

The Story of **SCOTTSBORO**

1931.

MARCH 25.—Nine Negro boys, the youngest 13, the oldest 21, taken off freight train at Paint Rock, Ala., by sheriff's gang. Charged with attacking two white girls, Ruby Bates and Victoria Price.

APRIL 2.—First expose of the Scottsboro frame-up appears in Daily Worker. Call for protest and mass meetings issued.

APRIL 6.—Trials of nine boys begin at Scottsboro before E. A. Hawkins. Milo Moody appointed by the court as "defense council." Charlie Weems and Clarence Norris declared "guilty" by the jury.

APRIL 7.—Jury returns verdict of "guilty" in the case of Haywood Patterson.

APRIL 8.—Ozie Powell, Eugene Williams, Olin Montgomery, Andy Wright, Willie Robertson declared "guilty." Mistrial reported in the case of Roy Wright, age 13. International Labor Defense enters the case.

APRIL 9.—Death sentences pronounced on eight boys—all except Roy Wright, by Judge Hawkins.

APRIL 10.—First big Scottsboro Protest meeting held in Harlem at St. Luke's Hall.

APRIL 18.—Claude Patterson, Mrs. Ada Wright, Mrs. Mamie Williams, parents, and a committee of lawyers from the International Labor Defense jointly employed General George W. Chamlee of Chattanooga, Tenn., to represent the boys under written agreement from all the defendants.

APRIL 25.—First big Scottsboro Protest Parade in Harlem smashed up by the police.

MAY 1.—Workers in 300 cities protest frame-up at May Day demonstrations.

MAY 6.—Amended motions for new trial filed in Scottsboro, by George W. Chamlee. Petitions filed by Claude Patterson and other parents asking permission to see the boys for the first time since their arrest.

MAY 16.—6000 workers parade in Harlem Scottsboro demonstration.

MAY 31.—First all-Southern Conference, held in Chattanooga, Tenn., attended by 200 delegates. Four arrests made outside the hall.

JUNE 8.—Huge demonstration before the Consulate in Dresden, Germany, demanding freedom for the Scottsboro boys. Five arrested.

JUNE 22.—Judge Hawkins overrules all motions for new trials. Defendants note appeal to the Alabama State Supreme Court.

JUNE 27.—5000 Negro and white workers parade through Harlem in Scottsboro protest demonstration.

JUNE 28.—Mrs. Ada Wright excluded from mass-meeting held by the National Association for the Advancement of Colored People in Pittsburgh, Pa.

JUNE 29.—Huge demonstration held in Berlin, Germany. One policeman killed in the fights resulting when meetings were broken up.

JULY 17.—Ralph Gray, Negro sharecropper killed, five others wounded at Camp Hill, Ala., after a Scottsboro Protest meeting.

NOVEMBER 10.—Judge Hawkins signs bill of exceptions certifying the appeal.

DECEMBER 29.—Clarence Darrow refuses to work with the I. L. D.

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JANUARY 8-9-10.—National Scottsboro Days organized and carried through by the I. L. D.

JANUARY 21.—Supreme Court of Alabama hears the cases of eight of the boys in the court-house at Montgomery, Ala. The case argued by lawyers in the presence of the largest crowd ever assembled at Supreme Court.

MARCH 24.—Alabama Supreme Court overrules motions for new trials—upholds judgment of circuit Court of Jack-

son County. Time set for imposing death sentences on seven of the boys. New trial granted Eugene Williams.

MARCH 25.—Petitions filed in U. S. Supreme Court for new hearing.

APRIL 19.—Alabama Supreme Court grants a stay of execution of seven boys until June 24, 1932.

APRIL 27.—Ada Wright and J. Louis Engdahl, General Secretary I. L. D. sail for Europe to conduct international Scottsboro protest campaign. Invited by Internat'l Red Aid.

MAY 7.—Huge Scottsboro protest demonstration held in Chemnitz, Germany. The demonstration smashed by the police. Twelve shot, one killed.

MAY 31.—2000 workers hear Ada Wright and Engdahl at meeting in Geneva, Switzerland, home of League of Nations.

JULY 3.—150,000 workers in the Lustgarten in Berlin, Germany, listen to plea of Ada Wright, to save the boys.

AUGUST 27.—Wright and Engdahl attend Amsterdam Anti-War Congress which passed resolution protesting frame up and demanding freedom for Scottsboro boys.

SEPTEMBER 5.—Ada Wright and Engdahl arrested at Prague, Czecho-Slovakia. Deported after being held in jail four days.

OCTOBER 10—I. L. D. National Convention opens at Cleveland. Scottsboro defense, the keynote.

NOVEMBER 7.—International Scottsboro Day. Demonstrations all over the world. Demonstrators picket the U. S. Supreme Court. 16 arrested. Many beaten and clubbed. U. S. Supreme Court grants boys new trial.

NOVEMBER 21.—J. Louis Engdahl dies in Moscow during International Red Aid Congress.

