

Comments On Life, Liberty and Pursuit of Happiness

By BILL REICH

Washington Side Show...

Ralph Easley of the National Civic Federation protests the extent to which Soviet Ambassador Trojansky is feted in Washington...

Housing...

Cost of materials and opposition of realtors has forced the government to relegate to second place the PWA housing program...

High Finance...

Tobacco growers in 1932 received \$107,000,000 for their entire crop. Workers in tobacco factories received only \$60,000,000 in wages...

Education...

Half an hour after passing a resolution endorsing the principle of academic freedom the convention of the National Educational Association passed another to the effect that the NEA believes and will teach that the American system of government is the best so far devised by man...

The Land of Plenty...

After two years of unemployment, 515 miners of the Oliver Mines near Unifonton, Pa., received \$1 for two weeks work. The rest of their pay was kept by the company for bills owed at the company store...

Terre Haute Under Militia

Labor Skates Time Betrayal with Troop Onslaught

Continued from Page 1
skates placed themselves at the head of the movement to head it at the earliest opportunity...

Full fruits of this rotten treachery are already to be picked in Terre Haute. Returning to work before a real test of strength could be made, the workers are being victimized by the bosses...

Spring Strike Enters Fifth Week

The Brooklyn and Bronx strikes involving 800 workers of two spring manufacturing companies enters its fifth week with the ranks united and determined to win...

The strikers are not the same crowd of workers that walked out on strike three weeks ago. The same enthusiasm is there, the same high spirit, but there is a discipline and direction to the strike that was not to be found in the earlier days...

What to Attend

Saturday, July 27, 8:30 P.M.—Boro Park Social, 1359 43rd St., Brooklyn, Spartacus Hall. Come and hear the "Mysterious Proletarian Terror..."

IMPORTANT NOTICE!
Boro Branch Picnic POSTPONED
From July 28 to August 25
To be held at Tippetts Brook Park, Plot 8.

3 Members of P.P. Sect Resign After Bitter Struggle; Join W.P.

"The Proletarian Party is today hopeless; for not only is it ultra-sectarian in nature and its position completely incorrect, but there is no possibility of changing it. The existing bureaucracy is too deeply entrenched and cannot be dislodged. There is nothing for us to do but resign."

With these concluding remarks three leading members, Phil Lawson, Dick Landgraf and Gunther, of the Detroit local of the P. P. bid farewell to a hard-shelled sectarian outfit...

Taking a clear stand on the international question they point out that the Proletarian Party hid for years behind the skirts of the Comintern, never criticizing it through years of bankruptcy and treachery...

All of this is a piece with the rest of the haloed sectarianism of the Proletarian Party which raises "educational activity" to a principle and by means of study circles, lectures, reading groups and the like it hopes to win over the majority of the working class.

Moonlight On The Hudson

To those who love the moonlight, the cadence of dancing feet, the odor of boiling franks, we are offering the opportunity of an August evening. A moonlight sail, up the moonlit Hudson.

Indiana Council Members Denounce Stalinist Splitting

INDIANAPOLIS, July 14.—The second conference of the Marion County Joint Conference Against Wage Cuts and For Increased Relief, held Sunday, July 14, passed a resolution holding the Communist Party and organizations close to it responsible for criminal sabotage of the united front.

- 1. Absolutely no wage cuts on FERA;
2. Jobs for every unemployed worker, with the 30 hour week and \$30 minimum wage;
3. Unemployment insurance at the expense of the bosses;
4. Right to call the family physician at the expense of the relief authorities;
5. Immediate 50 percent increase in relief allowance, with \$15 a month cash for rent and utilities.

Plans were made of drawing the unions into the united front. Plans also were made for the holding of a picnic, for the purpose of raising finances for the carrying on of the Conference's program.

An executive committee of seven was elected to carry out the activities of the conference until the next conference when further action would be decided on. The representation on the committee was: National Unemployed League, Brightwood Local, 2—Fred Sullivan, chairman of the local, and Robert L. Birchman, NUL organizer for Indiana; National Unemployed Council blocks, 4—Cecil Allen, Andy John Faune, Mohamed Ajamy, and Elsie Francis; and Charles Staidfeld, Section Secretary of the Communist Party. Cecil Allen, of the National Unemployment Council was elected chairman, and Robert L. Birchman of the National Unemployed League, secretary of the Executive Committee.

When the second conference convened on Sunday afternoon, July 14, Cecil Allen as chairman of the Executive Committee noted the fact that only nine delegates were present...

