





# Callahan Disregarded Even Boss Law in Decatur Trial

### Numerous Raw Decisions Made by Judge in Scottsboro Trial to Railroad Boys

By JOHN L. SPIVAK

#### ARTICLE III

With Judge Callahan's raw decision on the Jackson County jury verdict made, he seemed to throw all judicial caution to the winds. Decision after decision followed, the crudeness and prejudice of which was apparent even to the most casual observer. And each time he overruled some important defense motion the learned jurist would step down from the bench, stroll over to the press table and devote a few minutes to ingratiating himself with the newspapermen.

It was incredible to those of us who heard him that with a man's life at stake this circuit court judge would insist that only three days be taken for his trial. Excluding the inevitable "reversal" in the higher courts of the court's decision on the jury roll forgeries, the very fact that he refused to give the defense sufficient time to defend Patterson is in itself reversible. Callahan is a shrewd lawyer and knows law and he must have known at the time he made his decisions that he was dotting the record with reversible errors.

Even Newspapermen Shocked

With that attitude and indifference to the life of the boy who was on trial, Callahan shocked all the newspapermen. The southern ones who were prejudiced against the defense, by his callous refusal to wait a few hours to give the defense a chance to get its most vital defense testimony into the record and before the jury.

Ruby Bates was ill in New York. Her confession that the whole case against the Scottsboro boys was a frame-up shattered the state's case. It was Victoria Price's claim that she was raped against Ruby's claim that the whole thing was a frame-up. Victoria had told her story to the jury. If Ruby's story could be presented the jury would have to weigh both against one another.

Leibowitz quietly asked the court about four o'clock in the afternoon for an adjournment until nine o'clock in the morning.

"Ruby's Bates' interrogatories have been taken in New York and are on the way here by air mail. I submit in evidence the telegrams and affidavits from the physicians attending her showing that it was impossible to take them before yesterday because of her physical condition."

Refused to Wait for Testimony

"Well," Judge Callahan drawled, his face wreathed in smiles, "I'll go on with the trial anyway. You had plenty of time to get them here."

As a matter of fact the defense had ten days according to law to get the interrogatories to Decatur. Only two days had passed.

The newspapermen sitting at the press table looked at one another. In no court in the land where a man's

life was at stake, would any judge refuse to wait for one afternoon until the following morning for evidence upon which a man's life hung, yet here, in a court presumably under the Constitution of the United States, this representative of law refused to wait a few hours. The amazement in the eyes of the reporters was such that the prosecution saw it.

Tom Lawson, Knight's assistant attorney general, strolled over. He or Knight or Callahan were always strolling over whenever something particularly raw was done.

# NRA Board Upholds Steel Co. Blacklist Against SMWU Men

### Board Asks Company If They Have Violated Their Code

BUFFALO, N. Y.—Blacklisting by the Republic Steel Co. against the Steel and Metal Workers Industrial Union members here, involving suppression of the right to organize, has been completely upheld by the Washington, D. C. board.

The N. R. A. answer to the charge is contained in a letter sent to the union Nov. 28, which says, in part: "Mr. R. J. Wiser, vice-president in charge of operations, Republic Steel Corp., Youngstown, Ohio, and Mr. J. A. Voss, industrial relations office of the Republic Steel Corp., have submitted satisfactory evidence that there have been no violations of the Iron and Steel Code in this instance."

The N. R. A. board made no effort to investigate these charges for itself, being content with asking the opinion of the very company the charges were brought against.

The S. M. I. U. calls on all workers and their organizations in Buffalo to join in a united front struggle to better conditions here.

Another 75,000 to Register Soon; Expelled A. F. of L. Men Discriminated Against

CHICAGO, Ill.—Despite announcements two weeks ago that 100,000 in Cook County will give Civil Workers Administration jobs, only 26,340 have been given work out of 150,000 registered men and women, with another 75,000 expected to register shortly.

