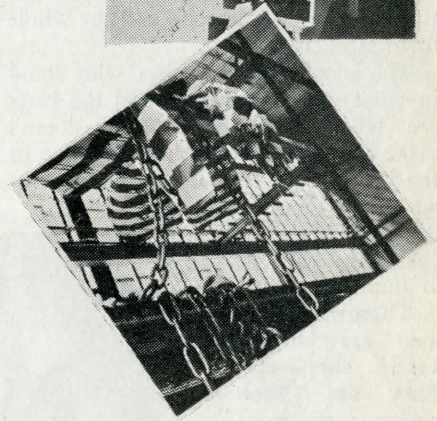
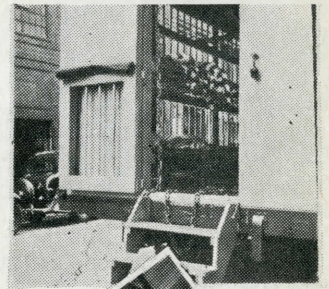
Angelo Herndon must stay free. Angelo Herndon must not be allowed to go to the Georgia chain-gang where his twenty-year sentence means certain death.

When the Supreme Court decision was handed down on May 20, Herndon said, "The fight for my freedom has just begun." So did the International Labor Defense.

We have launched a campaign for the collection of 2,000,000 signatures on a petition demanding Herndon's freedom, the freedom of all the 18 Negro and white workers indicted under the same savage slave law of 1866 and repeal of that law. This petition is to be presented to Governor Eugene Talmadge of Georgia. At the same time, the I. L. D. urges every signer of the petition to send his or her protest to the U. S. Supreme Court in Washington demanding a re-hearing for Angelo Herndon.

To speed this vital work in the short time remaining before October, to bring to the consciousness of the American people the horrors of the Georgia chain gang in their starkest realism, the I. L. D. has constructed—under the personal supervision of John L. Spivak—an exact replica of a Georgia chain gang cage. It is equipped down to the last gruesome detail with bunks, bars, chains. This cage will tour the country aiding in the collection of signatures. The truck is not the only means employed by the I. L. D. to gather the 2,000,000 signatures. Nine national organizations—American Civil Liberties Union, American League Against War and Fascism, Communist Party, League for Industrial Democracy, National Unemployment Council of the

(Continued on page 18)



The pictures on this page show interior and exterior views of the chain-gang cage replica built by the I. L. D. It is now touring the country in the Herndon campaign collecting signatures for the 2,000,000 signature petition demanding the freedom of Angelo Herndon.

# GROWING UP IN JAIL

By **BETH McHENRY**

*Novelist, who saw and studied all that she describes*

Decatur is one of those little Alabama towns Southern writers grow mellow about. Its streets are wide. A portion of its population live in fine homes. It seems quiet.

But it isn't quiet—for the Scottsboro trials are coming up soon and the whole town is excited.

The men with paunches who stand in front of the postoffice and the bank are talking "Scottsboro." It doesn't make any difference to them that two of the boys whose trial is scheduled to be heard this month are still children — after four and a half years of imprisonment.

These wide framed men are landlords and shopkeepers. They are "Scottsboro conscious." They have grown up under the tradition that the Negro people belonged to them—to kill with work, or to kill with a gun, or to do whatever they pleased with. The Scottsboro case has split open the great landlord belly of the South. The landlords and cops and industrial kings are determined to burn these innocent boys regardless of United States Supreme Court decisions, regardless of testimony, regardless of the known innocence of the boys. The Scottsboro boys are Negroes, and the bosses and landlords say "n——s got to be kept down."

The landlords have the legislature on their side. They have the courts and the police to carry out their frame-up. Before the Scottsboro case, the framed workers had no one to defend them—nothing but unorganized resentment to give support to their battle against injustice. Now they have the organized working class led by the I.L.D. Not only the Scottsboro boys but the entire Negro population of the South is being defended against lynchings, legal and mob.

These four young boys whose hearings come up in Decatur this month, Roy Wright and Eugene Williams, the juveniles, and Olen Montgomery and Willie Roberson for whom bail is being petitioned, are bringing to the court room the history of race oppression in the South to stand trial with them. Their own lives, both before the frame-up at Scottsboro and in the Alabama

jails since, typify the lives of Negroes in the South.

These broken down shacks behind the rich men's houses in Decatur . . . these are the Negro dwellings, without running water, without plumbing of any kind, with roofs that leaked and floors whose boards were broken—in such homes the Scottsboro boys grew up. Always moving, for the landlords put their things out on the street when rent money couldn't be got—and that was often. Eating food which does nothing for bone structure. Growing up just any old way—without schooling.

Forced to look for jobs almost from birth, and never able to obtain one that paid anything for long, heartbreaking hours of work. Driven

women. Now we know that ain't true. We seen what they done to them Scottsboro boys. We ain't goin' to help them lynch no more innocent boys."

And the Negro workers put it this way:

"Every day I went down into the mine," a Negro miner said lately, "I dreamed about freedom. Me an' all the other miners thought about freedom. But it wusn't till Scottsboro that we really knew that we could git freedom."

As the trials draw closer, the lynch spirit on the part of the rich whites of the South grows more intense. But so also does the fighting spirit of the Negro and white workers. With the Alabama legislature giving \$35,000 to the prosecution of the innocent boys, the wide masses of the South are gathering up their pennies—and their fighting forces. For Scottsboro means more than the trial of nine innocent boys—it means freedom to the workers of the South.



*From the top down:*

*Eugene Williams  
Roy Wright  
Olen Montgomery  
Willie Roberson*



*Hearings in their cases come up in August.*

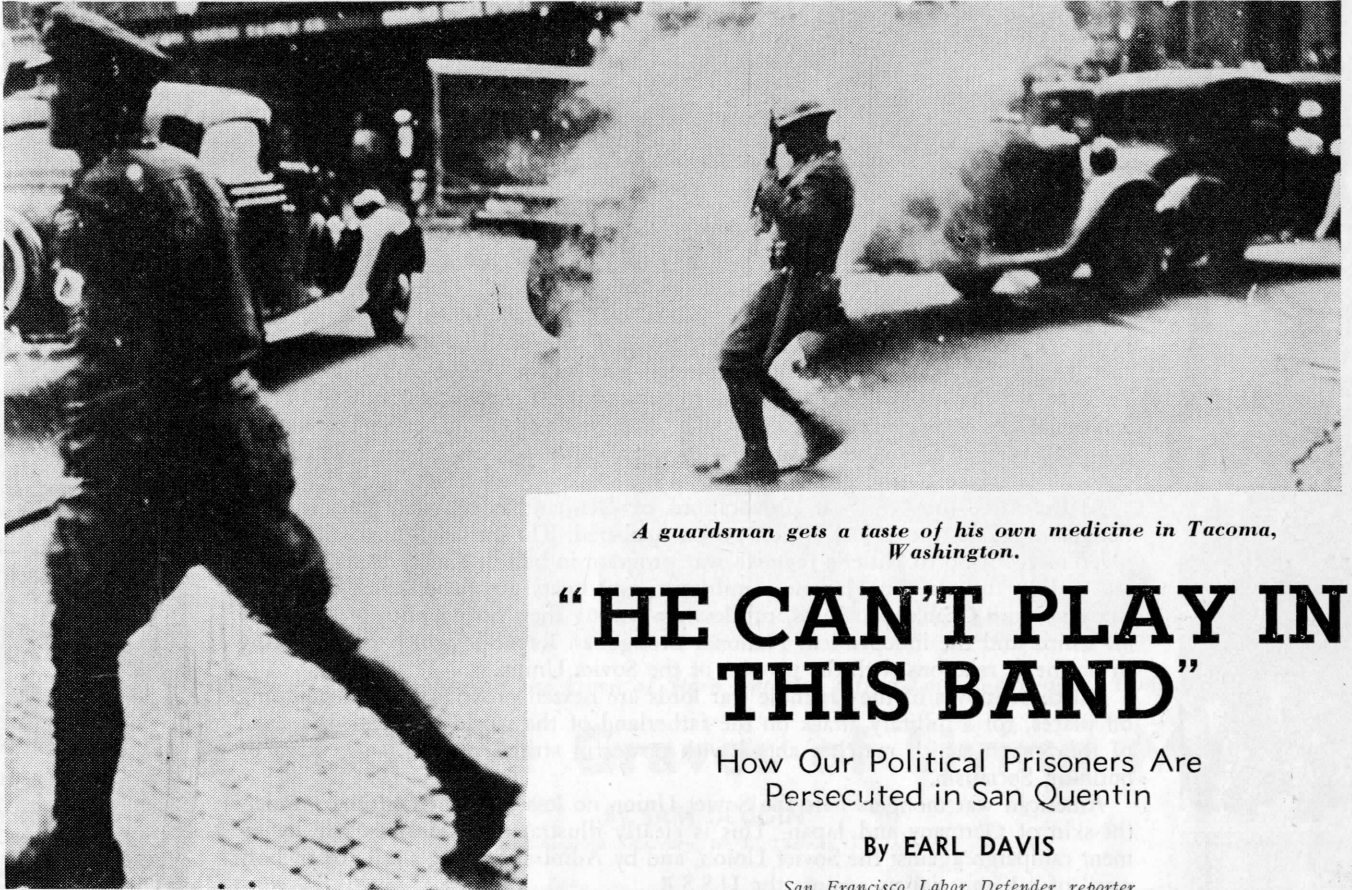
from one place to another . . .

The town of Decatur, Alabama, symbolizes rich landlordism in the South. The white men who have grown wealthy on the labor of Negro and white slaves, both before the Civil War and since, have handsome homes with fine lawns and healthy surroundings for the families they are raising. While down the back alleys Negro families live in stark poverty, their houses pathetically clean. Barefooted kids are thick in the alleys. Hundreds of young Scottsboro boys whose lives are not "worth a nickel" to the big people in the houses up front.

But if the landlords and bosses are "Scottsboro conscious," so also are the workers, both Negro and white. Not long ago a white miner talked of jim crow.

"I used to think it wuz right," he told me. "They told us the Negroes wus born scabs and hell-crazy for white

AS WE GO TO PRESS—Alabama has further postponed setting the dates for the hearings mentioned above to the end of July. The hearings are to determine the status of the two juveniles—Eugene Williams and Roy Wright—and the setting of bail for Olen and Willie. Mass pressure is urgently needed to assure the setting of the dates for these hearings early in August and FINANCES—\$3,000 to assure adequate defense, witnesses, etc. Funds for the Scottsboro defense should be rushed to the I.L.D., Room 610, 80 East 11th St., N. Y. C.



*A guardsman gets a taste of his own medicine in Tacoma, Washington.*

## “HE CAN’T PLAY IN THIS BAND”

How Our Political Prisoners Are Persecuted in San Quentin

By EARL DAVIS

*San Francisco Labor Defender reporter*

“He can’t play in this band.”

This answer of Warden J. B. Holohan, of San Quentin Prison, California, to the request of members of the prison band that Jack Crane, one of the framed up Criminal Syndicalism victims, be permitted to play in the band, is a sample of the vicious persecution to which the C. S. prisoners are subjected.

Crane demonstrated his skill as a violinist at a concert in the prison, and received a big hand from the boys. The band needs a violinist. But no. Jack Crane helped organize farm laborers. They even went on strike. Worse yet, they won, and it cost the banks and cotton gins and rich growers money. Therefore, Jack Crane can’t play music. In spite of his ill health, he must work in the death-laden atmosphere of the jute mill.

Martin Wilson, Pat Chambers, Albert Hougarty are getting a dose of the same medicine. And let us not forget that Caroline Decker, Lorine Norman and Nora Conklin, convicted at the same time and on the same charge are serving, like the men, a one to fourteen-year sentence at the women’s section of the California State Prison at Tehachapi, Cal.