Ride Scabs Out In Iowa Strike

Workers on March In Many Cities Of State

By PAT MURPHY
DAVENPORT, Iowa, June 18.—Twenty-five men who were imported from St. Louis, Mo. to act as strike breakers in the Des Moines, Iowa bakery strike were met at the depot by over 200 labor union members and informed that they could not stay long in Des Moines...

The six leading bakeries of the city are shut down. The unionized bakers and bakery truck drivers walked out July 13. They are demanding closed shop contract.

In Keokuk, Iowa, workers struck the Hubinger Co., corn product manufacturers, demanding the reinstatement of seven workers who were discharged for union activity.

The resolution was passed unanimously. The conference instructed the executive committee to prepare for a large mass meeting within two weeks, as preparation for a demonstration against wage cuts, against cutting any worker off from relief, and for the 30 hour week, \$30 minimum wage.

The resolution adopted follows: Whereas the workers, unemployed and employed in Marion County are faced with a new offensive on their living conditions including new wage cuts and discriminations; And whereas united action of all workers' organizations is imperative; And whereas this conference is a step in this direction; And whereas the Communist Party and organizations close to it have sabotaged this fight; Be it therefore resolved that this gathering of workers for united action hold the above parties responsible and condemn them for criminal sabotage.

MOHAMED AJAMY, National Unemployment Council, Marion County, Block No. 101. ROBERT L. BIRCHMAN, National Unemployed League, Marion County, Brightwood Local. ANDY JOHN FAUNE, NUC, Marion County, Block 101. FRED SULLIVAN, NUL, Marion County, Brightwood Local. FAXE ALLEN, NUC, Marion Co., Block 101. ANNIE HOLLME, Angelo Herndon Branch, International Labor Defense. MARJORIE KIRTLEY, Angelo Herndon Branch, I.L.D. CECIL E. ALLEN, NUC, Marion County, Block 101. JULES BERTMAN, NUL, Marion County, Brightwood Local. Delegates to the Second Marion County Joint Conference Against Wage Cuts and For Increased Relief.

Mrs. Fayé Allen of the NUC pointed out that the county chairman of the NUC was absent from both conferences, as was also the state secretary of the NUC and that neither functioned in any way to build the united front; the state organizer of the NUC was present at the first conference, but otherwise failed to function. She stated, "Organizations that do not function are only isolating themselves from the workers and are doing wrong."

Block No. 101, NUC, of Marion County, stated: "We should have had double the number of delegates here that we had at the first conference. The reason we haven't is that the Communist Party black-

An Outline History of Class P resecution

'Criminal Syndicalism Laws,

Prosecutions of militant workers which have occurred in Sacramento and elsewhere are proceeding under laws passed during the post-war labor struggles. As the rising tide reached the heights of the general strikes of Winnipeg and Seattle, laws were hurriedly passed to curb the labor movement.

In sixteen states the law is worded exactly alike. The California law of 1919 is typical. It defines criminal syndicalism as "any doctrine or precept advocating, teaching, aiding and abetting the commission of crime, sabotage (which term is hereby defined as meaning willful and malicious physical damage or injury to physical property) or unlawful acts of force and violence or unlawful methods of terrorism as a means of accomplishing a change in industrial ownership or control, or effecting any political change."

Originally the criminal syndicalist laws were directed chiefly at the I.W.W. But as the revolutionary movement developed the courts used the laws against all militant workers.

Three other types of laws were already on the statute books as weapons against labor: criminal anarchy, incitement to insurrection, and seditious laws.

Reviving Dead Laws

Criminal anarchy is defined as "the doctrine that organized government should be overthrown by force and violence or by assassination—or by any other means." New York, New Jersey, and Washington passed such laws after the assassination of King Humbert of Italy and President McKinley, but for twenty years they remained unused.

Judge Anderson in Federal District Court concluded similarly in interpreting our deportation laws which were originally directed specifically against anarchists. However, this acquaintance with some of the rudimentary differences in radical philosophies has left no impress on the law. In fact, the only person who seriously accepted these distinctions is that well-known student of Lenin, William Randolph Hearst, who has recently cried out that our deportation and syndicalist laws are creaky, antiquated instruments inadequate for a 20th century capitalist reaction.