The building trades workers, members of the A. F. of L., are supposed to get union wages. In some cases they do. But when a group of expelled members of the painters and carpenters unions of the A. F. of L., who organized themselves to fight for reinstatement in the unions, went to the C. W. A. administration demanding they be placed on equal terms with union men, they were not only denied, but the delegation of waiters were brutally attacked in the office of the C. W. A.

A statement issued by the Unemployed Councils of Cook County calls upon all workers who get jobs through the C. W. A. to organize into the Relief Workers' Councils and fight for 1 union scale to be paid on all jobs—minimum 62 1/2 cents an hour; 2, adequate clothing to be furnished on all outdoor jobs; 3, Negro and single men and women to be given jobs on the same basis as other workers; 4, supplementary relief to be issued immediately in case of layoffs; 5, no deduction for time lost because of bad weather; 6, return of all "paper affidavits" for men taken from relief rolls and put on C.W.A. No signing of pauper affidavits to qualify for C.W.A. jobs.

The statement of the Unemployed Councils continues further: "The minute you are laid off, demand supplementary relief. Use your two weeks' wages for rent, gas, electricity and clothing bills and buy a grocery order. If refused, report to nearest Unemployed Council and they will help you organize a fight for your grocery order."

The treacherous purpose of Smith's new "union" can be seen in its program. The union, it is announced, will work to "obtain more equitable freight rates for the mines south of the Ohio River." Other purposes announced, in order to deceive the miners into joining, are "promotion of the welfare of the miners, seeking increased wages, better living and working conditions, and such benevolent and charitable work as the union desires to undertake."

Miners are urged to resist any intimidation to compel them to join this new company union.

# Thugs and Police Attack 'Norwood Tannery Strikers



Thugs imported by the Bergoff Detective Agency of New York, together with police, murderously attacked the picket line of the Norwood, Mass., tannery strikers, shown above. Eight were seriously hurt and sent to the hospital, one striker with a fractured skull. Governor Ely threatens to call out state troopers against the strikers.

# 150,000 Register in Cook Co.; CWA Jobs for 26,340

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Miners raised the question of drawing up their own code with demands for more pay and for two men on a machine, but the chairman sidetracked the question.

An unemployed miner, member of the National Miners Union, told the workers of the code drawn up by the District Board of the N.M.U., which could be presented in Washington after the miners had made their proposals for changes and had approved it.

The call is addressed to all organizations of the unemployed, trade unions, women's auxiliaries and workers' fraternal organizations. The State Convention will endorse and elect delegates to the National Convention called by the National Committee of the Unemployed Councils which will take place in Washington, Jan. 13, 14 and 15, and will mobilize unemployed and part time workers throughout the state for huge demonstrations on Jan. 15 in support of the demands of the National Convention.

In preparation for the State Convention there will be city and county conferences throughout the State of Illinois. The local conferences will be held on Thursday, December 7, at 1:30 p. m. at 140 West 38th Street, where the problems of the unemployed, will be discussed, and organizational steps will be taken to mobilize against starvation and misery.

# New 'Insurance' Bills to Be Given Congress Are Useless to Unemployed

### Aimed to Cover Up Sidetracking of Workers Social Insurance Bill; Jobless Council Calls for Action on Convention

NEW YORK, N. Y.—"With the collapse of the N.R.A. and the rising hallyhoo about the 'wonderful achievements of the civil works program,' new proposals for 'unemployment insurance' are again being brought forward," says a statement of the National Committee of Unemployed Councils. In all plans proposed the masses of workers now unemployed will find no protection.

"According to Dr. Leiserson, author of the Ohio unemployment insurance bill," the statement continues, "bills will be introduced in Congress soon after its convening. A group of 'experts' is now working on three propositions: 1) An amendment to NIRA requiring each coded industry to set aside a portion of its earnings to tide over the employees' periods of unemployment. 2) Federal aid to industries which provide security to their workers by exempting all securities reserves from federal taxation. 3) The indorsement of a model state compulsory unemployment insurance measure.

"According to the 'model' bill—the Ohio bill—the worker now at the bench will receive no protection in case of unemployment before the expiration of more than one year. If he is discharged for 'misconduct'—that is for talking organization or carrying on activities—he will get no insurance. Agricultural, professional, government and domestic workers will receive no insurance. The hundreds of thousands of migratory workers will receive nothing.

