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**A**

**SOUTHERN**

**WELCOME**

*(In Georgia  
and  
Alabama)*

A REPORT

By

**JOHN HOWARD LAWSON**

PRICE 5 Cents

**Members of the  
Delegation**

JOHN HOWARD LAWSON

*Author and playwright*

WILLIAMS ROLLINS, Jr.

*Novelist*

WINIFRED CHAPPELL

*Of the Methodist Federation for  
Social Service*

MARTIN RUSSAK

*Editor of Textile Workers' Voice*

HERBERT ABRONS

*Southern field representative of the  
American Civil Liberties Union*

WILLIAM SERBER,

*Student at Yale University.*

# Report of Scottsboro - Herndon Delegation

## Purposes and Character of the Delegation

The delegation was sponsored by the National Committee for the Defense of Political Prisoners, in association with the American Civil Liberties Union, the International Labor Defense, and the Herndon Defense Committee.

The purposes of the delegation were three-fold:

First, to visit Angelo Herndon, to investigate his health, his treatment in prison and possibility of his release on bail. Second, to visit the Scottsboro boys, to investigate their treatment in prison. Third, to investigate the question of civil rights, free speech and free assemblage in Alabama and Georgia, and to check on charges made by the International Labor Defense that constitutional rights were being systematically violated in both states.

John H. Hudson, Assistant Solicitor General of Fulton County, Georgia, ordered the delegation out of his office with the charge that the delegates were "Communists," "Anarchists," "part of the red set-up," and "persons with criminal records." In view of this extraordinary attack it seems necessary to state that the delegation was of varied political composition, some members being strongly sympathetic with Communism, while others could not be described as Communist sympathizers. Only one member of the group was an active Communist: Martin Russak, who has long been closely associated with the left wing labor movement.

The majority of the delegates were not familiar with Southern conditions, and made the trip without prejudice or preconceived opinions. The statements in the following report have been thoroughly checked; wherever the facts are in doubt, we have been careful to indicate the uncertainty.

## The Herndon Case

### 1. Question of Herndon's health:

The reports and statements made in regard to Herndon's health were so conflicting that a factual report on his physical condition was impossible. Statements made by Herndon in the course of our half-hour interview with him were contradicted by officials. We believe that Herndon told us the exact truth, but were unable to get proof in verification of what he said—this failure being largely due to the evasive attitude of officials.

The conflicting statements made were as follows: Two doctors, one white and one Negro, recently examined Herndon. The white doctor was reported to have said that there was nothing wrong with Herndon. We understand the Negro doctor reported that Herndon's stomach was in serious condition, and that there were possible indications of tuberculosis. Adjutant General Linley Camp (who recently looked into Herndon's case at the request of Governor Talmadge) denied that there was any conflict in the report of these two doctors. The delegation was unable to see the reports.

Following the medical examination, X-rays were taken of Herndon's lungs at Grady Hospital, Atlanta. The hospital reported that the lungs were "not altogether satisfactory." Ben Davis, Jr., Herndon's attorney, stated that the X-rays were so unclear that they offered no indication of the actual condition. Mr. Davis received an anonymous call from a hospital worker who had been present at the examination who said that Herndon's lungs were in very bad condition and that the hospital report had not been given correctly. Chief Jailer Holland said that Herndon was "in good shape except for gall-stones." Adjutant General Camp said that Herndon was "pretending to be sick in order to get into the hospital!" (The delegation believes that this statement showed prejudice on Adjutant General Camp's part and that this prejudice made Camp's testimony questionable.) Camp also stated that Herndon was "uppity," and that the delegation should advise him to be more respectful. However the delegation's reaction to Camp's attitude is a matter of opinion and not of fact. Chief Jailer Holland said that Herndon was receiving medical attention regularly. Herndon said that he had received no medical attention whatsoever. Ben Davis, Jr., said Herndon had lost twenty pounds since his imprisonment. Adjutant General Camp said he weighed Herndon recently and the prisoner had only lost five pounds. Herndon said he did not recall being visited by Camp or being weighed by him. Herndon said that he suffered severe stomach pains, nausea and vomiting.