Pat Chambers, is very slight physically. He was one of the outstanding leaders during the famous cotton strike in the San Joaquin Valley in 1933 and so he has been given a particularly rob-

ten job in the jute mill. Pat’s eyes and teeth are bad and his stooped shoulders and flat chest indicate a predisposition to tuberculosis. He should have some job in the open air. Instead, they heap work on him so that he can’t “make task.” Then he is penalized by being denied the usual hour in the prison yard—which means he has to work all day in the jute mill and then go to the lockup. This is repeated day after day, the authorities hoping to break him by hard work just as they are trying to break J. B. McNamara with idleness.

Martin Wilson has had practically all his privileges curtailed since he tried to send greetings from the prison on the occasion of the 10th Anniversary of the I.L.D. They charge that he is not fulfilling his quota in the jute mill so they have raised the ante, making it still tougher for Martin.

Many other discriminations of this sort could be cited. But the most startling fact of all is that the legal persecution and frameup of these prisoners is being continued in the prison with the direct connivance of Warden Holohan.

It must be remembered that a number of these prisoners acted as their own attorneys during the trial at Sacramento which lasted for eighteen weeks. The State introduced innumerable exhibits in the way of books, pamphlets and literature to prove that the defend-

ants were trying to make a revolution when they were trying to raise wages. The defendants requested only five out of about a hundred documents which the State introduced, as they need this material in order to prepare their appeal for a new trial to the Appellate Court.

The International Labor Defense, as per the rules, sent this material to the Warden to be transmitted to the defendants. After two registered letters were sent to the Warden, he returned the books to the I.L.D. without answering or even acknowledging the letters. That is the attitude of a public official dealing with public business when the lives and liberties of workers’ leaders are involved.

The Warden is evidently working hand in hand with Judge Lemmon in whose court the case was tried. The judge not only revealed his prejudice throughout the proceedings, but showed his teeth when he refused to allow these workers out on bail pending appeal. Now it appears that he is maneuvering to keep the defendants from getting a copy of the transcript of the trial, which they must have in order to prepare their appeal.

So far the judge has not even answered Martin Wilson’s request for the transcript. Wilson then appealed to the Third District Court of Appeals who  
*(Continued on page 18)*



## AUGUST 1, 1935

Now Mussolini has received what amounts to the blessing of British imperialism in his drive to completely enslave the Ethiopian people. It goes without saying that the old hand at enslavement of colonial people, the British ruling class, will be well compensated by their Italian imperialist friends at the expense of the Ethiopian and other colonial peoples. The imperialist front against the Ethiopians has been further strengthened in the attempt to wipe the last Negro independent state off the face of the globe.

At the same time the war provocations of German fascism and Japanese imperialism against the Soviet Union go unabated. The British imperialists have given a free hand to Hitler's feverish war program in building armaments on land, sea and in the air. The Japanese militarist cut-throats are penetrating deep into the Jehol and Chahar provinces, ruthlessly pursuing their open policy of enslaving all China and the independent National Mongolian Republic which is prospering in brotherly relations with the peoples of the Soviet Union.

All these moves of the Japanese war lords are brazen provocations and jumping off places, for a military attack on the fatherland of the world's toilers—the Land of the Soviets which marches ahead with powerful strides in its titanic labor of building Socialism.

American war mongers hate the Soviet Union no less than their brothers-under-the-skin of Germany and Japan. This is clearly illustrated by Hearst's vile incitement campaign against the Soviet Union, and by Admiral Stirling's call for a "holy war" of all imperialists against the U.S.S.R.

August 1, 1935 finds every capitalist government further driving down the already low living standards of the laboring masses while the biggest armament building program in mankind's history is under way for the war that will plunge the human race back hundreds of years in a bloody orgy of plunder and destruction.

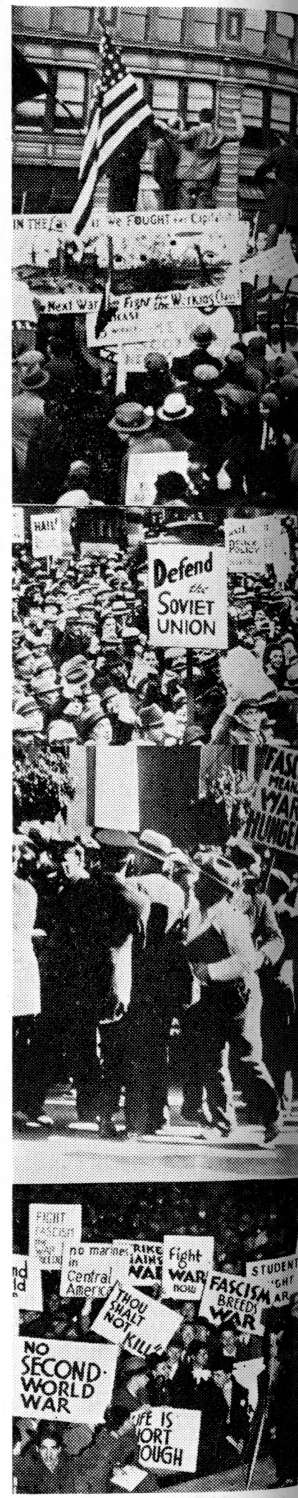
Part of these preparations is the frightful fascist and white terror that goes on in all capitalist and colonial lands. Incomplete statistics compiled by the International Red Aid for 1934 show 764,338 murdered, 1,145,442 wounded, 1,444,019, arrested all over the world. The complete figures will doubtless prove much higher if they are ever secured from behind the rigid censorship of fascist and imperialist governments. Our own "democratic" country's share for 1934 (also incomplete) is 128 murdered, 5,394 wounded and nearly 20,000 arrested.

August 1, 1935 finds the toiling masses the world over organizing into an ever greater force in deadly opposition to the war plans of the imperialists. The United Front of millions who work through brain or brawn is growing in width and depth against war and fascism, against chauvinism and race hatred, for the defense of the Soviet Union, against the enslavement of the Negro people of Ethiopia and the defense of the Chinese people.

August 1, 1935 reveals a powerfully developed world-wide solidarity movement for defense and relief of millions of victims of fascist and white terror, in which the International Red Aid, a non-party, independent organization for toilers' defense is a moving factor.

August 1, 1935 must find the I. L. D. and all its supporters in the front ranks of the laboring and middle class people who will fill the streets with teaming thousands to demand hands off the Soviet Union, hands off the Ethiopian and Chinese people; freedom for Thaelmann, Rakosi, Caballero, freedom for all the Cuban political prisoners, freedom for the Scottsboro boys, Tom Mooney, Billings, McNamara, Angelo Herndon and all class war prisoners.

All out on August 1st, international fighting day against imperialist war and fascism.





New York I.L.D. members at the grave of Steve Katovis, Alfred Levy and Gonzalo Gonzales.

## We Visit the Graves of Living Men

By SAM DLUGIN

Organization Secretary, N. Y. District, I.L.D.

Friday, June 28, 1935, started off pretty badly for Philip Nicholas, political prisoner. The needle of the sewing machine on which he works, in the Welfare Island Prison, ran into his finger. He was nervous and sick when the delegation from the I.L.D. found him. The minute he saw us his face lighted up with pleasure. For a moment he almost forgot the pain in his finger. He accepted the basket of fruit and literature we brought with an unsaid thank you. He couldn't stay with us long because of the pain in his finger. The attendants had allowed it to bleed until our delegation protested. After that he was immediately cared for. We had brought a little sunshine to one of many brothers in jail. Nicholas has served 10½ months of a one-year sentence.

Eighty workers from I.L.D. branches, I.W.O. branches, trade unions and other working class organizations met together on the morning of June 28th, the tenth birthday of the I.L.D., for one purpose, to visit our class brothers in jail. Twenty were assigned to visit our four local political prisoners. Four went to visit the deportees now on Ellis Island and the rest started off for the Mt. Olive Cemetery in Maspeth, Long Island, where Steve Katovis, Alfred Levy, Gonzalo Gonzales and Morris Langer, four working class heroes are buried.

The delegation of twenty first went to the Commissioner of Correction to

demand passes to see our prisoners and personally deliver our solidarity baskets. We wanted to deliver them personally so that we would be sure they'd get them. The Commissioner started out by giving only four passes, one for each prisoner. Our delegation wouldn't take that for an answer. He was finally forced to give fifteen passes and a definite assurance that we could deliver the baskets. Fifteen of the delegation visited our comrades in jail. There was joy in the hearts of those visited as well as in the hearts of those who did the visiting; joy born from working class solidarity and the first victory of the day.

The four assigned to go to Ellis Island were a little late, but the government agreed to hold the boat for them. When they got to Ellis Island they were allowed a two-hour visit with the nine deportees they had come to see. The solidarity baskets were presented. The rest of the time was spent in a long talk. This was a real victory for our side. This was the first delegation that had ever been recognized as a delegation by Ellis Island authorities and permitted to land on a day when visitors are not allowed. Even when John Howard Lawson, well known playwright led a delegation to Ellis Island last winter, the delegation was not admitted. Lawson himself was only allowed ten minutes with the deportees. Victory number two.

The rest of those who came to par-

ticipate in the tenth anniversary delegations went to the graves of our fallen heroes, shot on picket lines and in demonstrations in New York City. Here a large wreath was placed on the common grave of our dead brothers. Short, heartfelt speeches told of the way they had met their death, murdered by the police and by hired thugs of the bosses. After the short, simple ceremony, honoring the memory of those who fell in battle, we pledged ourselves to revenge our murdered brothers by organizing ever stronger organization against terror.

Two decisions were made by those who participated in this day of solidarity. One, that we don't confine visits to political prisoners to special occasions, but that we make each week a special occasion arranging for a different branch of the I. L. D. to visit the jails and Ellis Island each week. Two, that we would start a campaign to raise funds for a monument to mark the grave of our martyred comrades.

All felt that this was work worth doing. SOLIDARITY, a feeling that is hard to express in words but so easy to demonstrate by a two-minute visit with those who cannot go where they please and see whom they please. Something we can do for those who gave their freedom. One way of giving them our support.

The effect of this day's activity upon

(Continued on page 18)



## OF OUR POLITICAL PRISONERS

*“Your campaign to raise money for milk for the children of political prisoners has my heartiest approval. It fits in with my whole being, my whole way of thinking. I have always said that the future belongs to the youth. And we must help them, make them strong and healthy towards the time when they grow up and begin to reason things out. They don’t deserve the treatment that they are receiving today, but it is my fervent hope that they will profit by their sufferings and grow up to be the same splendid fighters for the workers’ cause that their valiant fathers and mothers are.*

**J. B. McNamara, 25314”**

Hundreds of individuals from almost every state in the country share J. B. McNamara’s enthusiasm for the Summer Milk Fund Drive of the Prisoners Relief Department of the International Labor Defense. Their contributions and wishes for success in this vital work are the most eloquent testimony of their interest.

Teachers, heads of state departments of education, professors, ministers, housewives have sent their share in this drive to supply milk to the 250 children of our long term political prisoners. Hundreds of workers, men and



*The most recent photo of J. B. McNamara, oldest political prisoner in the world.*

women, who have their own problems in feeding their own children, share what little they have with the children of their fellow workers behind the bars.

The drive will continue throughout the summer. To supply two hundred

and fifty children with milk—every day—during the summer months requires a great deal of money and we urge all the readers of the Labor Defender to do all in their power to help us in this work.

These children are the innocent victims of ruling class justice. They suffer hunger and destitution because their fathers were victims of the frame-up system. Relief agencies discriminate against these “young jail birds” as they call them. Their fathers gave their freedom in the struggle for the right to live.

We owe them and their children our support.

**—ROSE BARON**

Secretary Prisoners Relief Department.



*All contributions should be mailed to the I. L. D. 80 E. 11th St., N. Y. C.*



The Story of a

# "DANGEROUS WOMAN"

By JANET GINN

"Put your husband in jail for non-support and we will give you more home-relief," advised Mrs. Brady, supervisor at the home-relief bureau in Wickesbury, Pa. Stella Petrosky looked at her. There was no coal at home for heating, no food but a few dry crusts of bread and some weak tea she had fed her family that morning. Now they wanted her to put her husband in jail. Tom Petrosky worked in the mines from five in the morning till late at night, 12 hours a day when there was work. But that was not often and in the intervals the family starved.

