Flea Circus
By Ellis

WHY ARE THE A. F. OF L. REACTIONARIES TRYING TO SPILT LABOR?
(See Page 5)
Southern Workers
HAPPIER DAYS FOR

FOR a long time the Wagner Act, guaranteeing the right to organize, has been the law of the land, but that Act has been constantly flouted and defied by big business interests. This is especially true in the South, where workers have been fired from their jobs, evicted from their company-owned homes, and chased out of town by company thugs because they were union men. Company unions, clearly unlawful under the Wagner Act, have been financed by the companies as a means to keep real unions out. Workers have been terrorized and intimidated against forming real unions.

Workers petitioned through their unions, against such conditions filed their complaints before the National Labor Relations Board. Cases piled up, because the demand for relief was so heavy the Board was unable to keep up with the petitions. They merely employed slick lawyers who went into district courts and obtained rulings declaring that the Wagner Act was unconstitutional and therefore the companies need no attention to the rulings of the Board. A definite state of anarchy existed, anarchy for which the Wagner Act is the only legal protection of the Chamber of Commerce was clearly responsible.

But a new force entered the picture. The C.I.O. began its drive to organize the unorganized. Labor's Non-Partisan League launched its crusade to reform the reactionary Supreme Court so that the workers, the will of the people might be carried out. And bit by bit the nine old men saw the handwriting on the wall. After a long, long delay, they ruled on the Wagner Act and declared it constitutional. This means a great deal to American workers. It means even more to Southern workers.

The Wagner Act says:

"Section 7: Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activity for the purpose of collective bargaining or other mutual aid or protection." Section 8: (1) An employer must not interfere with, restrain, or coerce employees in the exercise of rights guaranteed in Section 7. (2) An employer must not refuse to bargain collectively with representatives of his employees.

This illegal status of the yellow company unions, the pettifoggery, is shown in this provision.

"It shall be an unfair practice for an employer to dominate or interfere with any labor organization, or contribute financial or other support to it."

Who shall represent the workers? The Act says very clearly that a union which is backed by a majority of the workers in the plant, shall represent ALL the workers.

Under this Act, to discharge a worker for union activities is unlawful. It is unlawful to use labor spies and thugs. It is unlawful to set up a company union and support it with company money. It is unlawful to refuse to bargain with representatives chosen by the workers.

No one will know about Harlan, Kentucky, Ludlow and TellURA, N. J., and the hundreds of other cases of company thuggery.

Senator Robert F. Wagner.

JOIN NOW!

After reading the Southern Worker, I can see that the Communist Party is the best organization which fights for the demands and rights of the common people of the South:

☐ I want more information about the Communist Party.
☐ I want to join the Communist Party.

Name:
Address:
City:
State:

(Enter this coupon out and send it to the Southern Worker, Box 1182, Chattanooga, Tenn.)

SOUTHERN WORKER
June, 1937.

Dear Readers and Friends:

For several months the Southern Worker has been coming out as just the magazine the workers and farmers of the South look to to answer the important problems of the day. We know you like it. The hundreds of subscriptions which you sent in told us so. Your letters and orders for bundles of the magazine are proof to us that the Southern Worker is serving its purpose in helping you organize to win a free, happy and prosperous life for yourselves and your families.

The staff of the Southern Worker has really been inspired by your response to redouble its efforts towards improving the magazine. We know that we can with your help.

But no matter how hard you and we may work towards that end, our efforts are hamstrung unless we have enough money to pay our bills for printing, engraving, an office and the wages of the staff.

As you know, our subscription price is only 25¢ a year. We know that even two bits looks big to you steel workers who see little in cash because you must trade at a commissary, to you textile workers who make as little as $5 a week, and to you farmers who sometimes do not see $100 in cold cash throughout the year. That is why we do not want to raise the subscription price.

25¢ a year for subscriptions and 10¢ a copy for bundle orders of 10 or more does not bring in nearly enough to pay the bills. This year the magazine has a deficit of $2,000.

Instead of improving the magazine this month, the crisis in our finances has forced us to cut this issue of the magazine down to 6 pages.