"The setting aside of a portion of company earning even after the expiration of a year would provide only the most miserable 'insurance,'—and for a limited period of no more than 18 weeks.

"The second proposal of tax exemption to companies means only the putting of more taxes on the workers and toiling farmers." "The 'model' bill is the Ohio bill, which embodies all the bad features above mentioned.

U. S. Government Resists Demands

"Unemployment reserves" is what the employers mean. They want into operation in the General Electric Co. and resulted in tens of thousands of G. E. workers finally landing at the relief bureaus in struggle for relief benefits.

The United States government is resisting most violently any consideration of unemployment insurance, "Rugged individualism," "dignity of the American workman" (Green, Wolf & Co.) have been used as arguments against unemployment insurance in this country. But the collapse of the national recovery act and the application of the civil works program, with the "public works" fund being expended for war preparations, demand a new measure by the government to delude the workers still further.

Signature Campaign

The struggles of the shop workers, the farmers' strikes, the demonstrations and marches of the unemployed, the complete lack of government and employers' great concern. The winter is going to be one of bitter struggle. The demand for the enactment of a genuine unemployment and social insurance bill is growing. In the A. F. of L. among the unorganized workers, in the neighborhood shops, unions, clubs, neighborhoods. It is becoming evident that the working class must be provided with insurance if it is to have any security at all.

The campaign for the Workers' Unemployment and Social Insurance Bill is now on. Under the leadership of the unemployed workers, a signature campaign has been launched in every state. In several states, it is being put on the ballot for referendum vote. In the international of the A. F. of L. the struggle is on. On the final demand of the National Convention Against Unemployment, which will be held in Washington, D. C. on Jan. 13 to 15, will be the enactment by the federal government of the Workers' Unemployment and Social Insurance Bill.

The committee of liberal "experts" is now on the job to help the government in its desperate attempt of adopting the "Workers' Bill." The workers must not be deceived. We do not want unemployment "reserves" for only a percentage of the workers. We demand unemployment and social insurance for all workers. Take up the campaign for the Workers' Bill in all organizations, shops, unions, clubs, neighborhoods. Elect your delegates to the local and county convention in your vicinity and to the National Convention. Make the cry for the Workers' Bill resound in the demonstrations on January 15, when the demand will be presented to the U. S. government, so that Congress will be compelled to enact the Workers' Bill.

out any discrimination when there will be work.

### OUT OF TOWN AFFAIRS

FOR THE **Daily Worker**

Akron, O.

Dec. 9th:

- Entertainment Concert and Dance at Urban Workers Hall, 502 Corice Street.

### Trade Union Directory

- BUILDING MAINTENANCE WORKERS UNION, 700 Broadway, New York City
- CLEANERS, DYERS AND PRESSERS UNION, 228 Second Avenue, New York City
- FOOD WORKERS INDUSTRIAL UNION, 4 West 18th Street, New York City
- FURNITURE WORKERS INDUSTRIAL UNION, 512 Broadway, New York City
- METAL WORKERS INDUSTRIAL UNION, 25 East 19th Street, New York City
- NEEDLE TRADES WORKERS INDUSTRIAL UNION, 131 West 25th Street, New York City

ALLERTON AVENUE COMRADES! The Modern Bakery was first to settle Bread Strike and first to sign with the FOOD WORKERS' INDUSTRIAL UNION 691 ALLERTON AVE.

CLASSIFIED

LARGE ROOM to let, reasonable, 820 Suburban Pl., Apt. 24, Bronx 1122nd St. and Boston Rd.