Stella did not answer Mrs. Brady. She knew there must be a better way and she found it with the local Unemployment Council. Their first demonstration resulted in an increase from the \$4.00 a week allowance for the nine of them to \$7.00. Also she got the coal she had been begging for many weeks and a pint of milk allowance for each of the small children. Stella was not satisfied with keeping her discovery to herself. She got up on a platform and told the whole neighborhood about it.

Another demonstration raised her relief from the measly \$7.00 to \$10. When her neighbor's furniture was to be sold for back rent, Stella in company with the other people in the neighborhood went down to the house in a body. The "constabulary" coming down the street smiled to see so many customers gathered before him. He was surprised to find the house-door locked and the crowd of 400 people not at all in a buying mood. The furniture van coming along at this moment were informed as to what kind of sale this was. The crowd caught up the chant "Negro and white, Unite and fight." The Negro movers turned the truck about, waved solidarity to the crowd and rode away. The constabulary ran for the police!

The police arrived with drawn clubs. They pulled the speaker from the platform. The crowd surrounded them on every hand so that it was almost impossible for them to swing their clubs.

Stella, in the very forefront, tried to keep a cop's club from beating down on the head of a fellow-worker. The enraged cop swung his club against her thigh again and again while Stella wrestled with him. She was thrown down, kicked and pulled into the patrol wagon. A mass delegation from the

council as well as from the neighborhood in which Stella was well-known by this time, demanded her release. She was taken into the presence of the Mayor and chief of police.

"We don't want any trouble, Stella," he said, "we're going to let you go."

"What about the rest of the workers arrested?" She demanded.

He sighed, "We'll let them go too."

"Yes, you say that so easily. It is not you that are letting us go. It is the workers outside. Who is going to wipe out the marks of your clubs?"

The very next morning Stella had some visitors. They were city officials who came to question her. They wanted to know all about her, how much relief she was getting, whether she was a citizen or not. They par-

That she was as much loved by these workers for whom she fought as she was hated and feared by the authorities. They were going to make an example of her. They were going to deport her and in this way terrorize the rest of the starving workers into submission.

Every effort of these authorities is bent on showing that Stella Petrosky is an undesirable alien—undesirable to the bosses; that she is not a fit mother for she did not permit her children to starve and die of cold and hunger; that she was a bad wife because she would not cast her husband in jail. And above all that she is a bad influence on the community because she led the way and showed by example time after time that the only manner



*A startling photo of the bruise left on Stella Petrosky's leg by a policeman's club*

ticularly harped on the question of her citizenship.

The fact that she had been in this country for 21 years, that she had brought 8 children into the world, all Americans, that her husband slaved in America's mines made no difference to them. They wanted to make sure that she had only taken out her first papers.

What they didn't tell her was that the name of Stella Petrosky had become known in four counties to the unemployed, starving miners fighting for their very existence with the hypocritical, red-tape of the home-relief bureau.

in which relief could be gotten was by organized mass action.

At the hearing, Mrs. Stephanie McCarthy, local administrator of relief, herself the mother of six children and a widow threw a bomb-shell into the secret proceedings.

"I come here to show everybody that I for one think that Stella Petrosky is a most desirable type of woman to have in this community—and a wonderful mother to her own children and also to the children of the many poor miners. She is not a 'dangerous woman.'"

*(Continued on page 15)*

# ? What Is Your Answer ?

Questions Prepared for a Grand Jury  
By the Gallup Defense Committee



sheriff (whose testimony at the preliminary hearing was discredited by the court) doing hanging around the Harvey Hotel lobby the night of the kidnaping, May 2? Why was he seen rushing out again after Minor, Levinson, and Mrs. Bartol went out? Why did he return later to the hotel?

*Left: The widow of one of the miners murdered in Gallup — Mrs. Esquibel and her two children. Right: Juan Ochoa — one of the 10 held for murder.*



Concerning a grand jury investigation into the Minor-Levinson kidnaping the *Santa Fe New Mexican* writes editorially that the Gallup Defense "should not be concerned about what a grand jury may do, so long as it gets to the bottom of the whole affair." That is very nice. What concerns us is the fact that a jury may simply whitewash all the officials concerned in the matter, and then bring in a whole batch of new indictments against innocent workers in order to terrorize defense witnesses. A grand jury is a self-determining body. It may inquire into any matters whatever within its geographical jurisdiction. Only the prosecution may present matters to it. There is no defense. Such a jury would sit at Gallup. It would be directed by Attorney General Patton who has already committed himself adversely. It is even possible that jury members would be drawn from the actual kidnaping gang.

In order to help a grand jury "get to the bottom" we have prepared the following questions:

**WHY** did Bill Fry, Gamarco foreman, drive up and park in a dark blue coupe alongside the Santa Fe Plaza in Gallup, directly opposite the scene of kidnaping, just a few minutes before the kidnaping occurred?

**WHY** did Tom Dooley, Gamarco outside foreman, drive up at the same time in a brown sedan and remain parked with his car lights off?

**WHAT** was Hoy Boggess, deputy

**WHY** was W. Cornell (head of the Gallup Young Democrats and a leader of the raids during the terror) seen by neighbors with Jack Hamilton, son of a mine boss, and another young man said to be an ex-convict, hanging around in a car from the Watson Garage, in the vicinity of the premises of former strike sympathizers which were riddled with bullets during the stay of the defense staff in Gallup?

**HOW** does it happen that "law enforcement" officers have not investigated the widespread rumor that the cars without license plates that were used in the kidnaping came from the Watson Garage? (This garage is owned by the Vidal brothers, one of whom was directly involved with Senator Vogel

and Gamarco in the Chihuahuita steal which gave rise to the trouble on April 4.

**WHY** was a new relief administrator, Mrs. Springer, put in the sympathetic Miss Daniels' place? Why did she use relief funds to pay graft to Vogel under his fake Chihuahuita so-called lease-sale contracts?

**WHY** did Detective Martin, the first "investigator" of the kidnaping cross question and persecute Julia Bartol, eyewitness to the crime, for three hours on the morning of May 3, when Julia's clear, simple, story of the facts to be investigated could have been told in five minutes?

**WHY** was it that during those three hours Martin refused to make plaster cast records of the kidnapers' tire-prints in the Plaza—even after he knew that gradually they were being erased by traffic?

**WHY** was it that during those same three hours Martin refused to institute a search for maroon cars equipped with tire treads matching the prints in the Plaza mud?

**WHY** on the afternoon of May 5, did District Attorney McIntosh, the second "investigator" of the kidnaping,  
(Continued on page 23)

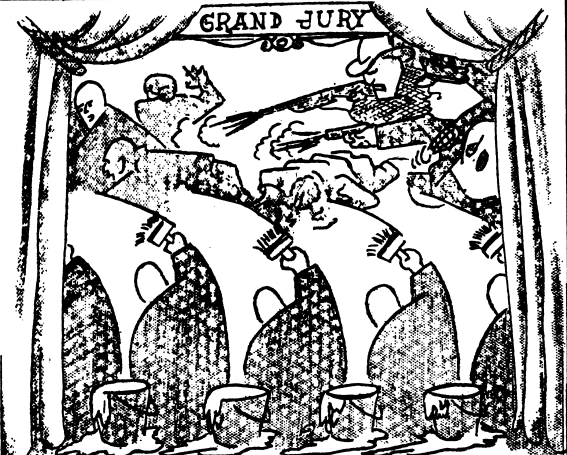
**GRAND JURY**

**SAVE THE GALLUP WORKERS**

**BULLETIN**

ISSUED BY **GALLUP DEFENSE COMMITTEE**  
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GRAND JURY



**S A V E  
T H E  
G A L L U P  
W O R K E R S**

BULLETIN

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# WE INVESTIGATE CUBA

*Photos smuggled out of jail by the delegation*

By **FRANK GRIFFIN**

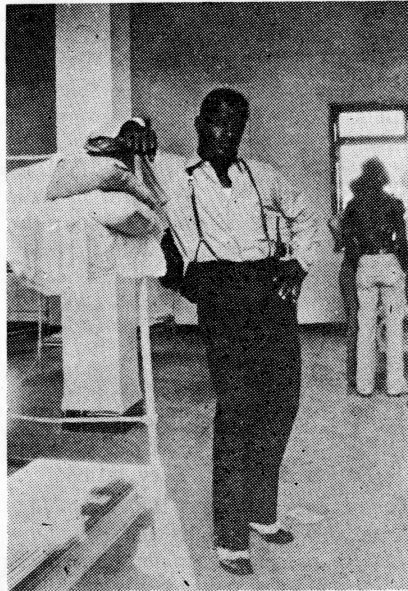
*Field Organizer, N. Y. District, I.L.D.*



*The male members of the delegation. The women were in another cell.*

A commission for investigation of Social and Labor Conditions in Cuba sailed from New York on the 29th of June expecting to bring greetings to the Cuban masses and to bring back data and material around which they could rally the support of the American people in the defense of the right of the Cubans to run and maintain their own Government. I, as a delegate from the International Labor Defense, wanted particularly to investigate the prisons and what "civil liberties" there are on the Island. However, the American vested interests in Cuba did not wish the American people to learn of the hell they had made in the tropical island.

We were "met" on the dock by more than 200 officers, secret service men, army and navy men. Keeping us on board the ship, this small army detained us and attempted to manhandle particularly the two Negro delegates, Manning Johnson, and myself in an effort to split the Negro and white delegates. They were not successful.



*The author, Frank Griffin.*

Paul Crosbie, one of the delegates, classmate of President Roosevelt and a war veteran, interfered. "This is American territory and these gentlemen are American citizens—leave them alone," he told the police.

The National Police then released me and through an interpreter I was told to sit in a corner with the admonition that "I will split your head in two if you move." Surrounded by machine guns and pistols, we were forced to leave the ship and on the dock we were met by more police, immigration police. Our baggage was searched diligently and we were placed in a police launch and carried across the bay to Casa Blanca from which we were marched two miles uphill—on a winding road—flanked on both sides by the military and soldiers armed with machine guns to Tis Cornia where we

*Another view of Tis Cornia where the investigation commission spent its stay in Cuba.*

were booked in Spanish, the women put in one detention room barracks and the men in another. Tis Cornia is an immigration detention camp. It served as our jail. At about 2 o'clock a detachment of marines was detailed to guard us—presumably to keep us from swimming the bay back to the ship. We were given no mattresses and had to sleep on the springs. "Silencio" was the only word we heard that evening.

We were awakened at 6 o'clock the following morning and invited to drink something that they called coffee. Even the marines refused to indulge with us. After trying to drink this slop on two occasions, I gave it up as a bad job. We made friends with some of the marines; however, conversation between us I shall not discuss here for obvious reasons. We were brought out of our barracks about 10 o'clock to be photographed by the press, who were admitted after a most thorough scrutiny of their credentials. However, they were not permitted to take any pictures of us inside the jail. All of this time we were denied any communication with the outside world and Tis Cornia was as silent as any prison could be. The authorities after a long period consented to permit our chairman to phone the American Embassy and to receive phone calls and telegrams. Mr. Edgar, vice consul, whom our chairman, Clifford Odets adequately described as a fish, came down to our camp about 4 o'clock in the afternoon stating that the American Consul had known nothing of the affair until Mr. Odets called him. The morning papers carried the whole story. Reporters had told us that they had been in touch with the consulate and had asked them what they were going to do about the detention of these 17 American citizens. Mr. Edgar's only assurance to us was

*(Continued on page 22)*



# To The SUPREME COURT of the Laboring Masses!

By SASH SMALL

On August 22, 1927 two heroes of the working class, Nicolo Sacco and Bartholomeo Vanzetti were legally murdered by the state of Massachusetts. Two of the greatest spirits—men of courage such as only the working class can produce, were arrested in April, 1920 and charged with robbery and murder—crimes that were admittedly, by their own confessions committed by a notorious band of gangsters in broad daylight.