The Southern Worker is your magazine. It has no rich backers or advertisers. It depends on you to spread its message. It depends on you right now for its life. Help it immediately. Send your contribution in money orders or checks at once to Jim Mallory, Box 1162, Chattanooga, Tennessee.

Yours for Freedom, Progress, and Happiness in the South,

The Editor
COMMUNIST PARTY IS LEGAL

By William O'Neale

The Communist Party has been adjudged legal anywhere in the United States—that is the main conclusion to be drawn from the Supreme Court decision freeing the youthful Negro Communist organizer, Angelo Herndon, from an 18-20 year changing sentence. By their perjury of Herndon and others the Georgia reactionaries led by Talmadge and the Ku Klux Klan hoped to crush the Communist Party leadership, to subdue the Negro people, proposing for freedom, and the unemployed, demanding food. Had they missed their mark, may be seen from the fact that the Herndon decision is the clearest Supreme Court decision on record upholding the legality of the Communist Party. But they might well have succeeded with their plan if intense public pressure had not reached a high point just as the case came up for consideration. There was the pressure from two million citizens who had signed the petition demanding Herndon's freedom, including members of the international Labor Defense and scores of other organizations. At the same time the people showed their will to liberate the courts. Even this pressure was just enough to win a 5-4 decision. With the Supreme Court as new constituted, the liberty of American citizens, we are rests in the unsteady hands of Justice Owen J. Roberts, the vacillating member of the court.

The Herndon decision clinches a recent trend of court decisions to uphold the notion that the Communist Party, advocating force and violence, is therefore illegal. Considered together with Chief Justice Hughes' opinion in the Oregon case against Dick De Jonge, and First Chancellor Proctor's decision in the Communist Party's indictment suit against Jersey City officials, the following constitutional rights have been won:

1. American citizens have a right to speak publicly in the name of the Communist Party. A meeting arranged by the Communist Party.

2. It is illegal for officials arbitrarily to prevent Communist Party meetings.

3. A citizen has a right to be a member of the Communist Party, to possess party literature, and to solicit others for membership in all of these cases the reactionary forces tried desperately to make the courts accept their theory that the Communist Party advocates force and violence and that laws making the party illegal do not abridge the constitutional rights of free speech, press and assembly. In his argument of the Herndon case before the U.S. Supreme Court, the Georgia prosecutor built on an elaborate web of self-serving facts. He went something like this: "At first, there were certain portions from the program of the Communist Party dealing with land for the landless, the rights of the Negro people as a minority nation, and the need for an alliance between the Negro people and the industrial wage-workers so that each can secure the drastic changes in their conditions; they both require. Next he proved that Angelo Herndon was a member of this party and showed from literature as part discipline that every member accepts and advocates the entire party program. The final step in his argument was to state that the landowners of Georgia will never accept this program without forcible resistance. From all this he drew the conclusion that Herndon and the Communist Party, by putting forth such a program, advocate force and violence no matter how they propose to put the program into effect.

This argument made good sense for the Journal. In his minority opinion Justice Van Devanter says in high-toned legal language that, even if Communist policy is illegal for some people, we are not going to let Southern Negroes get away with it. He says in his opinion:

"It should not be overlooked that Herndon was a Negro member and organizer in the Communist Party and was engaged actively in inducing others, chiefly Southern Negroes, to become members of the party and participate in effecting its purposes and programs."

The court majority could not bring itself to accept this interpretation. At a time when their actions were being carefully watched by the American people, the majority opinion freeing Herndon said:

"His membership in the Communist Party and his solicitation of a few members—wholly fails to establish an attempt to incite others to insurrection... In these circumstances, to make membership in the party and solicitation of members a criminal offense, punishable by death, in the discretion of a jury, is an unwarranted invasion of the right of freedom of speech."

Georgians, however, openly defy the United States Supreme Court, and the Constitution. An Atlanta newspaper mockingingly calling itself "The Constitution" commented on the Herndon decision on April 28, saying:

"Regardless, however, of whether or not this particular Georgia statute is constitutional, Communists of all shades—whether doped, reds, or mere pacifist pinks, may take heart. Evidently they have not learned the lesson of the Herndon case—that the free are of American tradition. Democracy gives us the strength to oppose their worst persecutors. At this Kentucky miner's wife said: 'American men don't scare us. Probation is too easy for them. It is their fragile attempt to divide and rule to split the organizations of the common people into x's and fragments—white against Negro, employed against unemployed, South against North, and by threats, terror and red-baiting to wrench the Communist Party away from the body of labor. The lesson of the Herndon case is: THEY WILL FAIL."