Conclusions: In view of the confusing character of the above statements, the delegation can form no final opinion on Herndon's health. The authorities were conspicuously unable to offer any proof that he had been properly examined or that he was receiving proper medical care. There was strong ground for supposing that he was in bad health; and that possibly he was dangerously ill. The delegation felt that there was *no reason*

for this doubt to exist. We recommended thorough unprejudiced medical examination of Herndon (in the presence of his attorneys and other responsible persons), and the taking of new and complete X-rays.

## 2. Question of treatment of Herndon:

Herndon was kept in a death cell, with men condemned to die. Two prisoners awaiting execution were in the cell with him when we saw him. During Herndon's imprisonment, seven prisoners passed through his cell on their way to execution. The authorities admitted these facts, but said the cell was not technically a "death cell" although it was used for this purpose. Until a few weeks before our arrival, water dripped into his cell from a floor above. The leak was fixed the day before the two doctors visited Herndon. Herndon said this leak came from a toilet; but the jail engineer, Bill Turner, indignantly denied this and said that the leak came from the jail laundry.

Herndon got no exercise; in this respect he was treated in the same way as other prisoners.

Engineer Turner said Herndon was getting the same food as other prisoners and occasional special items. Herndon agreed to this. Turner asked him, "What did you have for dinner yesterday?" Herndon replied, "I don't know, I didn't eat it."

It was admitted that all books and papers sent to Herndon were given to John H. Hudson for censorship. Since Hudson (according to his own statement) regarded practically all culture or all liberal thought as "insurrectionary" and "anarchist," it was clear that this censorship was very broad and meant the confiscation of practically all reading matter sent to the prisoner. Herndon received the local daily papers (and Chief Jailer Holland was said to have stated that there was no objection to his having a dictionary), but it was admitted that practically no other papers or magazines reached him. Holland told us that Herndon already had "some books" in his cell, and explained that "no prisoners are permitted to have a large quantity of books and papers because they might make a fire and heat the bars in order to bend them." Noting our surprise at this explanation, Holland further explained that the ban on "radical" or "insurrectionary" literature was necessary because Herndon gave books and pamphlets to other prisoners, thus causing radical ideas to circulate in the jail. Our delegation had brought with us "The History of the American Working Class" by Anthony Bimba, and we pressed Holland for a definite answer on whether it would be given to Herndon. Holland thumbed it over and promised that Herndon could have the book, although a prison attendant standing behind Holland whispered to him that "Hudson better see it first." Holland disregarded this interruption.

In regard to letters and telegrams, Holland said that this material was not interfered with and that as a general rule he didn't even open messages. This was in direct contradiction to a statement made by Adjutant General Camp that messages sent to Herndon could not be delivered to him because of their shocking and violent nature and that it would be improper to let any prisoner receive such letters.

Conclusions: The fact that Herndon was discriminated against in the prison because of his political opinions was incontrovertible. The fact that books and papers sent him were frequently confiscated was established. The extent of interference with letters and telegrams was uncertain, but it was reasonable to assume that there was some interference. The censorship of literature and mail by prison authorities is an outrageous procedure. This censorship is particularly objectionable when it is carried out by ignorant and irresponsible officials.

It is well known that Herndon's sentence was based solely on his opinions and his allegiance to the working class. Herndon's status as a political prisoner placed a special responsibility on Fulton County and the State of Georgia; our delegation urged that pressure be redoubled to force officials of the county and state to realize this responsibility.

### 3. Question of bail for Herndon:

Bail was set at \$15,000 cash, twice that amount being required if property bail were offered. That exorbitant amount was out of all proportion, and setting such a high bail was neither usual nor reasonable. The Judge, in setting bail, revealed the unjudicial prejudice which motivated his action. He stated that since Herndon's sentence was for eighteen to twenty years, he supposed that "it might pay Soviet Russia to supply one thousand dollars per year to keep Herndon out of jail," and that therefore \$15,000 was really too little. This remark was such a complete commentary on Georgia justice that further discussion was useless.