Why were Sacco and Vanzetti executed for these crimes? Because in the files of the Department of Justice in Washington there were notations like the following: (notations which Governor Fuller refused to see, refused to admit into evidence)

*"Nicolo Sacco and Bartholomeo Vanzetti—radicals to be watched."*

*"For it was the opinion of department agents here that a conviction of Sacco and Vanzetti for murder would be one way of disposing of these two men. (M.R. 146)"*

Why were Sacco and Vanzetti radicals to be watched? Because they were militant fighters against imperialist war, because both had led successful strikes of shoe workers and cordage workers in Massachusetts, because both were actively engaged in combatting the 1920 deportation delirium started by Attor-

ney General Palmer in his famous "Red Raids." They were arrested while arranging a protest meeting over the death of one of their comrades, Andrea Salsedo, who was forced to jump or was hurled from the eleventh floor of the Department of Justice building in New York City while he was being grilled on a deportation warrant.

There were scores of witnesses to prove that Sacco had been in Boston at the exact hour of the Braintree murder, in the office of the Italian consulate arranging for a visa for himself and his family to return to Italy; that Vanzetti was plying his trade—peddling fish in Plymouth—35 miles from Braintree. But these witnesses were Italian workers. They were "foreigners," "undesirables." What weight could their testimony have before a judge who boasted about the way he "fixed those anarchistic bastards," a prosecutor who waved the flag and foamed at the mouth about Americanism and loyalty.

When every other legal means had failed, defense attorneys spent the last three days before their execution in attempting to secure a stay from the U. S. Supreme Court. They failed.

Today, this aspect of the Sacco-Vanzetti defense is perhaps the most important to the American working class. The Supreme Court has made for itself

a long record of evasion—evasion that cost the lives of Sacco and Vanzetti, that keeps Tom Mooney behind San Quentin's walls, that puts Angelo Herndon on the road to a Georgia chain gang.

The electric chair was ready for Sacco and Vanzetti. The Supreme Court was on its vacation. The defense attorneys contacted the individual judges.

Justice Oliver Wendall Holmes, acclaimed as a liberal, refused to grant a stay:

*"I have absolutely no authority as a Judge of the United States to meddle with it. If the conviction were void in a legal sense as when the forms of trial are gone through in a court surrounded and invaded by an infuriated mob ready to lynch the prisoner, court and jury, if there were not a proper conviction, in such a case, no doubt I might issue a habeas corpus . . . I do not consider that I am at liberty to deal differently with this case from the way in which I would treat one that excited no public interest."*

Justice Brandeis, refused. His "personal relations to some of the people who had been interested in the case made him feel that he must decline to act on any matter connected with it."

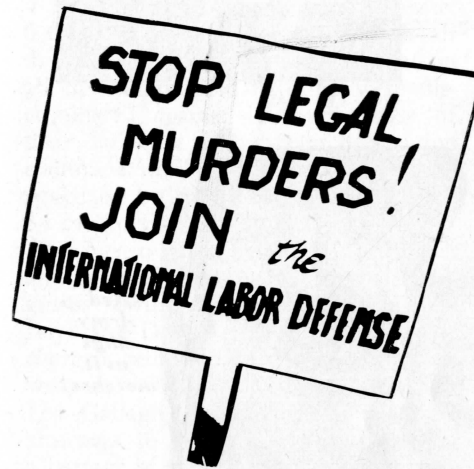
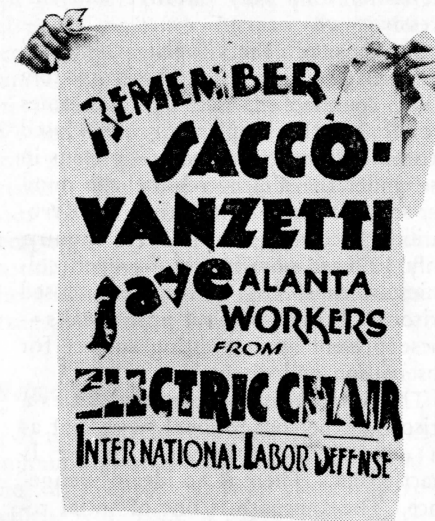
On August 22, the day of the legal murder—Justice Stone, Chief Justice



The Supreme Court of the United States

Taft and Federal Judge Lowell bluntly refused to interfere without stating any reasons.

Two of these justices—Taft and Holmes—are dead. Two others have taken their places. Their actions in the 6 to 3 decision refusing to set aside

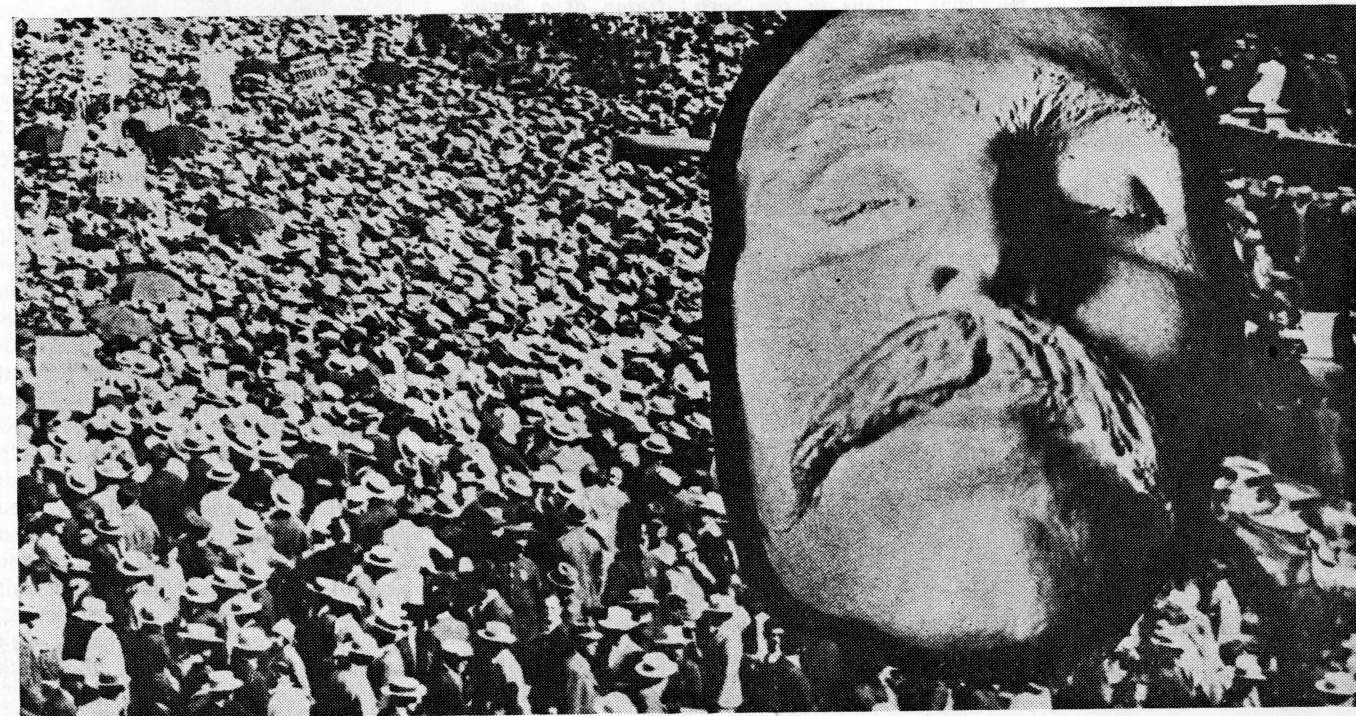


The Supreme Court of the Laboring Masses in action during the Sacco-Vanzetti campaign and some of its banners and slogans.

Herndon's conviction show them to be of the same stamp. The highest court in the land suddenly becomes powerless—entangled in the meshes of legal red-tape when it is called upon to save the life of an innocent worker—persecuted or murdered for his working class activity.

The case of Angelo Herndon is now before the Supreme Court of the Laboring Masses. You can force the Supreme Court of the United States to grant a re-hearing to Angelo Herndon in October. You can force them to free him. Send your verdict to Washington at once. Sign your name to the petition that demands Herndon's freedom and the wiping out of the 1866 slave law under which he was convicted and sentenced to a living death.

There can be no illusions in the Supreme Court. Their record in major working class cases permits none.



# SOVIET RUSSIA *Fights Crime*

By MAURICE SUGAR

*Leading Attorney for the I. L. D. in Detroit*

One expects the prisons in the Soviet Union to be different. Institutions which are established after social upheavals will reflect the new alignment of political and economic forces and relationships. We know this.

But just how? What are these prisons like? How are prisoners treated? How do their lives differ from the lives of those in prison in other countries? This book answers these questions and many more.

The author,\* with a background of experience with prisons in Germany, spent six months in an intensive study of the Soviet prison system. She had access to all prisons. She saw what she wanted to see without hindrance or restriction. She went specifically to see and study prisons and she certainly saw and studied prisons.

She states that "I had hoped to get on all right with my 1000 words of Russian which were sufficient for daily life," but at first she needed an interpreter to put "complicated, specialized questions." She should have made inquiry of intellects like Will Durant, or experts engaged by Hearst, such as Walker and Ripley, who have discovered a technique for ascertaining all there is to know about a country in 10 days, without understanding the language at all.

\*Soviet Russia Fights Crime, by Lenha Von Koerber, E. P. Dutton and Co., \$3.00.

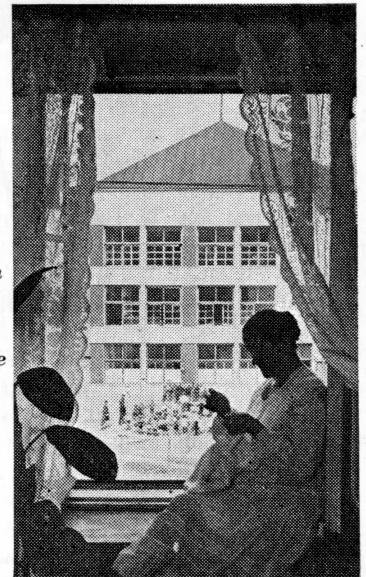
The author visited all kinds of prisons, ranging from institutions to care for youthful delinquents to those which were established especially to care for incorrigibles. She questioned not only prison officials, but prisoners themselves, being permitted to do so without any official being present. She learned things, plenty of things, and she tells them all in a very factual way—and, therefore, in a very effective and impressive way.

She visited the "open colonies," which have so interested observers from other countries. These open colonies are apparently supplanting the closed prisons. She says, "of the 468 prisons in use under the Tzarist regime, the number soon dropped to 285 after the Revolution. According to the latest inquiry, only 123 are now in use, as open colonies are considered preferable to closed prisons." Prisons without prison walls—these present an interesting subject for observation and discussion.

