

NAZIS HOWL AS BREMEN 5 ARE FREED

Marcantonio Asks That Defendants Be Heard by Cordell Hull

By CYRIL BRIGGS

An official version of the written opinion of Magistrate Louis B. Brodsky in the Bremen cases, in which the New York Magistrate likened the hated Nazi swastika emblem to "the black flag of piracy," was being awaited by the U. S. Government before replying to the howling protest of the Nazi hangman regime in Germany, it was indicated yesterday by Secretary of State Hull.

A demand that the Government hear a representative of the Bremen defendants before answering the Nazi protest was wired to the State Department on Saturday by Congressman Vito Marcantonio, chief of defense counsel, acting in collaboration with International Labor Defense attorneys in the case.

In dismissing charges against five of the six seamen who were arrested in the magnificent anti-Nazi demonstration on July 26 at the sailing of the S. S. Bremen, Magistrate Brodsky delivered a scathing denunciation of conditions in Nazi Germany, scoring especially the bloody pogroms against German Jews, persecution of Catholics, Protestants, and "the enslavement of women and workers."

His decision bristled with an indictment of the Nazi murder regime, which was branded as "an atavistic throwback to pre-medieval, if not barbaric, social and political conditions," and "a revolt against civilization."

Nazis Howl

Reports of Brodsky's decision, cabled to Berlin, evoked a howl of rage from the Nazi murderers and degenerates who were pilloried in his written opinion. Hans Luther, Nazi Ambassador at Washington, was at once cabled instructions to lodge a formal protest with the U. S. Government against Brodsky's decision, freeing five of the defendants and indicting the barbarous Nazi regime. Luther's instructions came from Dr. Paul Joseph Goebbels's Ministry of Propaganda in Berlin.

Secretary of State Hull planned to ask Governor Herbert H. Lehman, of New York, to forward the State Department an official version of Brodsky's opinion.

The protest, at that time, was

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answered with an expression of regret by the U. S. Government and promises of "vigorous prosecution" of the six Bremen defendants.

U. S. Silent on Simpson Case

The U. S. State Department however, has never protested to the Nazi regime in the case of Lawrence B. Simpson, an American seaman who on June 28 was taken off the American liner S. S. Manhattan while the ship was in the port of Hamburg. Simpson, charged with possession of anti-Nazi literature, is still held in a Nazi prison in Germany. The July 26 anti-Nazi demonstration demanded his release, as well as a halt to the violent persecution of Jews, Catholics, Protestants and militant workers by the Nazi rulers.

Neither Hull nor Luther would disclose details of the Nazi protest, but the Nazi agent told newspaper men that his discussion with the Roosevelt Cabinet member was "friendly."

Marcantonio Intervenes

Meanwhile, Representative Marcantonio, telegraphed the State Department from New York that Brodsky's decision was "eminently fair" and asked that the five exonerated defendants be permitted to recite their cases before a reply is made to the Nazi protest. Marcantonio's wire follows:

"Hon. Cordell Hull,
"Secretary of State,
"Washington, D. C.

"Press reports that German Ambassador will lodge formal protest over the discharge of defendants in the Bremen ship case. Before the State Department takes action in this matter it is only fair that the defendants' side be presented. I insist as chief counsel for the defendants that the defendants' case be placed before your department before you reply to any protest or message received from the German Embassy. Decision rendered by Judge Brodsky was eminently fair on the law and on the facts. Request hearing to substantiate this statement. I await your immediate reply."

Drolette Still to Face Trial

Edward Drolette, the one defendant ordered held for the Grand Jury by Brodsky, is out on bail, Magistrate Brodsky rejecting the demand of the prosecution that higher bail be set. Drolette is held on the trumped-up police charge of "assault" and "possession of metal knuckles." The I.L.D. is planning a vigorous mass and legal fight against his frame-up.

The New York district of the I.L.D. will hold a victory celebration at Manhattan Lyceum, 66 East Fourth Street, on Friday, Sept. 20, at which time plans for the defense of Drolette will be outlined.

Defense counsel, headed by Representative Marcantonio, included Joseph Tauber and Edward Kuntz, I.L.D. attorneys, who have been in the case since its inception.

Recognition on the part of Brodsky of the indignation of the American people at the open flaunting of the Nazi emblem in New York harbor was commended yesterday by the National Committee for the Defense of Political Prisoners in a wire to Brodsky.

Taking their cue from Goebbels' Ministry of Propaganda in Berlin, local Nazi circles yesterday unleashed an attack on Magistrate Brodsky's decision. Josef Schuster, acting national head of the Friends of New Germany, a Nazi outfit in this country, attacked the decision. The Nazi organization announced that it would hold a "protest meeting" at 210 East Eighty-Sixth Street tomorrow evening.