The unity of labor and the progressive forces behind the Herndon defense was a mighty howl to reaction. Herndon, a Negro, unemployed, Northern Communist, received abundant support from all sections of progressive and patriotic Americans—Negro and white, employed and unemployed, Northern and Southern, Socialists, Communists, and non-party liberals. A powerful united front supporting a militant defense policy won the victory for Angelo Herndon and for American traditions of freedom, liberty and progress.
C.I.O. FIGHTS FOR UNITY

By R.F. HALL

The splitting policies of President William Green of the American Federation of Labor and George Goode, his Southern representative, have reached a new stage. After several weeks of criminal wrecking of central labor unions and state federations in the South, they have embarked on a course of open dual unionism. What is dual unionism? This means to enter a field where a trade union which is organizing the unorganized and is fighting for the interests of the workers already exists. It means to begin in this field to set up a rival union and to compete with the bona fide union, already existing, for membership and recognition. Why is dual unionism a crime against the working class? Because it means splitting the labor movement and forcing the workers to use their energies fighting each other instead of fighting the employers for better conditions.

The attacks of George Goode at the recent convention of the state federations of labor of Alabama, Georgia and Tennessee are ample proof of this. His actions show a conspiracy to wreck the labor movement in the South.

His wrecking activities are aimed particularly at the textile industry where the Textile Workers Organizing Committee, affiliated with the C.I.O., is carrying on a splendid drive to organize the half-starved, persecuted, maimed hands.

Opposition to the United Textile Workers and the T.W.O.C., Goode is attempting to set up federal locals of textile workers which will be granted federal charters by the Executive Council of the A.F. of L.

Goode's drive is to gain and "justify" this criminal dual unionism. He invokes the "red scare" and accuses the C.I.O. of being a Communist organization "straight from Moscow."

But Goode and Green realize that they will not be able to win the workers for their reactionary policies, no matter how loud they may rant against "Moscow" and the members of the C.I.O. They have been hoping to win the industrialists. In his speech at Anniston, Goode spoke directly to 25 or 30 representatives of the Chamber of Commerce who were invited especially to hear him. "The Southern industrialists can either sit down and see their workers absorbed by this new movement or they can see themselves exploited into the A.F. of L. under Southern leadership." He said that if he employed these workers he was going to be for the advancement of Southern industry as a whole.

Anymember of the textile industry might wonder at the source from which one would expect it, the mine operators who were just recently defeated by the United Miners in their efforts to widen the wage differential. Writing in the Atlas, Harold McCallister, chairman of the committee for the Alabama coal operators, said, "The point is certainly pleasing to me."

We don't doubt it. A Southern Federation of Labor would be pleasing to all the industrialists and reactionaries. It would not be pleasing to the workers, North or South.

To the forces of reaction, C.I.O. on the side of progress, Goode and Green are the side of reaction. Every honest worker will know where he belongs.
HARLAN CRACKS OPEN

By LARRY FRENCH

In a hall outside a United States Senate committee room Ted Creech, a burly, labor-hating mine superintendent, walked up to R. C. Tackett, "You've made a lot of trouble for the coal operators," he told Tackett, "You are too strong. In eight or ten years for it when you go back to Harlan."

The trouble which Tackett had for the coal operators was confessing to the Senate committee investigating violations of civil liberties that the coal operators had hired him to murder a union organizer.

But Creech had forgotten the moment that he was not in Harlan County where the law and its officers are owned and operated by the coal companies. He was called before the Senate committee and questioned about his threats. He denied making it, although he is a United States marshal testified that he was present and asked what Creech had said. Washington police arrested Creech and charged him with perjury.

The coal operators had good reason to use desperate measures to try to keep their record away from the Senate and the public. They had a story to hide—a story of murder, graft and terrorism—the story of why Harlan County, Kentucky, is the only mining county in the United States where the miners have been unable to organize.