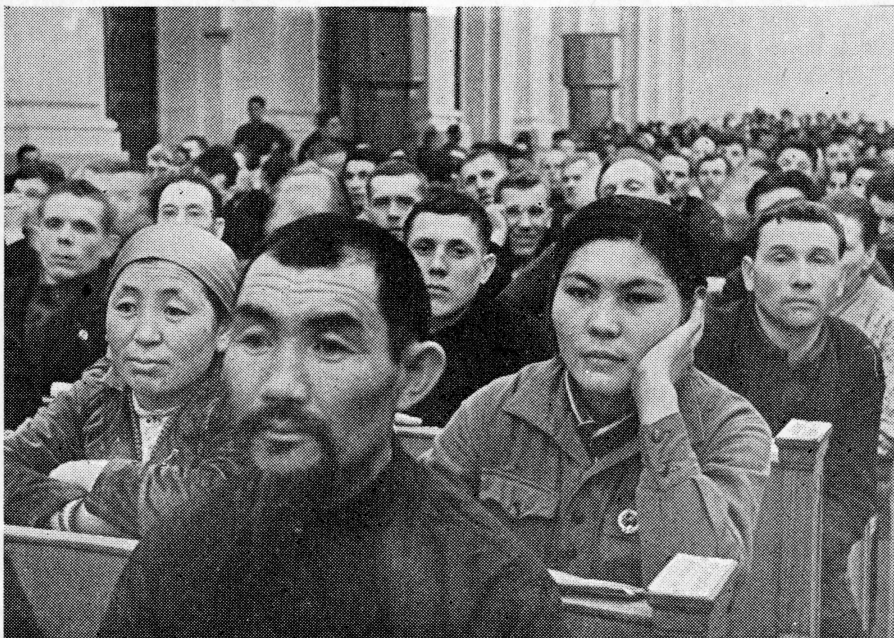
The Soviet prison strikes one not as a prison, in the conventional sense, but as an educational institution. And it is exactly that. There is no idea of vengeance. The approach is one of social rehabilitation, of attaining an adjustment between the individual and the society in which he is living. The effort is not to isolate the prisoner from society.

*Listening to a report on prison conditions in the Soviet Union at a Soviet collective farm conference.*

*Soviet mother can watch her children playing in safety from the window of her home.*



*The Red Army sings as it marches!*



Quite the contrary, it is to fit him into society as a useful, functioning unit. And that is really education.

This approach to crime is not due to theories which arose for the first time after the Soviet revolution. The development of scientific thought in the field of penology had reached that point everywhere. In theory. But in other countries there is no corresponding practice. Why not? Because the social and economic conditions are such as to prevent one from identifying himself with the really constructive forces in society. How can you stimulate a man to work to help build up a country on the theory that it is his, when, to begin with, he is faced with unemployment so that he too often can't work anyway. And how can you make him feel that he is building his own country, when he at least senses, if he doesn't really know, that it isn't his country at all—that all the work

*(Continued on page 23)*

# NEWS of the Month

## Hurrah for Los Angeles

*The Labor Defender wishes to announce the splendid achievements of the Los Angeles District and to urge all other districts to follow their example. During the last month, the Labor Defender agent of Los Angeles, Thelma Thorne succeeded in raising and sending in a total of \$200 in complete payment of their 1934 debt to the Labor Defender! This in addition to paying all their bills for 1935 promptly. Some record—a real banner district. Congratulations. We know you will keep up the good work.*

## Chico, California

Last May, officers of the Cohasset C.C.C. camp held a meeting with all the white boys. From that moment on all the Negro boys in camp were discriminated against in every phase of their daily life. This petty persecution continued until finally the white boys, egged on by their officers, attacked the 33 Negro youths with bricks and clubs. The Negro boys defended themselves and four of them were arrested—Augustus Swift, Cornelius Smith, John Boyd and Donald Johnson. They were charged with "assault with a deadly weapon." The I.L.D. immediately sent Leo Gallagher, one of its outstanding attorneys to defend them and started a barrage of protest telegrams and resolutions to Secretary of War Dern.

This serious charge was dropped as a result of the protests but two lawyers sent by the officials of the National Association for Advancement of Colored People slipped in and persuaded the boys to plead guilty to a new charge of "disorderly conduct" and "disturbing the peace." Gallagher who represented the boys at the first hearing urged them to plead "not guilty" to all charges so that they could be completely acquitted, honorably discharged from the C.C.C., and get all the back pay due them.

They received suspended sentences. This is an important victory. The boys are free. But as Gallagher remarked: "It discredits the entire group of Negro boys at the camp and throws the blame for what happened on the Negro boys instead of where it belongs."

## Cheyenne, Wyoming

There is a new branch of the I.L.D. out here. It has 17 members and has

taken the name JOE BARTOL. The secretary, B. W. Siegmund, sent us a copy of the following letter from the branch to its namesake:

"Knowledge of your imprisonment and pending trial, inspires in us an effort of loyalty to your militancy in the never dying cause of the working people. Mustering what support we can get in assuming our share of your burden, we have organized a branch of the I.L.D. named in honor of the class war prisoner Bartol. We pledge ourselves to constantly increase the membership, to swell contributions of financial support and all efforts to carry the class struggle into the courts. . . . We are for you, stand by you in solidarity to the end, Comrade Bartol. Best wishes. We send our greetings to all your fellow prisoners in Santa Fe penitentiary. Keep up your spirit. The working class under the leadership of the I.L.D. is carrying on a tremendous struggle for your freedom."

## New York

A new weapon has been added to the ammunition of the frame-up system and the third degree. It is an electric glove which will issue a 1,500-volt shock to "persons resisting arrest or dispersement." The instrument consists of a battery carried on the hip, no larger than a revolver holster, a wire, drawn through the sleeve of the carrier and an insulated glove designed to give the current to the victim. The voltage can be stepped up much higher. The N. Y. police who tested the weapon are very pleased with it and have already asked for estimates on constructing it in large quantities.

They are sure that it will be very effective in dispersing picket lines, demonstrations, "riots and other disorders."

## West Coast

One year after the bloody battles of the West coast maritime strike and the general strike in San Francisco, a strike of lumber workers is raging over the same battle front.

National Guards patrol the streets of Tacoma, Aberdeen, Everett and Hoquiam, Washington and Eureka, California. Clouds of tear gas shroud the thousand strong picket lines. Two strikers have lost their lives in the pitched battles with police, thugs, troopers and guardsmen. They are among the twenty-two killed in economic

struggles since the beginning of this year. Thousands marched in the mass funerals to honor their dead. Despite the terror, the strike holds solid. Very few scabs are on the job.

Fifty lumber strikers in Eureka are still in jail. Eight are in the hospital including one whose leg was amputated as a result of injuries inflicted by the police and a young boy blinded for life. They are all under arrest and will be held on "riot" charges.

Leo Gallagher and George Anderson, I.L.D. attorneys are representing the arrested workers. The I.L.D. was called in by the Sawmill and Timber Workers Union, No. 2563, to conduct the defense. They greeted Elaine Black, I.L.D. representative with rousing cheers at their meeting when she brought them greetings and a pledge of solidarity.

The frame-up machine is being well-oiled to railroad these workers to jail. Gallagher is only permitted to cross-examine prosecution witnesses. The court reporter was caught omitting vital testimony from the records. When one prosecution witness, an 18-year-old scab stated on the stand that when he attempted to fire on the pickets his sub-machine gun jammed, Prosecutor A. G. Bradford stated openly in court, "It was unfortunate the gun jammed."

A protest movement to Governor Merriam has been organized by the San Francisco I.L.D. and is meeting with good response. Readers of the Labor Defender are urged to add their voices to this protest.

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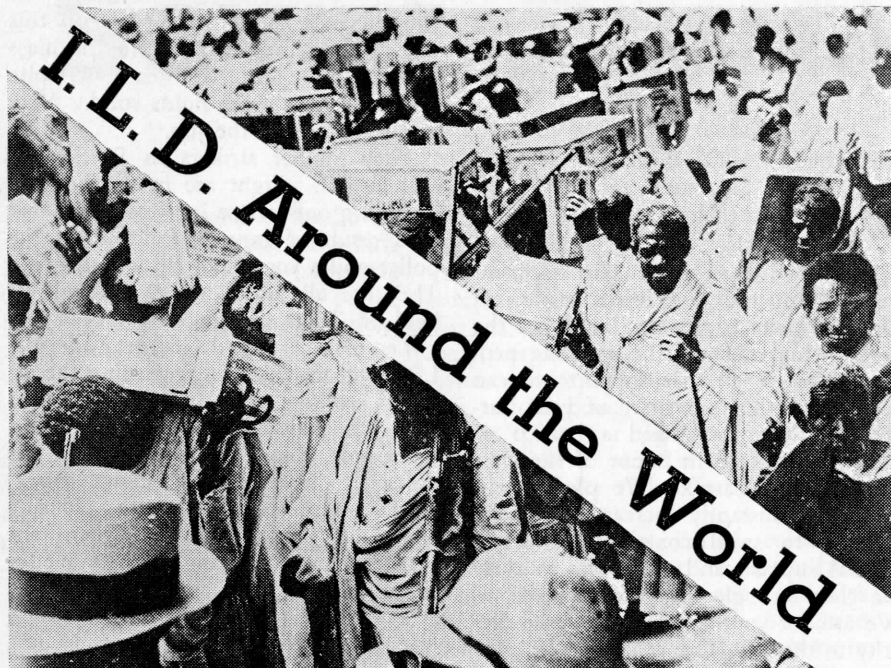
## A DANGEROUS WOMAN

*(Continued from page 9)*

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*During two years I have grown to know and admire Stella more and more. She came before me as many as two or three times a week bringing cases that no one else would touch with a 10-foot pole. I don't know what would happen to the children in the mine patch if Stella is deported." In this way Mrs. S. McCarthy spoke at the meeting of 350 delegates which took place at Wilkes Barre, under the auspices of the Luzerne County Committee for Protection of Foreign born which set up a committee to fight the deportation proceedings of Stella Petrosky.*

But the club still swings above the head of Stella Petrosky. All the evidence at the proceedings shows clearly that the authorities are bent on deporting Stella. Mass pressure, organization, telegrams of protest to the immigration officials—are the only effective weapons for holding back that club.



*Ethiopia's army marches*

### **Germany**

On March 18, 1935, standing before a Nazi court in Hamburg, already under the shadow of death, Fiete Schulze, now beheaded by Hitler's executioner, said: "I know that I am standing before a class tribunal. But whatever happens to me, we shall be the victors. There will be one soldier missing, but we shall conquer for all that. Come, all of you, to my execution, and you shall see how Communists die!"

A worker was brought from prison to the court, in chains, to testify against Schulze. He remained silent. To him Schulze said: "I see and I value your comradeship; it does honor to us all, and it does honor to you!"

The murder of Schulze, who fought on the barricades of Hamburg in 1923 and who has been in the forefront of the struggle on the German waterfront, is but the prelude to the crime which the German Fascists plan against Ernst Thaelmann, the leader of the German working-class. A new wave of working-class protest is rising against the continued imprisonment and torture of Thaelmann.

In New York, 450 delegates to a united anti-Nazi conference demanded that Thaelmann be sent to the United States. On the occasion of Thaelmann's birthday, American workers had sent him 50,000 postcards of greeting. The Nazi organ, "Angriff," satirically suggested sending Thaelmann to the United States "as a delicate thanks for so much attentiveness." The American workers are heartily in favor of this suggestion. They will demand of

the American officials that they issue a visa for Thaelmann's entrance into this country. The actions for Thaelmann will reach a climax on August 11-18 which is to be celebrated as International Solidarity Week for the Victims of German Fascism.

The action of the anti-Nazi conference in New York frightened the Nazi officials. Within 24 hours, the Propaganda Ministry had called in all foreign correspondents in Berlin. Within another 24 hours, stories appeared in the foreign press, telling of the "softened regime" in the German prisons, the "small number" of political prisoners, and citing the International Red Cross as authority for these statements.

The workers and intellectuals who have recently fled from Germany, particularly those who escaped from prison camps, have a different story to tell. Theirs are stories of the wholesale imprisonment of political dissenters; of the murder of prisoners; of torture, beatings, suicides, crowded concentration camps. Particularly do the reports of seamen lately confined in the Fuehlsbuettel Concentration Camps at Fuehlsbuettel show that the terror and brutality of the Nazi prison regime is by no means softened; rather, it has been enormously increased. The I.L.D. around the world is conducting an active free Thaelmann campaign.

### **Hungary**

In a speech that burned the ears of his would-be executioners, Matthias Rakosi, an outstanding leader of the Hungarian working-class, said in the Budapest court on July 1: "My con-

victions remain unchanged. I shall quietly await what I know is now coming. The future is ours!"