## The Scottsboro Boys

Our delegation talked for one half hour alone with the seven Scottsboro boys in Jefferson County jail. We had an opportunity of checking on charges made by them alleging persecution and ill treatment. We were unable to vouch for the exact truth of all details of these charges; but we were satisfactorily convinced that the general statements made by them in regard to persecution were correct.

The Scottsboro boys had been in solitary confinement since March 23. Sheriff Hawkins said that the reason for this was that a knife was found on Andy Wright during the exercise hour on that day. Andy Wright said he never had the knife, but took it from another prisoner who was attacking his brother with it, and that the guards saw this happen. Questioned on this, the Sheriff said, "I'm not interested in how he got the knife. He had it when I saw him. That's all I care about." Our delegation found Sheriff Hawkins' attitude very unsatisfactory and evasive, suggesting that the knife story had nothing to do with the placing of the prisoners in solitary. However, our delegation was unable to reach any conclusion as to the facts which originally prompted placing the boys in solitary.

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Birmingham Age Herald, July 9, 1934.

**THIS MORNING:** *By John Temple Graves, II.*

Free on a \$300 bond, John Howard Lawson has gone back to New York after an altogether successful visit to Birmingham. He has put those who oppose so

But the keeping of the prisoners in solitary for more than three months is an unusual and improper procedure. Whatever the original cause, the seven prisoners were kept in solitary solely as a method of persecution, and it was definitely proved that they had been maliciously attacked with tear-gas and clubs without provocation on several occasions. Charlie Weems had recently been severely beaten for having a working class book. Both he and the Wright brothers had tear-gas pumped into their cells directly into their eyes. A guard named Dan Rogers was the leader in these attacks. Rogers sometimes made them call him Captain; but when he didn't feel well he whipped them unless they called him Master. Rogers threatened the boys, should tell their "Jew friends" from New York about him, and threatened to whip and beat up the "New York Jews" if any protests were made. Sheriff Hawkins disclaimed all knowledge of these attacks, but protected himself by saying that "I wouldn't know about it; maybe they're being tear-gassed right now but I wouldn't know it."

The seven prisoners were never allowed in the exercise court with the other prisoners. The cells where they were kept were in the white section of the jail, and there was a supposition that they were placed there in order to stimulate race prejudice among the white prisoners. It was alleged that the white men on the floor below shouted insults at them through the ventilator shafts. Some of the guards to whom we talked denied that the cells where the boys were kept really constituted "solitary confinement," because they were kept in three cells, three being in each of two cells, and the seventh boy in the third cell. The reason given for this arrangement was that the cells were too small for four, and if two prisoners were alone together they were likely to fight. The declaration of the authorities that this did not constitute "solitary" was belied by the notice posted on the door of the cells which read: "NOTICE: Do not take any of these prisoners in this cage out of solitary at any time unless by my orders.

F. L. Edwin, Chief Warden, Jefferson County Jail."

The three cells where the seven were kept were each about six feet square. The confinement of seven persons in this space was clearly unhealthy and inhuman. Sheriff Hawkins curtly refused to release them from solitary. The confinement, and the outrageous attacks on the boys, were unquestionably prompted by the political nature of the case, and by the fact that the International Labor Defense was fighting for their release. The seven were desperately afraid that they would be attacked even more violently after our visit. Our delegation was convinced that this persecution would continue, and that the Sheriff and other county officials would make no effort to treat the prisoners humanely. We recommended the widest possible pressure and protest and the sending of other delegations, as the only way of protecting these victims of class and race hatred.

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un-American a thing as Communism in the position of opposing so American a thing as free speech. He has gathered material and experience for fresh attacks on the capitalistic system and upon the state of Alabama. He has been advertised and martirised with arrest. In other words, thanks to local officials who were more ardent than they were wise or fair, he seems to have obtained just about everything he must have come for.

## On Arresting a Professional Jackass

Mr. John Howard Lawson, who wrote the Uncle Tom's Cabin of the Scottsboro Crusade, the unsalted propaganda drama, "They Shall Not Die," is no ordinary jackass. Mr. Lawson is a professional jackass. He makes it pay.