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JANUARY 8.—Samuel Leibowitz enters Scottsboro Case.

JANUARY 23.—The letter written by Ruby Bates proving that the police forced her to lie at the original trial ordered produced in court by Chamlee and Schwab.

JANUARY 23.—Hearing on a writ of habeas corpus for release of Roy Wright held before Judge J. P. McCoy in Birmingham, Ala.

JANUARY 31.—Judge McCoy dismisses writ of habeas corpus.

MARCH 6.—Hearing held in the original court room of Scottsboro before Judge Hawkins on two motions—one for a

change of venue and a second to quash indictment against boys on ground there were no Negroes on the jury that originally condemned them.

MARCH 7.—Change of venue to Decatur, Ala., granted.

MARCH 25.—I. L. D. attorneys argue motion to quash indictments on grounds of exclusion of Negroes from Grand Jury.

Kenneth Barnhart, Professor of Sociology, Birmingham Southern College, dropped from faculty for sympathy for Scottsboro boys.

Right to interview defendants without presence of terrorizing guards won by I. L. D. attorneys. Defendants moved from Kilby Prison death cells to Birmingham jail.

I. L. D. attorneys challenge exclusion of Negroes from court room, and lynch atmosphere there.

MARCH 27.—Tom Mooney, winning new trial, says: "My securing new trial following similar success Scottsboro case, vindicates policy aggressive defense tactics and marks tremendous victory militant working class action. Fight must be carried forward both cases."

Sheriff of Morgan County, in which Decatur is located, asks for 30 National Guardsmen, the same men by whom Roy Wright was bayoneted in the face, "to prevent the boys escaping."

MARCH 28.—Lynch inciting pamphlet "Unpublished Inside Story of Scottsboro Case," hawked outside courtroom. Leibowitz demanding that two men selling it be cited for contempt, read the concluding paragraph: "It is believed the Communists will make a last grandstand play in behalf of the Negroes in order to win new members and enrich their coffers and then Alabama and the world will see justice claim its own—will see the Negroes receive their just desert—death in the electric chair." Judge Horton was obliged to order bailiff to bring the two men into court, and impounded the pamphlet.

Scottsboro trial opens in Decatur. Defense attorneys challenge jury system on ground of exclusion of Negroes. Negro spectators herded into Jim Crow partition of courtroom while state seeks to prove "no discrimination." Negro citizens testify their qualifications to serve on jury.

B. B. Eleazer, educational director Commission on Interracial Cooperation which attacked I. L. D. when it came to defense of Tallapoosa sharecroppers, declares his organization "would have come to aid of Scottsboro boys if the Com-

munists had not insisted on a monopoly of the defense." I. L. D. representative points out that interracial Commission never made a move to defend the boys who would have been electrocuted two years ago had not the I. L. D. stepped in.

MARCH 29.—I. L. D. attorneys call to witness stand Negro residents eligible for jury duty but never called. Will challenge entire Morgan County venire from which Judge James E. Horton has picked 100 prospective jurors.

Response to appeal of I. L. D. Scottsboro New Trial Emergency Fund shows nationwide interest on part of black and white masses.

MARCH 31.—Although he had conceded that burden of proof of "performing its duties according to the law" in selecting jurors was upon the state, and that the defense had presented *prima facie* evidence that Negroes were not on jury list, Judge Horton arbitrarily overrules the defense motion to quash the jury venire. The defense had previously won the right to have the jury roll produced in court, for the first time in the history of Alabama.

Defense plans to produce miniature replica of the freight train on which attack is alleged to have been made, to prove that such an attack was impossible, and that movements of boys over the train as described by prosecution witnesses were impossible.

APRIL 1.—Lily white jury picked from lily white venire to try Haywood Patterson, first of nine Scottsboro boys to be brought to trial.

Invasion of Decatur by gang of fifty men to "get" Samuel S. Leibowitz, I. L. D. attorney, is announced.

APRIL 3.—Victoria Price, chief prosecution witness, repeats her frame-up statement in court. "I fainted shortly before the train stopped," she said, "and I came to in a grocery store at Paint Rock. My head was aching terribly from where one of the niggers hit me with a pistol." On cross examination she admitted there was no bruise, blood or other mark to show as evidence she was struck.

APRIL 6.—National Press services suppress news of Scottsboro trial. Scottsboro boys, on witness stand, militantly deny all charges. I. L. D. issues nationwide call to protest Scottsboro frame-up attempts.

APRIL 7.—Most dramatic moment of trial when Ruby Bates appears, from Birmingham, escorted by Mrs. May Jones, social worker, in whose care she had been put by the

Reverend Dr. Charles Clingman, pastor of the Church of The Advent, in Birmingham, Alabama. She stated she had been in New York and had there seen the Reverend Dr. Harry Emerson Fosdick, pastor of the Riverside Church, who advised her to return and testify at the trial. Declares her previous testimony was a frame-up.

Previously Lester Carter, one of white boys accompanied Ruby Bates and Victoria Price on their hobo trips, said it was "like getting well from being dead to tell the truth."