But they could not hide their shocking bloody record. Witness after witness revealed to the Senate committee how company-owned officers of the law had terrorized the people to prevent union organization.

Tackett and two others were hired by Ben Unthank, a deputy sheriff paid by the mining companies, to murder Lawrence Dwyer, 72-year-old organizer for the United Mine Workers. They were supplied with 15 sticks of dynamite to do the job. They blew up Dwyer's room in a Pineville hotel. Dwyer was thrown against the ceiling, but escaped unhurt. Dwyer told the LaFollette committee that he thinks he bears a charmed life and that he was shot at, assailed, and dynamited so many times by company thugs that he had lost count.

Others were not so lucky. Marshall Mussick, a Harlan County preacher, was a union miner that the companies wanted out of the way. Thugs fired into his home at night. They missed Mussick, but killed his son.

Elmo Middleton was one of the few county attorneys in the recent history of Harlan County who tried to enforce the law. Because of that he was a marked man and he knew it. He told a minister that he would like to clean up the graft and crime in Harlan County but that he could never live to do the job. One week later he was dead. A charge of dynamite was concealed in his car and wired to the mechanism. When he started the motor it exploded and killed him.

George A. Warr, secretary-treasurer of the Harlan County Coal Operators Association, told the LaFollette committee that it took "considerable money to resist union organization in the county." The testimony of later witnesses showed that it takes considerable money, too.

Other revelations before the committee made very clear the method by which Harlan County coal operators were able to maintain their brutal reign of terror to prevent union organization. Sheriff Theodore Middleton testified that he had saved and invested $102,000 in his three years and four months in office, although his salary was only $200 a year. He refused to say where he got the rest of the money, though he did mention that the largest coal operators endorsed his performance bond and that he was part owner in a company where the miners had to spend their wage scrip and which made a profit of $100 per cent in a year.

Sheriff Middleton revealed that he had appointed 379 deputies during his term in office, 101 of whom had criminal records, and that of those nine on or eight were paid by the county. The rest of these deputies were paid directly by the coal operators.

Southern workers who live in company towns show that these conditions are not peculiar to Harlan County, although Harlan County displays them at their worst. They know that the same sort of thing goes on year after year in thousands of little southern towns where one boss or a little clique of bosses owns the town's only industry, tries to control it with an iron hand, the whole political, social and economic life of the community.

And Southern workers by the hundreds of thousands are demonstrating by their actions that they have learned what it is to stand up and fight the boss-regimen. They are forming great labor, industrial, union, organizing the unorganized, rallying to the great organizations of the U.C.L.O. The next step is for Labor to develop its own political power and elect its own officers and law makers. Then the last effort of the bosses in Harlan County and in the company towns will be broken.

Harlan miners are fighting people. In the face of the worst kind of oppression and violence they have kept their sense of liberty for years to assert their right to organize. Now they are breaking through. Not long ago, an open union mass meeting was held in Harlan County, and 1,000 signed up at that one meeting. Last month the coal operators, hard pressed by the union drive and by the public exposure of their record in the LaFollette committee hearings, announced that they were ending the system of company-paid deputies which served them as long and as well in keeping Harlan County tightly under their control.

The independent kingdom of the Harlan County Coal Operators Association is coming to an end. Harlan County is about to be made safe for democracy.
C. I. O. Hits Oil

By Homer Brooks

The C. I. O. has made a bold move into the oil industry, and the oil industry is reeling from the shock. The C. I. O. has been successful in organizing workers in other industries, and now it has set its sights on the oil industry. This move is significant because the oil industry is one of the largest and most powerful industries in the country.

The oil industry is a complex and highly regulated industry. It is made up of many different companies, each with its own unique set of rules and regulations. This makes it difficult for the C. I. O. to organize workers in this industry. However, the C. I. O. has been able to make some inroads into the oil industry, and it is likely that it will continue to do so in the future.

The oil industry is also facing some other challenges. The price of oil has been volatile in recent years, and this has made it difficult for companies to make a profit. In addition, there are concerns about the environmental impact of the oil industry. These issues are likely to continue to be a source of conflict in the future.