Dusting Off the Civil War

Another example of the ingenuity of the courts is the use of the "Incitement to Insurrection" laws passed in the Southern states during Reconstruction days. The Georgia laws say that "Any attempt or persuasion or other means used to induce others to join in any combined resistance to the state, shall constitute an attempt to incite insurrection, which is punishable by death, unless the jury recommends mercy; in that event, the punishment shall not be less than five nor more than twenty years. This type of statute does not penalize membership in radical organizations, but requires proof of an actual attempt at incitement to insurrection. However, in the hands of a vicious prosecutor, together

with a handpicked jury, it is an effective weapon for the suppression of radical activity—a Civil War musket, slightly rusty, but still usable—as the conviction of Angelo Herndon shows.

Finally, there is a fourth type of law commonly known as the "Sedition Law." Rhode Island punishes "language intended to incite—disregard of the Constitution or laws." Connecticut punishes "public advocacy of any measure or doctrine proposed or propaganda intended to injuriously affect the government."

Terror in California

The criminal syndicalist laws have been used mostly against union organizers. In California up to 1924 there were 531 indicted of whom 504 were actually apprehended; 292 dismissed without trial; of 212 who were tried, 164 were convicted, all of whom were members of the I.W.W. except three who belonged to the Communist Labor Party.

Anita Whitney was one of the three. Daughter of a former Supreme Court judge of California, she had played an important role in the defense of members of the I.W.W. She was convicted so soon after the organization of the Communist Labor Party that the state had little evidence except some speeches made at the Chicago convention. As part of its platform, the party had adopted a resolution recognizing the historical significance for militant unionism of the I.W.W. The judge ruled that the Communist Labor Party had endorsed the I.W.W. and that evidence as to the activities of the I.W.W. was admissible to show the character of the Communist Labor Party. Whitney was convicted, as were all the others, solely on the basis of membership in a radical organization.

"The Usual Story"

Immediately upon the passage of the criminal syndicalist laws the I.W.W. had eliminated from its platform all references to sabotage as a tactic in class struggle. But this was of no avail. Pre-war documents were used to convict Wobblies. Two stool pigeons appeared at trial after trial with the same evidence, which was so much a matter of rote that the Appellate Courts often refer to it as "the usual story."

The California prosecutors have developed a technique for confusing the juries. Evidence is introduced—not as to the defendants' activities—but to show that the organization the defendants belong to has advocated certain doctrines. Since, however, juries have often shown themselves not ready to send workers to jail merely because they advocate and organize unions, the prosecution resorts to embellishments: long extracts from Lenin on religion, taken out of their context and badly distorted, followed up with a parade of bogies, such as nationalization of women, destruction of the American home and fireside, etc. The prosecutors have also been accustomed to prove with perjured evidence that Communist meetings are opened with a ritual which starts by kissing the Red Flag, trampling the American flag underfoot and ending with the collegiate cheer, "Bolshevik, Bolshevik, bang bang bang!" Prosecutors have also introduced fake evidence of sabotage, terrible tales of arson, emery dust in machinery, systematic destruction of property, etc.

Where convictions have been obtained on such evidence, the defense objections against the evidence have been agreed to by appellate courts—which, nevertheless, sustain the convictions! How? The California law, for example, provides that even improper evidence may be overlooked by the appeal court, unless "the Court shall be of the opinion that the error complained of has resulted in a miscarriage of justice." So, no matter how raw the patriotic antics of the prosecutor, no matter how little evidence is produced, the upper courts have often succeeded in convincing themselves that there was no "miscarriage of justice."

In both the Gitlow case (1925) and the Whitney case (1927) the U. S. Supreme Court sustained the convictions. Thus the highest court in the land has blessed these vigilante laws. The post-war wave of prosecutions was finally defeated, not by reversals in higher courts, but by failure of the juries in lower courts to render verdicts. As the red-scare faded, fewer and fewer juries could be found who were amenable to the prosecution's frame-ups. The struggle for civil rights began to have its effect on the juries, and there were many split juries. In desperation, prosecutors and judges even resorted to the use of injunctions against radicals—for the violation of the injunction could be punished by the judge himself without a jury. This method was too raw, however, and was dropped. The splitting of juries under the pressure and persuasion of the struggle for civil rights brought to an end the post-war prosecutions.

MUSIC DANCING
MOONLIGHT SAIL
B.S. ISLANDER TO HOOK MOUNTAIN
LEAVES PEIR W. 132ND ST., 5.30 P.M.
SATURDAY AUGUST 17, 1935
BENEFIT 8 PAGE NEW MILITANT
TICKET \$1.00
ENTERTAINMENT REFRESHMENTS

PAUL LUTTINGER, M.D. DANIEL LUTTINGER, M.D.
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