E. L. Lewis, a Negro worker living near the railway yard in Chattanooga, testified he had seen Victoria Price in the jungle of Chattanooga, in the company of Negroes and whites, corroborating testimony given by Ramsay on previous days and by Carter in the morning.

Solicitor Wade Wright, member of fanatical group "All Day Singers" makes appeal to race hatred. Howls "Are you going to let Alabama justice be bought by Jew money from New York?" Judge Horton overruled Leibowitz motion for new trial on basis of this prejudiced statement.

Lynch mob organizers openly cry, "Lester Carter and Ruby Bates ought to be sent to prison for what they said." Cryptic message, "Two Negro reporters have been assured of protection from the mob," indicates rise of lynch spirit.

APRIL 8.—In his summation Attorney General Knight said, "Ruby Bates sold out lock, stock and barrel for a coat and a hat and God knows for what else." This is a framed defense." Pointing his finger at Patterson he referred to him as "that thing over there."

Weems trial set for Monday, April 17.

Decatur stores sold out of ammunition indicating defiant lynch mob preparation. Gangs pour into town to await verdict.

In the meanwhile, telegrams and letters protesting Scottsboro frame-up pour in from all over the country.

APRIL 9.—Jury brings in verdict of guilty and death sentence. Jurymen grinned as they brought in verdict.

Spectators rushed out of courtroom shouting gleefully, "death sentence, death sentence!"

I. L. D. will appeal to U. S. Supreme Court.

APRIL 17.—Judge Horton postpones indefinitely further proceeding of trial of Scottsboro boys. Blames Leibowitz for prejudicial statements on return to New York, although statements of prosecuting attorneys would have warranted granting motion for re-trial.

THE MEANING OF THE SCOTTSBORO CASE

The Scottsboro case is making history. It exposed the official "friends" of the Negro masses, the jobholders of the N. A. A. C. P. and the Interracial Commission, paid by the white and Negro bourgeoisie, to hush the protests of Negro workers, to smooth over the atrocities of race persecution.

Ruby Bates, testifying in the defense of the Scottsboro boys, was the first white woman in the history of the South to defend Negroes from the charge of rape. Lester Carter, testifying in the defense of the Scottsboro boys, was the first white worker to try to save Negroes from a legal lynching. Ruby Bates and Lester Carter come from the Southern working classes who now faintly begin to understand that the oppression of Negro workers is bound up with the capitalist oppression of all workers.

"Shall Alabama justice be bought with Jew money from New York?" When Solicitor Wade Wright made that plea to the lynchers in the jury box and the lynchers among the white spectators, he showed how ready the master class is to spread the poison of prejudice in order to split the ranks of the working class and more firmly fasten its grasp upon working class victims. It was an attempt to set Christian workers against Jewish workers, farmers against the workers of the big cities, to break down the growing solidarity of all the workers of America.

The bourgeois and the liberal press praised Judge Horton's conduct of the case as "fair" and "unprejudiced" because he made nice sounding speeches and told such smooth lies as "we (the white and Negro races) live in peace and tranquility together." The many lynchings in Alabama, the legal lynching over which he presided, the murder of Negro share croppers call the lie of the smooth speaking Judge. When he refused to quash the case when I. L. D. attorneys proved that Negroes were excluded from the jury, when he refused to transfer the

trial from the lynch atmosphere of Decatur to Birmingham, when he refused to order a mistrial after Wright's and Knight's appeals to prejudice, Justice Horton revealed himself, along with the other jurists of the South, as an upholder and servant of capitalist injustice.

The I. L. D. fight to seat Negroes on the jury is the first systematic fight to liberate the jury system from race and class discrimination. The I. L. D. is fighting not only to win for Negro people the right to serve on juries when a Negro is being tried, but their right to serve on all juries; and not only for jury rights for Negro workers, but for similar rights for white workers now barred from the jury system by political and property qualifications.

The I. L. D. will bring the Heywood Patterson case before the Supreme Courts of Alabama and if the decision of the lower court is not reversed, then before the United States Supreme Courts. Perhaps the Supreme Court will reverse the decisions of the Alabama courts on the question of the Negro and the jury system. But we will not be satisfied or misled by such a victory. The I. L. D. recognizes, and calls upon the workers to recognize, that the Supreme Court is "the court of last illusions," the show of capitalist justice. It will give real justice to workers and their sympathizers only as long as their militant organization and action forces it.

The Scottsboro case is a symbol of the oppression of Negro people by the capitalist masters. The imprisonment of Tom Mooney is a symbol of the persecution of militant labor leaders by the capitalist masters. Both are expressions of the domination of the exploiting class over the white workers, the Negro peoples and their sympathizers. Both must be fought as part of the struggle of the revolutionary workers and the oppressed Negro people against class oppression. The working masses and their supporters cannot hope to win their struggle as a divided force. White workers must fight with the Negro people to free the Scottsboro boys. The oppressed Negro people must fight with white workers to free Tom Mooney.