Rakosi was on trial for his life—his fourth trial. A few months ago he was sentenced to life imprisonment, because of his part in the Soviet Hungarian Republic of 1919. The state was dissatisfied; the prosecution went into the Court of Appeals with a demand to quash the verdict as "too mild," and impose instead the death penalty. The roar of protest from the masses of workers, not only in Hungary but the world over, prevented the court from granting this demand of the prosecution.

### **Ireland**

As the new ambassador from the United States, Alvin M. Owsley, approached the entrance to Dublin Castle last month to present his credentials to President Eamon de Valera, workers threw in his path leaflets demanding the freedom of Tom Mooney. The leaflets read:

*"There can be no welcome to Owsley. He is not a real representative of the American people, but an agent of a government of big business, profiteers and racketeers. How could Owsley or any other agent of the United States government be welcomed to the shores of Ireland while Mooney is still in jail?"*

### **Spain**

Four workers are under sentence of death, 36 have been condemned to life imprisonment, in Oviedo, Spain, for their part in the October uprising of the workers and peasants. Only the most determined, the swiftest-moving mass action can save them. The I.L.D. in all countries is taking part in the fight against these murders.

### **Rumania**

A struggle for amnesty for all political prisoners is now being carried on by the International Labor Defense of Rumania. The maltreatment of political prisoners in Rumanian jails is indescribably brutal.

As a result of public pressure, led by the I.L.D., an autopsy was performed by a neutral medical commission, on a young worker, Minski Ludovic, who had been killed while under arrest by the political police in the city of Cradea Mare. The commission proved that the victim's lungs and nostrils had been crushed, and that he had been strangled to death by forcibly driving water through his nostrils.

These and other facts the illegal I.L.D. of Rumania has presented to the public, and they have aroused a storm of protest.



# WHAT TO DO WHEN UNDER ARREST

The twists and tangle of technicalities which shroud our courts like grey veils over death-heads, are put there for two main purposes: first to confuse the worker caught in the toils of capitalist law, second, to supply an atmosphere of mystification supporting all the illusions of "justice" in the courts which the ruling class wants the working-class to have. These technicalities are also full of contradictions and out of them the judge and prosecutor can pull—like a magician pulling a white rabbit from a top hat—any excuse they want for railroading a worker or for whitewashing one of their own gang.

An elementary knowledge of the windings of these tangled paths will help the arrested and framed worker to make as much use as possible of the contradictions which are a part of this web of mystification. One thing has to be remembered especially: the judge and prosecutor know about these contradictions. Simply pointing out to a judge that he is violating his own law is not sufficient. He knows it. What is effective is pointing it out in such a way that he will realize his corruption is being exposed to the people.

We give here a few definitions of legal terms which frequently crop up in defense actions, and which should be understood by every worker:

**CHANGE OF VENUE:** This means moving the trial from the county in which the charge was made, to another. The basis on which such change can be demanded is that prejudice against the defendant is so great in the original county—because of activity of newspapers, police, lynch-leaders, etc., in stirring up anti-working-class, anti-union, anti-Negro, etc., sentiment—that it would influence a jury against him.

**CHALLENGE FOR PREJUDICE:** When the judge before whom the trial is to be conducted has shown by his conduct, or by his speech, that he has decided beforehand against the defendant, or has a record of prejudice against workers who come to trial before him, the defendant has a right to demand that he withdraw from the case. Generally he refuses. It is necessary to dramatize this demand before as many people as possible letting everybody know of the expressions that he has used which show his prejudice, to force him to withdraw, or to force a higher officer of the judiciary to disqualify him. We know that in most cases the judge has decided the case against the defen-

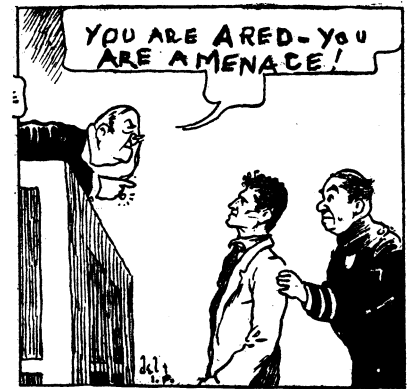
dant beforehand in a working-class case and that only mass pressure can force him to change his mind. Often, however, judges let this prejudice slip out in words. This must be taken advantage of. The next judge will probably be just as bad, but the pressure generated in forcing the first one to disqualify himself, or to be disqualified, has an effect on him too. Also, even in case the judge is not disqualified, the pressure stirred up in the effort to disqualify him is useful pressure on behalf of the defendant. The publicity which should be secured around such moves also helps stir public interest in the case.

**MOTION FOR MISTRIAL:** This legal step, which demands that the present trial be stopped, and a new trial started all over again, can be taken under many sorts of circumstances. The conduct of the prosecutor or the judge can be made the basis for such a demand. Whenever the prosecutor attempts to introduce into the trial either directly or by insinuation, elements calculated to prejudice the jury against the defendant, which are not a direct part of the evidence directly concerned with the charge, such a motion may be made. If a juror makes a remark openly expressing prejudice; if the judge does the same thing; if it can be shown that attempts are being made in any manner to prejudice or bribe the jury or any juror against the defendant; if the judge or prosecutor abuses or intimidates witnesses for the defense; suppresses facts favoring the defendant; if either one bring in issues—religious, racial, etc.—which are not directly a part of the evidence, such a motion should be made.

Here also, as in every labor defense action, the greater publicity, the more people involved in protesting the prosecution tactics against the defendant, the more people in the courtroom itself, the greater the effectiveness of the legal move.

Legal moves without mass support are valueless. Better no lawyer and mass action than the best lawyer without mass action.

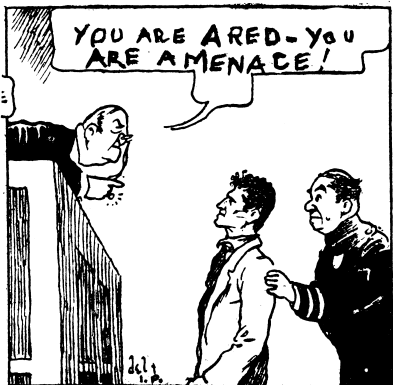
**PLEA OF GUILTY and NOLLE CONTENDERE:** These are two favorite tricks used against defendants in working-class cases. A *nolle contendere* plea means that the defendant throws himself on the mercy of the court. The fact is the court has no "mercy." The court in a capitalist country always bows before the greatest pressure. This is what makes every labor defense action a political action.



Drawing by Del.

Frequently the prosecutor will try to bargain with the defendant, proposing a plea of guilty to a charge carrying a lesser penalty than the one originally brought. All sorts of promises are made. Or the prosecutor will suggest that the defendant "throw himself on the mercy of the court." Again here, promises will be made.

There is no honor among courts and prosecutors. Never believe any promise the prosecutor may make. These tricks are tried for a variety of reasons. The main reason is generally to confuse, disrupt, and smash the mass support behind the defense. Sometimes the immediate purpose is to split the ranks of a number of co-defendants. Sometimes the idea is to discredit labor by making the public think the defendant is guilty of the frame-up charge. Always, the effect of such pleas is to weaken not only the defense in the case involved, but the working-class defense movement as a whole.



# Traveling with the **LABOR DEFENDER**

By **JACK HARRISON**

who sold 500 copies of the **LABOR DEFENDER** on New York subways during the last month

"Read American History in the making. Read the story of America's labor hero No. 1.—Tom Mooney." New York subway riders got their first introduction to our **LABOR DEFENDER** with those words.

It was really very easy. All I did was to walk up and down the aisle, lay a copy of the **LABOR DEFENDER** into every passenger's lap and call my slogans. I would also say, "Look it over—look at the pictures—take your time."

I had a few interesting experiences.

One old lady, a regular D.A.R. old lady she was, brushed the copy from her lap onto the floor. "Take that Red trash away from here," she shouted getting very red in the face. A young woman who sat opposite, thin and pale with a baby in her lap, called to me. "Here, young man, give me one of those Defenders. Some people might learn something if they read it!"

In another car an old man with an umbrella, he looked like a dusty professor, slammed his copy down on the empty seat next to him. When I went to the next car he followed me without saying a word. He was getting ready. Then he waved the umbrella at me and exploded, "You ought to be sent back to Rooshia for selling that stuff in the subway. I shall tell the guard to throw you off." The conductor who heard him turned his back and when the irate old gentleman left the train, winked at me very broadly.

The conductors for the most part are friendly and interested. Many of them have tipped me off against going into the last car. That's where the subway dicks ride.

A group of young boys, returning from work, turned the pages slowly. They looked at every picture. They seemed extremely interested. They started fishing into their pockets looking for

dimes. Two had them. The third didn't. When he thought I wasn't looking he stuffed his copy into the front of his coat and began looking out of the window. When I took the other dimes, I said to him, "That's o.k. brother. Read it carefully."

It's a cinch to sell our **LABOR DEFENDER** on the subway, riding up and down under the ground. And I don't mind competition.

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## HE CAN'T PLAY IN THIS BAND

*(Continued from page 5)*

simply passed the buck back to Judge Lemmon (well named).

In the meantime, Leo Gallagher, who defended those who did not defend themselves (with the exception of Norman Mini), is also waiting for the transcript. A terrific job is ahead of Gallagher and the defendants. According to the law, the appeal will have to be filed within ten days after receipt of the transcript. When it is borne in mind that the transcript will cover a trial that lasted eighteen weeks, Hercules and Paul Bunyan had an easy time of it.

Yet, in spite of all aggravation, provocation, and persecution, these young workers in San Quentin and Tehachapi exhibit the same unbreakable spirit that they showed on the picket line, in the face of vigilante terrorism, and in the court of capitalist class justice. This spirit is shown by the letter sent by Martin Wilson to the International Labor Defense at San Francisco:

"Don't worry about money for me, as long as I have enough for stamps and stationery. I have requested that half of the money sent me be sent to the Scottsboro Defense and the **LABOR DEFENDER**. I know that plenty of workers are doing without food, so I will not take their nickels for other things. . . ."

These splendid young heroes of the working class are doing their share even while inside. Immediate action from outside is necessary to stop their persecution and to secure their unconditional freedom.

Wire or write to Warden J. B. Holohan, San Quentin Prison, Cal., demanding that he stop discriminating against the C. S. prisoners.

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## 20 YEARS ON THE CHAIN-GANG

*(Continued from page 3)*

United States, National Student League, Share Croppers Union, Southern Tenant Farmers Union and the I. L. D.—are officially sponsoring the petition and have taken definite quotas of petition lists to fill. Each list has room for 100 names. The Communist Party is already distributing 25,000 of these lists which it has pledged itself to fill. Many other organizations are on the job. Almost 7,000 signatures from 31 states are in already bearing the names of very prominent individuals.

I. L. D. districts and branches are setting up outdoor stations—with petitions spread on tables, nailed to boards, encouraging all who pass to sign their name to free Angelo Herndon.

Get behind this petition campaign. Sign a petition yourself. Get a list and take it to your organization, shop, school—wherever you live and work. The voices of at least two million people will go a long way towards convincing Governor Talmadge that he cannot add Angelo Herndon to the thousands suffering torture on his damnable chain gangs—will show him that he must set him free.



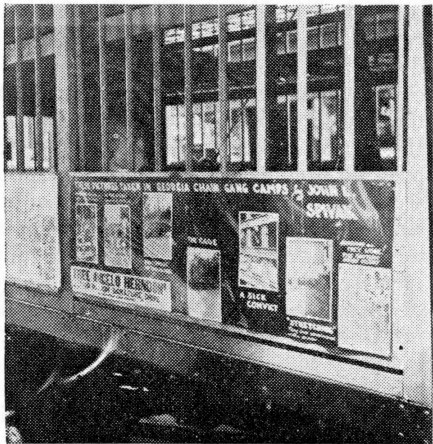
*Another view of the I.L.D. chain gang cage.*

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## WE VISIT THE GRAVES

*(Continued from page 7)*

our work will be of the utmost importance. One delegate after returning from a visit from one of the prisoners said that now she was going to write to him regularly. She never knew what a feeling of satisfaction one could get from visiting someone you didn't know except through his working class deeds. Another felt that this work was the most worthwhile work of the I.L.D. It made one feel how much the work of the I.L.D. is appreciated by those behind the bars. We must build a strong bridge of solidarity between those behind the bars and the outside world.