Mr. Lawson has been arrested in Birmingham. And we are sorry. We are sorry first of all because the Birmingham police are making Alabama the laughing-stock of the nation. And we are sorry too because we do not believe that Mr. Lawson's offense is criminal under the Constitution and we believe his arrest, besides being indiscreet, is illegal.

Mr. Lawson, be it remembered, came to Alabama with a little notebook, a lead pencil and a dramatist's imagination. He went back to his Harlem-inspired attic in New York and wrote a play, based more or less on what he wished a New York audience to believe was the truth about the Scottsboro trials.

Not content with giving the sentimentalists their money's worth in a picture of the barbaric treatment of minority races in this State, Playwright Lawson turned his talents toward the magazine field. He wrote several articles exaggerating the weaknesses of the Alabama courts.

But let us forget Alabama and Scottsboro for a moment and look into Mr. Lawson's character.

Lawson is a clean-cut case for the psychoanalytical clinic. He has an overdose of martyritis. His philosophy seems to be: "I don't care what you say about me just so it's abusive." The man thrives on abuse. It feeds his complex as well as his stomach. In that respect he is a professional martyr who enjoys his business.

What the Birmingham police officers who arrested Lawson perhaps do not know is that only last week he published a book in which he tore into the literary and dramatic critics with a zeal of which only one who loves return abuse is capable.

Mr. Lawson knew that he could not get himself cussed quicker than by assailing contemporary literary and dramatic critics—gentlemen who can dish it out but who can not take it.

It was but a trick of the professional jackass.

And so is the successful police and court baiting in Birmingham one of his tricks. The fellow, now out on bail, doubtless is having the laugh of his life at the expense of the dignity of the State of Alabama.

We do not believe in jailing men for what they say or write about a community—or about a court. After all, one should use common sense in punishing persons "guilty" of contempt of the courts.

The arrest of Lawson, we know, pleased the people of Birmingham and, in fact, the whole State. Alabama does not like Lawson. It does not like what he says and what he writes.

Still when the police department—though it must have suffered much under the insulting goadings from the professional jackass—puts the largest city of Alabama in the position of a municipality





## Blunder

On the score of both policy and Americanism, the arrest of John Howard Lawson is deeply to be deplored. Granted that Communist agitation has served to sharpen industrial and racial bitterness, granted, furthermore, that the visitations of New York radicals, intent on finding what they had set out to discover, are highly irritating, the fact remains that our police department blundered badly when

which jails men the natives do not like, we are inclined to view any attempt at promoting understanding between the sections as futile.

Horsefies are more annoying than dangerous.

So are professional jackasses.

it undertook to make criticism of a Birmingham court in The Daily Worker the basis of a charge of criminal libel.

It is axiomatic that you play the Communist game when you use such tactics. It ought to be obvious by now to every police department that every time a Communist is arrested, every time he is manhandled, every time he is subjected to special hardship because of his beliefs or his conduct, he gains some of the sympathy and support he is angling for.

That is particularly the case in the present circumstances. At this hour, the actual and imagined defects of Alabama are decidedly on the mind of the rest of the country. The publicity we have received by reason of the Scottsboro cases, in newspapers and on the stage, has had a fresh orientation in one or more of the latest best-sellers. The world is ready to believe the worst of us, and along comes our police department to give emphatic warrant to this prejudice.

We are told that Lawson has committed the offense of referring in a New York Communist sheet to Judge Abernathy's court as a "jim crow" or a "kangaroo" tribunal. If every Alabaman, every American, who speaks disparagingly of our courts were held to the same accountability, criminal libel would take its place as the leading offense of a lawless country. It is plain enough in this case that Lawson's turpitude was in being a radical who employed his criticism for propaganda purposes.

The Age-Herald knows Judge Abernathy and has the highest opinion of his work. In his informal fashion, he does substantial justice with a consistency which has won the esteem of the community. If to say that he presides over a "kangaroo" court is to reflect on his humanity and understanding, there is not a grain of truth in the assertion. But whenever a warrant is sworn out to punish the man who made such an assertion in a newspaper article, the issue is no longer solely one of truth or falsity, but touches upon the whole question of freedom of opinion and freedom of the press.