In conclusion, the C. I. O. has made a bold move into the oil industry, and it is likely that it will continue to do so in the future. The oil industry is facing some significant challenges, and the C. I. O. may be able to take advantage of these challenges to further its organizing efforts.
Dear Mrs. Speed:
The coal strike is over and the miners have won higher wages to help us keep the wolf away from the door. But I wonder how many realize the important part played by the women in winning this victory. Let me tell you a story.

George, (that's my husband) is a good union man and he always wanted me to be strong union, too. He used to bring the Southern Worker or the United Mine Workers' Journal home at night and say, "Jennie, my eyes hurt. Read this to me." So I would read to him and little by little I learned some of the United Miners' ends to the workers. I saw that George's fight was my fight, too.

So when the strike dropped on the third and fourth week, we would discuss the problem together. We didn't have much to eat but we knew that if we stuck together we would win and that the children and I would all be better off.

Pretty soon the local's treasury was spent and the District Office had spent all the money they had. The district officers, Brother Mitch, Terry Jones, and so on, were going without wages, too. Some of the men were out on strike but most of them were not.


"Well," says George, "I saw him today and I am afraid he is going back to the Brotherhood because the Company is furnishing groceries to the Brotherhood men.

He looked at me sort of bitter. "Terrible," he says, "there ain't a thing to eat in the house."

"That's the way it is with us, too," I said cheerfully, "but it won't be long now." So I talked on for a few minutes about how good it would be to get that long-looked for day.

"That's what I told my wife," he exploded; "but we can't see it. She nags me month and day all the time. I can't stand it any more. You know, Mrs. Davis, I'm going over to the Brotherhood now and sign up."

"Oh, Mr. Fellows," I said, surprised like.

"I thought you were a UNION man?"

"Have been," he says, "but I can't stand that old woman's barking, excuse the language."

"Supt. we go over and talk to your wife," I suggested, "and he stabbed his head and agreed. So we went to see Mrs. Fellows."

"It's all just like most miners' wives. I told her what we had won through to build the union, how we and our children had gone hungry in the past so that we would have the protection of the union. The union had given us more bread, more meat and potatoes. It would give us even more if we stood by it. I told her the men even more than the men needed the union.

"I knew she was honest, she knew I had children and that I raised them right. She knew that I went to church and that I was telling the truth."

"I believe you are right, Mrs. Davis," she answered, "Mary, I seen mighty unfair to Tom."

Thursday and Friday passed and Tom stood firm. Then Saturday evening. Brother Mitch's office phoned out that a settlement had been made. We had won our demands and the men went back to work Monday.

So I think this story shows that women are important.

Very truly,

JENNIE DAVIS.

P.S. I hereby certify that the above story is correct as stated. However, the real reason I made Jennie read me from the Southern Worker was not because my eyes hurt me, but just wanted to get her interested in union work.

Yours truly,

GEORGE DAVIS.

LETTERS FROM PEOPLE OF THE SOUTH

C.L.O. Comes to Mobile

Mobile, Ala.

Editor, The Southern Worker.

The C.L.O. officially entered this section of the Deep South last month when 300 colored and white shipyard workers heard John Green explain the aims and purpose of the Industrial Union of Marine and Shipbuilding Workers, affiliated with the C.L.O.

We are the first port south of Virginia to have a local of the C.L.O. Shipyard Union.

Most of our members work in the Alabama Drydock and Shipbuilding Co., the largest drydock in the Gulf. We in Mobile were the first to break the ice. But from what we hear from New Orleans, Beaumont and Galveston, it looks like it won't be long before all 8,000 shipyard workers in the Gulf will sign up.

We have always been an open shop town. We expect to change that in a big way.

- L.M.

Farmers Need Wagner Act

St. Landry's Parish, La.

Editor, The Southern Worker.

I am working on half share. I had to give all on my crop to get something to eat for my family. The landlord asked me if I had given him a lien on my crop. I told him it was true. He said I didn't allow that on his place. And then he said if I joined the union I must look for another place.

I would like to have some teams and tools so that I could work on the place. I am in the Southern Worker.

- Member of Louisiana Farmers' Union.

I DON'T ALLOW THAT ON MY PLACE!!