*Another view of the I.L.D. chain gang cage.*

# NOT ENOUGH MEMBERS

## Building The I. L. D.

By ANNA DAMON

*Acting National Secretary, I.L.D.*

*Who can measure the benefit that the I. L. D. has rendered to the victims of capitalism in these ten years of its existence. It has entered the dark, dank cells of innocent victims, has brought their cases into open court, has seized them from the very grasp of death, had them freed and restored them to their weeping wives and helpless, hungry children.*

*But there is still much immediate, urgent work for this tireless giant to do. There are many, many locked up in prison cells whose long line stretches from ocean to ocean and across the cruel, bloody South that must be rescued. The I. L. D. is in the fight to stay. It will employ the best legal counsel,*

*it will arouse thousands to defend them to the last ditch and prove their only "crime" was an endeavor to free the worker from wage slavery.*

*There is but one obstacle in the way—not enough members. Each one of you friends and sympathizers may be only one—but the sum total of all of you together will make a worth while number—enough to carry on the great work that lies before us. Start now by joining the I. L. D. Let us send the I. L. D. forward towards its next birthday better equipped than ever before to carry on.*

—Lucy Parsons,  
Widow of Albert Parsons, one  
of the Haymarket martyrs.



*San Francisco honors its dead. This picture shows the first section of the parade held on the waterfront on July 5 to honor the memory of those killed during the strike last summer. 25,000 marched.*

Lucy Parsons' words speak for themselves. They tell the whole story. The I.L.D. is faced today with some of the greatest battles in its history—battles that have to be fought at the same time. Herndon, Scottsboro, Mooney, Gallup, Burlington, and on hundreds and hundreds of less known fronts.

Only a powerful, mighty organization with thousands upon thousands of members can meet the tasks that face us today. Building the I.L.D., recruiting our friends into our ranks as members—that is the task of the moment.

We invite the branches of the I.L.D. to write in and describe their experiences in recruiting—their problems,

shortcomings, etc. We want this page to be the proving ground of many exchanged experiences—not only in gaining new members, but in keeping the old ones. How do you conduct your meetings, how much educational work, what kind? We want to learn from each other how to build our I.L.D. into the powerful shield of the working class that it must become in the face of advancing fascism and war at home and abroad.

Readers of the Labor Defender, join the I.L.D. Urge your friends to join. Don't put it off until another day! Act now!

### JOIN THE I. L. D.

What We Stand for:

*Organization of the best available legal defense, supporting the broadest united front mass defense in behalf of victims of ruling class terror; to supply adequate relief to the political prisoners while they are in jail; to support and maintain their families until they are free; to fight for the freedom of all class war prisoners.*

Please send me all the necessary information about becoming a member of the I.L.D. including the addresses of all district offices.

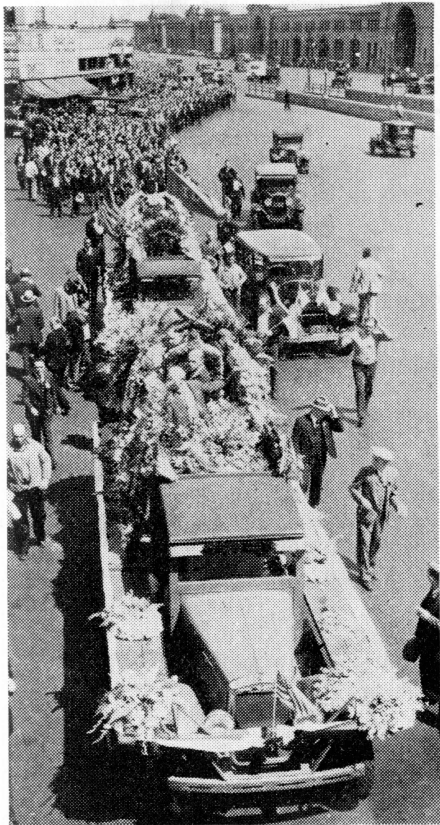
Name .....

Address .....

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

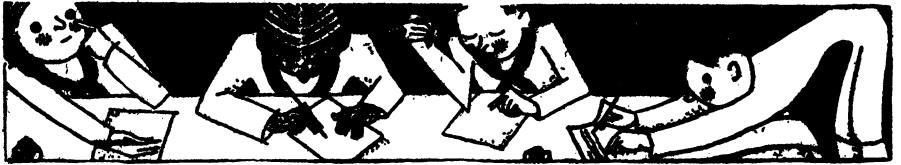
Age ..... Where do you work

Union, political or fraternal affiliation .....



*San Francisco honors its dead. This picture shows the first section of the parade held on the waterfront on July 5 to honor the memory of those killed during the strike last summer. 25,000 marched.*

# YOUNG DEFENDERS CORNER



## The Boy Scout Jamboree

Beginning August 21 and ending August 30, 30,000 boys from every part of the country and many parts of the world will assemble in Washington—for the Boy Scout Jamboree. President Roosevelt personally invited the scouts twice to come to Washington. He got the government to provide the grounds and plenty of money. He appointed a board made up of an army officer, a navy officer and members of the cabinet staff to look after the Jamboree.

The whole business will be very exciting. Daily newspapers will be issued. Movies will be taken—all sorts of exercises and outings will be held.

One thing will not happen at this

Jamboree. The boys, most of them will be over 16, will not discuss what to do about the 25% of all the children in the United States who are suffering from malnutrition or the 600,000 children who have to work for a living, or the 3,000,000 children for whom there are no schools.

One thing will surely happen. Many speeches will be made about the 100,000 ex-scouts who fought in the last World War under General Pershing, and the number of Liberty Bonds the Boy Scouts sold. There will be an awful lot of talk about "loyalty" and "good citizenship" and "good deeds" and "patriotism" and "preparedness." Nothing will be said about the number of workers, fathers of families, shot down on picket lines, sent to jail for long years because they fought to get food and clothing for their kids. Nothing will be said to criticize lynchings, vigilante raids on workers headquarters, beatings of strike organizers.

Now the Federation of Children's Organizations of which our Young Defenders are a part, is going to hold a Jamboree of our own all over the coun-

try at the same time as the Boy Scout Jamboree. This one will be a *Peace Jamboree*. All the Boy Scouts who stay at home are invited to attend and participate. Petitions will be circulated and presented to President Roosevelt and the Boy Scout Jamboree leaders calling for all war funds to be turned over for relief and more schools.

Young Defenders—ask your leaders what you can do for the Peace Jamboree. Talk to all the Boy Scouts you know and tell them that their jamboree has one main purpose—to make good cannon fodder—good soldiers out of them for the next war. Ask them if they want to go out and shoot other scouts like themselves in other countries, ask them whether it wouldn't be a better idea to use all the billions voted to make war to build more schools, and feed the hungry children and stamp out malnutrition.

Write to the Corner and describe your activities in the Peace Jamboree. We'll print everything we get—along with the pictures of the writers. So send your story and picture and see that it gets here before August 10.

## Puzzle Corner

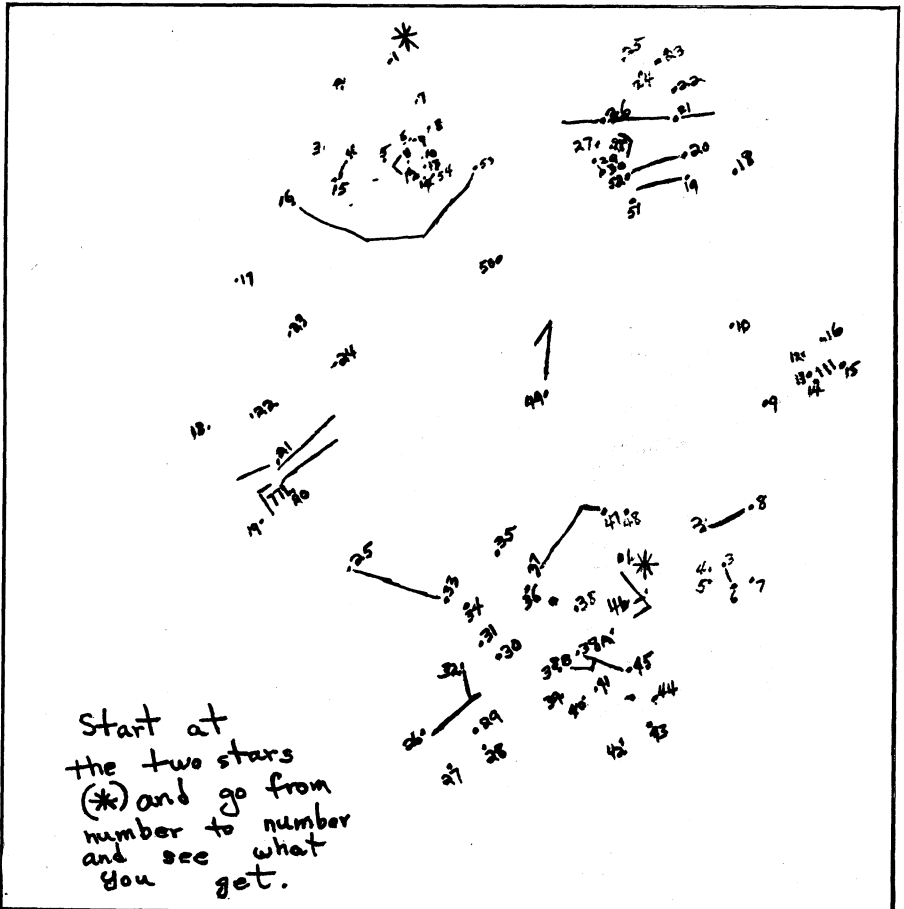
All those who send in correct answers to both puzzles will receive five stamps from five different foreign countries and three different I. L. D. pins. You must send not only the drawing completed by following the dots but a few sentences describing what you see and what you think of it. As for the enigma—you must write a few sentences telling why this leader is so famous and well-beloved. Get busy.

Drawing by Young Defender, Frank Coplan, N. Y.

Enigma:

My first is in fat but not in cat.  
 My second is in cot but not in rat.  
 My third is in sub but not in fit.  
 My fourth is in tack but not in pack.  
 My fifth is in rake but not in rack.  
 My sixth is in roof but not in tooth.  
 My whole is the name of a working class leader.

By Miriam Rottenberg,  
 Tom Mooney Young Defenders,  
 Crompond, N. Y.



# Voices from Prison

## Brother Ralph Gray's Story

*(Ralph Gray was murdered in Alabama on July 17, 1931. The Share Croppers Union of which he was one of the founders declared July 17, 1935 a Ralph Gray Memorial Day throughout the South—A real Southern Toilers holiday. This short sketch of his life was written by his brother)*

There were 15 of us children that were born unto James and Fannie Gray. They were nine boys and six girls. Brother Ralph was the fourth child born to James and Fannie Gray. He was born on March 7, 1873 in Tallapoosa County in the state of Alabama. Brother Ralph was raised on the farm and there he worked until he was twenty one years of age.

Brother Ralph was a mighty hunter and trapper of wild game from his earliest youth. At the age of 15 he would go out and catch wild game. After he was 21 he left the farm and went to Birmingham and there he stayed for a year after which he returned back home and began working on the farm again.

He was married to Junnie Row in 1896 and there were two children born to Ralph and Junnie. The first born died while he was a little child and the second child is living and with her mother today.

Brother Ralph and Junnie lived together on the farm for 23 years. In the fall of 1919 he left Alabama and went to Oklahoma where Andrew, our oldest brother was living at that time. And Brother Ralph farmed there for two years and was greatly robbed by the landlord.