It is not surprising to read that Lawson, before leaving for New York, found himself in possession of material for a new attack on this community. And soon throughout the land we shall see fulminations against Alabama "censorship," Alabama Hitlerism.



## Civil Rights in Georgia and Alabama

The delegation stated categorically that the *facts* in regard to violations of civil rights in these states were far more serious and more threatening than was generally realized. The delegation believed that reports of Fascist and terroristic procedure in these states understated the facts: for large sections of the population, both Negro and white, the ordinary Constitutional safeguards had been completely abolished; free speech, free assemblage and the right to join organizations had been wiped out by state and county officials who ignored legality and openly admitted their intention to terrorize the poorer elements of the population.

The experience of the delegation itself furnished graphic proof of the attitude of officials. In Atlanta, Assistant Solicitor John H. Hudson cross-examined the delegates as if they were criminals and ordered us out of his office, after refusing to answer questions put to him as a public official. Hudson conducted himself in a way which can properly be described as psychopathic: his first words to Miss Winifred Chappell were, "Tell me, Winifred, how many times have you been arrested?" While Miss Chappell gasped and explained that she has never been arrested, Hudson turned on Dr. J. A. Martin, well-known Negro clergyman of Atlanta, and accused him of passing under an alias. When we explained that we were there as representatives of liberal opinion, Hudson shouted, "You're all too liberal for the good of this country." Hudson also used the words, "Communitistic," "Anarchistic," and "lousy bums," and said, "You are all part of the red set-up. If you say you aren't, you're liars." Turning on Herbert Abrons, representative of the American Civil Liberties Union, Hudson shouted that the Civil Liberties Union was a "Communitistic, Anarchistic organization." Before we had any opportunity to reply to this tirade, Hudson seized a pamphlet on his desk, "The Communist Position on the Negro Question," and read aloud a paragraph setting forth the Communist position on Negro equality and "self-determination for the Black Belt." In reading this he transposed the word "nigger" for Negro whenever the word occurred in the text. As Hudson read, he became increasingly apoplectic; the reading of the passage evidently having the effect of driving him into a helpless rage. At the conclusion of the reading, he trembled with excitement. He rose and rushed out of the room, at the same time ordering us to get out of his office.

This scene, with Assistant Solicitor General Hudson, has significance beyond its value as a character-study representative of incompetent and ignorant officials. Hudson was the central figure in the campaign of red-baiting and terror which was in progress in Georgia. This campaign was, of course, a political game, in which Hudson was being used by more astute and saner politicians. These politicians believed that a campaign of race hatred and Negro oppression was popular with the middle class and with backward sections of the white workers. It was well known in Georgia that the Ku Klux Klan and the Men of Justice (two Fascist gangs whose sole announced purpose is terrorism) were mixed up in state

and county politics. During our stay in Atlanta, John A. Boykin, Solicitor General and Hudson's immediate superior, addressed a meeting of the Men of Justice. Georgia politicians were therefore playing an obvious game to distract attention from poverty and depression by stirring up race hatred and to blame "outside agitators" for race prejudice and the possible resulting disorders for which the politicians themselves were responsible.

For this reason (and because of the influence of the Klan and the Men of Justice) Hudson was being permitted to go as far as he liked in his attack on "reds" and on all sympathizers with the working class. Hudson was an official of a type which is still rare outside of Nazi Germany. He was, at the time of our visit, demanding the death penalty for the "Atlanta Six." The crime charged against these persons was that they had advised people to join the Communist Party (which is legal on the ballot in the state of Georgia) and that they expressed opinions on Negro equality distasteful to Hudson (who had evidently never read the Fourteenth Amendment to the Constitution of the United States). Hudson had issued warrants for three other alleged Communists (including native born Georgians) whom he wanted electrocuted. These cases, as well as the Herndon case, have almost no parallels in American legal history. Herndon was sentenced to eighteen to twenty years on the chain gang for participating in an unemployment demonstration at which there was admittedly no disorder, at which no arrests were made. Herndon was arrested a few days later. The only other charge against him related to literature found in his possession, most of which was in the original wrappers and had not been opened. Among these books was the pamphlet, "The Communist Position on the Negro Question."