**GALA CELEBRATION-CONCERT & DANCE**

Speaker-HERBERT GOLDFRANK-Acting Secretary F.S.U.  
15 Piece Balalaika Orchestra Hot Jazz Band - Dancing  
Soprano - Famous Soprano  
Aspirants - West Side Branch F.S.U. The Biggest Uplift  
Event of the season-Admission 50c in advance; 60c at door

**FRIDAY - AT CLUB HOUSE - 150 W. 85th ST.**

- CHICAGO -

**INTERNATIONAL LABOR DEFENSE BAZAAR**

FRIDAY | SATURDAY | SUNDAY  
DEC. 15 | DEC. 16 | DEC. 17  
PEOPLE'S AUDITORIUM  
2457 WEST CHICAGO AVENUE

PROGRAM: Singing, Dancing, Choruses, Ballets, South Slav and Bulgarian "Kolo" and many more attractions.

PROCEEDS: Defense of Class War Prisoners. —Admission 10c

### Police Arrest Seven in Raid on Workers' Club; Trial Friday

NEW YORK—Seven workers who were arrested at a dance last week in a raid by the police on the Scandinavian Workers' Center, 5111 Fifth Ave., Brooklyn, have had their trial postponed from last Tuesday to this coming Friday in Magistrate's Court, 43rd St. and Fourth Ave., Brooklyn.

### Tonight Protest the Hitler Terror

Hear Anna Schultz, former Secretary to Torgler, speak on "Who Burned the Reichstag?" SOKOL HALL, 358 MORRIS AVE. ADM. 15c

### National Labor Board Smashes Strike of 4,000 Against Powerful Shipbuilding Companies; Workers Ordered Back With No Gains

By JAMES MATLIES  
District Secretary of the S.M.W.L.U.

active union men. Brother Hunter, a welder and good union man, was the seventh man to be fired. That was too much. The welders decided not to take it on the chin any longer and struck immediately. The same night the iron workers at Robbins Dry Dock voted to strike. The great shipyard strike started.

From the very beginning, the A. F. of L. officials undertook steps to betray the strike.

# The New York Shipyards Strike; Another Betrayal By A. F. of L. Officials

### National Labor Board Smashes Strike of 4,000 Against Powerful Shipbuilding Companies; Workers Ordered Back With No Gains

At the beginning of the strike the forces of the Steel and Metal Union working in the shipyards were very limited. Under the pressure of our union from the outside, and our members from the inside, large numbers of workers were won over to the crying need to spread the strike.

In the fourth week of the strike, sufficient pressure was brought upon the officials to permit at least two pickets in each yard.

Through our efforts rank and file committees were elected in some locals and in some yards. A rank and file relief committee was elected for the purpose of securing money from workers in other yards.

No mass picketing and mass parades were allowed by the officials during the whole period of the strike. About 2,500 scabs were working in the yards during the whole strike. The officials kept the men from taking any action against them, on the ground that these scabs could not do the work of the strikers. The officials by this maneuver, helped the companies to break the strike.

"Stand Pat. The N. R. A. will settle the strike." "Since the N. R. A. came into existence not a single strike has yet been lost. Even Henry Ford had to come across." This was the line of the officials.

During the seven weeks of the strike, the A. F. of L. Metal Trades Department and Building Trades Council did not touch their treasuries to help the strikers with cash relief, although hundreds of dollars were taken in in initiations from these workers. Money for picket signs was collected in the fourth week of the strike, when they were forced to place at least two pickets at each yard.

### A. F. of L. Officials Oppose Mass Picketing, Deny Relief; Steel and Metal Workers' Union Mobilized Support of Navy Yard

program of action to win the strike. During the seven weeks of the strike the ranks remained more or less solid despite the fact that the men were starved out. The scabs were new men brought in by the companies and also old men who did not come but at strike because the A. F. of L. unions, to which they belonged, ordered them to remain on the job. The strikers began to realize that only mass action would get any results. In the last week of the strike, the advice of our union, to have mass picketing, was finally put into effect by the Hoboken workers. But no mass picketing took place in Brooklyn or Staten Island. Some scabs were properly handled by the strikers on their own initiative.

A conference was quickly called in Washington between the National Labor Board, the company representatives and the top officials of the A. F. of L. Messrs. Frey, Davis, Prendergast and Melton. And there the strike was "settled."

The men were to go back to work at once. Wages and working conditions are to be discussed at a later date. Scabs are to remain on the job.