He left Oklahoma and went to New Mexico and farmed there for eight years, but while he was there he also did a lot of hunting and trapping and he made pretty good on selling the hides from the different animals that he caught.

So in the fall of 1929 Brother Ralph returned back to Alabama to his native home. And he began to work on the farm again. The conditions on the farms got so bad until it was impossible to get along at all or get any help except by organizing ourselves together. In 1931 Brother Ralph bor-

rowed \$40.00 from the government and he rented a farm from John J. Langley. When the check came both John J. and Brother Ralph had to sign it to get it cashed. John J. being the landlord he wanted all the check for himself. He was also the mail carrier on Brother Ralph's route—so when the

signed the check, but he never saw the money.

He went to ask for his money but Langley refused to give it to him. Brother Ralph went right back to the county agent and told him what John J. the landlord had done and asked the agent to consult the papers and notes that held him responsible for the \$40 that John J. had. When the landlord heard what he had done, he got mighty mad and jumped on Brother Ralph to give him a whipping. Instead Brother Ralph whipped him. And that made him still more angry.

And so in 1931 when the first trouble with our union broke out and the sheriff and thugs broke up a meeting at my home where we were protesting against the Scottsboro frame-up, and I was brutally beaten up together with all of my family, John J. thought this was a good time to do what he had been wanting to do for some time.

And so on the next evening after they had beaten me and my family up they came upon Brother Ralph on the public highway and the sheriff and some others shot him down. And when he fell the sheriff came up to him to take his gun but Brother Ralph shot the sheriff.

He lay there suffering until some of his friends went for him and carried him home.

In a short while a great crowd of gangsters and thugs crowded around his house and they took axes and clubs and broke down the door of his house and went in on him though he was helpless on his bed.

One of the thugs poked a pistol into Brother Ralph's mouth and shot him down his throat.

By the time they loaded him into a car and carried him to the jail his body was riddled with bullets and he was dead and his body was left before the gates of the jail-house like that of a wild animal.

We all honor the memory of Brother Ralph Gray—he was a leader and a fighter and his work goes on though he is not here to see it grow.



Ralph Gray

check came he told Brother Ralph to sign it and he would get it cashed and bring the money back. Thinking he would do what he said, Brother Ralph



FROM

# Our Political Prisoners

## We Hope So Too

In answer to your letter I was pleased to hear from you all again. The relief check was certainly appreciated by me and the children. We are enjoying the best of health and will try to keep it up. I hope the I.L.D. has every success with its picnics and meetings this summer and I hope this milk campaign will be a great help to all our imprisoned comrades.

Greetings,

Elizabeth Baldwin,  
Gatliff, Ky.

(Widow of Julius Baldwin, murdered during the Harlan miners strike in 1931. She has four small children.)

## A Message to Herndon

Your news letter of recent date received this day. We jointly join in hearty congratulations to the workers outside and pledge our full support to the struggles to come. We admire the courage and determination of Angelo Herndon. We are all as well as can be expected under the circumstances, and we received the relief you sent us O.K. Hoping the I. L. D. will continue to build and grow stronger than ever, we wish to remain,

Fraternally,

James G. McShann  
Harold Hendricks  
Joseph Toth  
John Sanders

(Lincoln Heights Jail, California.)

## Inspiring Words

Received your letter and money order. I take this means of thanking all the workers who made it possible. I fully realize there are many more with dependents to be thought of and taken care of and for that reason I appreciate it more than all the words in use can express. Thanks for sending the Labor Defender to my wife. While I am denied it, it is my fervent hope that it will educate and inspire her. I am for less opposition and more inspiration

for all on the outside especially the youth. Let its powerful rays flash forth. I would love to express myself more fully. With the help of all militant workers I may be able to do so. With greetings of solidarity to all, I remain,

Harry Donlan, No. 56630  
San Quentin Prison

## What Solidarity Means to Those Behind the Bars

On Friday, June 28, delegations from the fighting labor defense corps of the workers, the I.L.D. visited class war prisoners incarcerated in the bosses' prisons.

At Harts Island several were visited. Unfortunately for myself I was not eligible for an interview with the delegation as I am not a political prisoner but that does not stop me from having the feeling of pride and happiness that I have in the knowledge that it is *my* organization too and that it has again broken through the red tape rigamaroles that are placed in the way and obtained a special visit, outside of visiting hours for its proteges—a fitting celebration for its tenth anniversary.

This is but another sign that after ten years packed with countless episodes of militant defense, the I.L.D. is continuing its militant role as a living, powerful and effective factor in the struggles of the masses on the path to the final victory of the proletariat.

I send revolutionary greetings to the organization that is constantly turning one of the bosses' weapons of repression back on them.

A. M.

Harts Island, N. Y.

## An Ex-political prisoner Writes

With the greatest of pleasure and my heart's desire, I will let you hear from me. Just to keep you from guessing while you are reading these few lines I will tell you who I am and how I stand. This is—, until recently a number in a state penitentiary.

I was sentenced for five years in prison—a place of burning hell. Charged with killing of a thug in a coal camp. Now that I am out of prison I have been unable to get employment. I am in need and in need of the worst kind. I have no money to buy food nor clothes. So if you can, I am sure you will send me and the family some clothing and shoes. I wear 8½ or 9.

I want to thank you for all you did for me and my family while I was in jail. I am a stronger union man than ever.

Greetings,

(Name withheld. The clothes and shoes have been sent.)

CUBA—(Continued from page 11)

that it was "obvious the Cuban government did not want us to land." He could give us no assurance of anything being done for us as far as the American government was concerned nor did we expect anything. Our hopes lay in the protest from the U. S., upon the American government and the Cuban authorities.

While in this jail, surrounded by the beautiful landscape, DOI, the Cuban I. L. D. got word to us. Late in the afternoon, when they had us where they wanted us and the army had withdrawn, a Cuban worker entered the gate. Very quietly he called to us in Spanish. Lucille Perry followed his directions. A small piece of paper was lying on the ground. It had the words "greetings from the Cuban I. L. D." Fifty heroic doctors, workers, intellectuals, professionals, representatives of the Cuban masses, had come to the dock to greet us. They were all arrested and brutally beaten. Among the delegates on this welcoming committee was a member of the heroic Cuban I. L. D. They are still in jail on the Island of Cuba. Their only possibility of being freed is the widest mass protest that can be developed throughout the U. S. If we are to speak of heroes, we must speak of our brave Cuban fellow workers who bearded the lion in his den, faced the most unscrupulous terror by daring to organize a welcoming committee and demonstration in this hell-hole that is Cuba today.

Our delegation accomplished one thing. Though it was not able to investigate conditions as it had planned, it has brought before the American people in no uncertain terms, the viciousness, the brutality and inhuman slaughter of all civil rights of the Cuban masses. It has dramatized before the American people, the meddling hand of the American government, the complete domination of the island by American capital.

Yes, Clifford Odets is right, we must send another delegation back to Cuba, backed by the most powerful mass protest ever organized in the U. S., drawing in every sincere individual possible, getting organizations throughout the country to send a delegate. Yes, a Commission of 100 to return to Cuba, to force the Cuban government and its American imperialist prodders to permit this delegation to investigate these conditions. I am sure when this delegation returns to Cuba, there will be a delegate from the International Labor Defense carrying greetings to our fellow-workers who through the terror brought solidarity into our prison camp with, "GREETINGS FROM DOI."

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## Tenth Anniversary Greetings

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Brooklyn, N. Y.

A. Schochet	P. S. Green	A. Konyski
I. Trevlak	H. Goodman	L. Shtypowana
Ben Stark	K. Robinson	M. Wishniowski
A. Fisher	Fred Shipley	A. Gatz
M. Rose	A. Goodman	A. Karlyk
O. Roberts	Isidore Ginsberg	A. Darish
Charles Roffeld	Morris Krasnow	S. Shalagan
Philip Schuck	P. Newhauser	J. Halusko
G. Millie	Reginald Fields	A. Darish
Morris Massen		M. Kawchek

## SOVIET RUSSIA FIGHTS CRIME

(Continued from page 14)

which he may do is to increase the wealth and luxury of a privileged group?

The administration of prisons will reflect the administration of the state. In a state which functions for the enrichment of the members of a small class and the preservation of their privileged status, the "criminals" will be treated by that selfish group with vindictiveness and brutality. These "criminals" come from another class, the working class. And they will be treated as class enemies, which they are. They will be crushed, not helped.

But in a state which functions for the enrichment of the great masses of people, and the elevation of their standards, the "criminals" will be treated by the masses with understanding and sympathy. These "criminals" come from the same class, the working class, and are in large part the results of the environment and ideology of the former regime. They will be treated as class brothers and sisters which they are. They will be helped, not crushed.

The Soviet prison is run as an industrial unit. It is operated in the same manner as such a unit is run in the country generally. It has its quota under the country's industrial plan fixed by the State Planning Commission as in the case of other units. It has its socialist competition, its shock-brigades. The prisoners are paid. There are additional

rewards and honors and privileges for outstanding accomplishments. The prisoners are stimulated by their very activities and objectives. They are made to feel that they have much to live for in the development of the country. And men and women who feel that they have much to live for in the development of the country cease to be criminals.

Every Soviet prison has its schools with courses for illiterates and for those whose education is deficient. Scores of thousands of prisoners are pupils in the more advanced classes and every prison has its "council of culture" elected by the prisoners, with supervision over its theater, its movie and other cultural activities.

Prisoners do not wear prison uniforms. There is freedom of speech in the prison! (I have heard of countries in which there was no freedom of speech outside of prison). Smoking and music-making are allowed and there is plenty of variety in Soviet prison life.

The prisoners have their own courts, by which discipline is maintained, and the book contains a most interesting chapter devoted to the description of these courts with numerous illustrations of trials.

Prisoners have their wall newspapers, where there are displayed their observations and criticisms. Many of these are of the most outspoken and biting character.

Annual and "free day" vacations from the prison are an accepted practice in the Soviet prisons.

When you read this book and ponder its significance in connection with the tremendous project of social construction which is engaging the workers of the Soviet Union you can appreciate the remark made to me by the superintendent of a Soviet prison when I had concluded my own survey of the institution some three years ago: "We must have prisons now. That is not our fault. But if we need them two years from now—then it will be our fault."

## WHAT IS YOUR ANSWER

(Continued from page 10)

fly into a rage at the attempt of Attorney and Katherine Gay to plaster cast the auto tire prints at the spot where Minor and Levinson were dumped out by the kidnapers? Why did he forbid their recording this evidence? Why did he refuse to accompany them to see it done?

HOW does it happen that persons at Chief Presley's home on the night of the kidnaping insisted he was out on duty when Presley says he was at home in bed? Why was it Presley could not be reached until the morning after the kidnaping?

WHY has Governor Tingley never published the report on the Minor Levinson kidnaping by the New Mexico State police? Can it be because it furnishes overwhelming proof of the kidnaping, makes a Gallup grand jury superfluous and discredits the statements of officials in the Gallup Independent?

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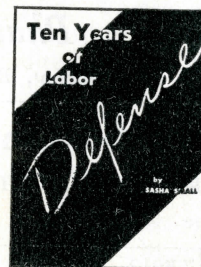


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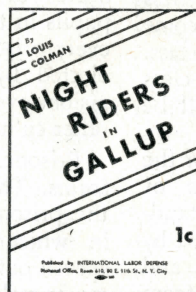
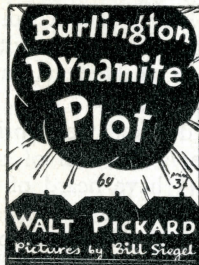
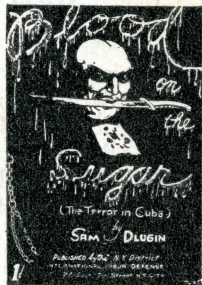
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