Herndon and the "Atlanta Six" were avowedly Communists. But our delegation believed it a mistake to assume that terrorism in Georgia was limited to Communists. Large numbers of working class homes had already been entered and searched without warrant. The KKK had broken up a peaceful meeting in a Negro church whose purpose was to collect money for the Scottsboro defense. The police were called and promptly arrested the Negroes who were holding the meeting without molesting the thugs who had disturbed it.

Hudson himself made it clear that he saw no distinction between Communists and liberals. Hudson's stand was unequivocal: public opinion was to be rigidly controlled in Atlanta (the "insurrection" law is broad enough to cover any type of cultural or political activity, and, to make assurance doubly sure, a new "insurrection" law was being drawn up to cover any possible loop-holes in the old one). As shown in the Herndon case, such interpretations of the law make it unnecessary to prove that an individual has indulged in any subversive activity. This differs but slightly from the "dangerous thoughts" law in Japan. The only test as to whether these opinions are seditious, lay with Hudson and his police and detectives. Hudson himself showed complete ignorance of the ideas for which he demanded the death penalty, confusing "Communism" and

"Anarchism," confusing the American Civil Liberties Union with the Communist Party.

Thus we saw that the course of embryonic Fascism in the South was exactly analogous to its course in Hitler Germany. The attack against "Reds" included liberals and intellectuals. Liberals who think they are immune will soon find that the wiping out of "radicalism" includes wiping out all independent thought and culture.

In contrast to Hudson, Eugene Talmadge, Governor of Georgia, illustrated the more evasive and more careful attitude of public men in the South when he politely refused to give our delegation any assurances on the matter of free speech and civil rights. When this question was pressed, he explained that he was just beginning a political campaign, and that he preferred to limit his campaign to "two or three very simple issues." Evidently free speech was not regarded as a "simple issue" in Georgia. Talmadge spoke of A. T. Walden, prominent Atlanta Negro lawyer, as "a good nigger . . . that nigger is as humble as the lowest farmer," because Walden had said that Herndon was being well-treated in prison. The Governor used the word "nigger" approximately fifty times in the course of the interview. Three Negroes were present at the interview. The Governor carefully avoided shaking hands with the Negro representatives when the delegation arrived.

In Alabama the Fascist tendency was as strongly developed as in Georgia. So far, there had been no sentences as savage as that meted out to Herndon, and there was as yet no law corresponding to Georgia's ancient "slave insurrection" statute.

But in the city of Birmingham, center of heavy industry in the South, the police were frank in their intention of wiping out radicalism by legal or illegal means. In Alabama the Klan and the White Legion were gaining new political force. The Birmingham police openly cooperated with the White Legion, which held meetings in the County Court House, and which raided and broke up the offices of the International Labor Defense without interference from the police.

The Birmingham authorities indicated their disregard for free speech and civil rights by arresting John Howard Lawson in the corridor of the City Hall, immediately following the delegation's visit to Commissioner W. O. Downs with whom we had discussed the question of free speech. The crime charged against Lawson was that on a previous visit to Birmingham (in May) he had wired dispatches to the "Daily Worker," a New York publication, which displeased the Birmingham police. Detective Mozer, head of the city's Red Squad, who made the arrest, admitted that Lawson's activity as a journalist was the sole reason for nabbing him, thus setting a precedent for police censorship of the crudest possible nature. The frame-up character of the arrest was indicated in the fact that it took a long time for Mozer to invent a legal reason for holding the prisoner. On the evening of the arrest, he made out what is called an "appearance warrant," charging "printing and circulating malicious literature," and calling for Lawson's appearance at nine o'clock the following morning.

Lawson was then released in custody of his attorney, Mr. C. B. Powell. Lawson appeared promptly at nine the next day, but Detective Mozer kept him waiting for two hours while he hurried from one office to another trying to frame-up a warrant which would give an excuse for the arrest. Finally the charge of "criminal libel" was evolved, calling for trial before the Circuit Court in September or October, the maximum penalty being six months' hard labor and \$500 fine.

Prior to Lawson's arrest, Commissioner Downs had vaguely assured the delegation that he was convinced there was no real interference with civil rights in Birmingham and that citizens were never bothered illegally. Downs disclaimed any knowledge of raids made by police on working-class homes, in spite of the fact that the delegation offered him a partial list of fourteen homes which had been entered without warrant and searched and furniture broken. In some cases money had been stolen and guns discharged by the thugs making the search. Downs denied any knowledge of these raids although the local International Labor Defense had convincing proof of the charges.

We felt the terrorism practiced against Negro and white workers in Birmingham was a direct result of the industrial disturbances in that area. The recent coal and ore strikes had shown a strong solidarity and militancy on the part of the workers. Both strikes were fought for two aims, neither of which was achieved: union recognition, as ostensibly provided under the N.R.A., and the wiping out of the differential in wages between Northern and Southern labor. Negro and white workers stood solidly together in these strikes. The militancy of Negroes in these strikes, their prominence in union activity, and their increasing demands for equal rights had been particularly annoying to the Southern ruling class. Bitter violence marked these labor struggles, in the course of which seven miners were murdered on the picket lines by company deputies. The discontent and poverty of the workers make further strikes a certainty. Communists have unquestionably been active in leading these struggles for unionization and for wage increases.

The politics of Birmingham and the surrounding country are dominated by the Tennessee Coal Iron and Railroad Company and a few other big corporations. The desire of these companies to evade collective bargaining (as guaranteed by the N.R.A.), to take away the right to strike, and to keep their employees in a state of virtual slavery, was (in the opinion of this delegation) the direct cause of illegal police and gangster terrorism in Birmingham. The charge that Communists were stimulating race hatred was an absurdity. The charge that Communists advocated "insurrection" was equally absurd to anyone familiar with the Communist program and tactics. The clear fact was that race hatred and disorder were stimulated solely by those officials and their thugs who by terrorism and lynching try to keep the Negro in subjection, and who disregard the civil rights of white and Negro workers.

**CONCLUSIONS:** Our Delegation was convinced that small but powerful groups of politicians in Georgia and Alabama were proceeding to Hitlerize those states in defiance of the majority of white and Negro citizens; that free speech and constitutional rights were seriously endangered. This was not a local matter, but of paramount interest to persons in all parts of the United States. Similar Fascist tendencies were developing in other parts of the country; the growth had been particularly rapid in the South because of the traditional enslavement of the Southern Negro, and the poverty of the Southern masses. Fascism must be exposed and stamped out in Georgia and Alabama; the right to organize, the right to belong to political parties or mass organizations, the right of free speech, free assemblage and a free press, must be fought for and preserved; these rights are fundamental and apply equally to Negroes and to whites.


Our delegation recommends: (1) Widest publicity as to the facts here presented; (2) A concentrated demand for the removal from office of John H. Hudson, Assistant Solicitor General of Fulton County, Georgia; (3) A further and more detailed investigation of the political activity of the Ku Klux Klan, the Men of Justice (Atlanta) and the White Legion (Birmingham); (4) The formation of strong local organizations of liberals and intellectuals in Georgia and Alabama to protect free speech and civil rights.



## **Postscript:**

Angelo Herndon is temporarily free at this writing. The State of Georgia was convinced the \$15,000 cash bail would never be raised. But the masses organized by the International Labor Defense succeeded in releasing him from Fulton Towers. Only mass organization can keep Herndon free.

The case of the Scottsboro boys is pending in the higher courts. Herndon's case too is being appealed. The Lawson case is closed. But in Georgia and in Alabama the terror mounts. Strikers have now tasted a new brand of Southern hospitality in concentration camps. In Alabama and elsewhere in the South, lynching, persecutions of workers, Negro and white, have not ceased. Terror marches through the South. The National Committee for the Defense of Political Prisoners looks to all of its members and sympathizers for support.



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