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SECOND OKLAHOMA TRIAL STARTS IN VIGILANTE THREAT ATMOSPHERE

"If the defense counsel don't think there will be a fair and impartial trial, you're just going to have to pull your belts in. Motion for change of venue denied."

This, Judge Arnold's final answer to a motion for change of venue filed in behalf of Alan Shaw, Oklahoma City Secretary of the Communist Party, whose trial on charges of "criminal syndicalism" was scheduled for Nov. 18, was described by the I. L. D. last week as a clear indication of "the unconstitutional, unfair trial facing Shaw, the second of 12 criminal syndicalism victims to be tried in Oklahoma City.

In asking for a change of venue, Shaw pled that vigilante organizations and mob hysteria would deny him a fair trial in this city. Shaw's counsel, Stanley J. Belden and George Croom, placed on the witness stand County Sheriff George Goff, head of the Oklahoma County Civil Guard, City Manager W. A. Quinn and Sam Sullivan, Commander and Secretary respectively of the Oklahoma City Defense Battalion, and the fanatical radio evangelist and Coughlin prototype "Father" Webber.

Quinn testified that he had 2700 members in his Defense Battalion--- members selected by himself and who carried out instructions handed down by the board of control appointed by himself. City Manager-Commander-in-Chief Quinn recently made a public statement that the Battalion "will cooperate closely with the oil companies and utilities " Secretary Sam Sullivan admitted that material issued by the Oklahoma Committee to Defend Political Prisoners had been turned over to him for his scrutiny.

County Sheriff George Goff failed to appear for the morning session. When placed on the stand in the afternoon, he was supported by the Judge in his refusal to answer a question as to whether U. S. Attorney General Robert H. Jackson had advised him to disband his extra-legal Civil Guard. It was revealed that Goff had recruited 4,000 members and has issued cards which read as follows: "This appointment is to be regarded as confidential. A special deputy sheriff's commission will be issued you in the event of an emergency." Asked why he had circulated his 4,000 members asking them to list for him all their "usable fire-arms", Sheriff Goff grew red in the face and finally stated that one reason was that he wanted to know how many criminals there were in his organization. Goff admitted from the stand that, at a meeting of his vigilante group he had commended the jury for sentencing Robert Wood, Oklahoma State Secretary of the Communist Party, to ten years in the penitentiary and a \$5,000 fine.

Refusing to admit membership in the Silver Shirts, "Father" Webber proudly testified to the many times he had preached against the Communists, and narrated how he had staged a bookburning of "red" literature in the stadium of his tabernacle two months prior to the defendant's arrest. The defense introduced a picture showing the Progressive Bookstore after it had been raided by hoodlums two days before the "Father" announced his Hitlerian fiesta. Dr. Webber, however, refused to admit that the literature he burned was secured in this way.

Four out of the five witnesses selected by the State to prove that Shaw could get a fair and impartial trial were members of the Oklahoma City Chamber of Commerce. One was an attorney for Associated Industries which had recently paid his firm \$50,000 for emasculating the Fair Wages and Hours Act of Oklahoma. Another was Division Manager of the Oklahoma Gas and Electric Company. These four witnesses from Oklahoma City's business circles and the three vigilante leaders, Goff, Sullivan, and Quinn all denied that they were prejudiced against Alan Shaw because he was a Communist.

The fifth witness for the State was Attorney Kylie. Mr. Kylie had been present at the Wood trial and testified that he had heard the Communist Manifesto read in court and that it was his firm conviction that there was absolutely nothing seditious or criminal in that document---which was one of the three basic

exhibits used by the prosecution to convict Robert Wood. Kylie also stated that in his opinion, "if the people were permitted to know what the Communist Party really stands for, there would be no prejudice against the Communists."

Finally, the Judge stated from the Bench: "This thing you call war hysteria exists all over the State, so a change of venue would be useless."

The International Labor Defense urges all its members and friends to redouble their efforts in behalf of the Oklahoma Defense campaign.

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OKLAHOMA CIVIL RIGHTS CONFERENCE BRILLIANT SUCCESS

The Oklahoma Federation for Constitutional Rights, established on November 15 at a conference in the Skirvin Hotel, Oklahoma City, was hailed by the International Labor Defense last week as a powerful bulwark in defense of democracy throughout the United States.

All reports of the conference indicate it was a brilliant success despite all efforts to discredit it in advance and to disrupt its sessions.

Gov. Phillips aided and abetted vigilante opposition to the conference by a statement two days before it convened declaring "That isn't any of their business. They are misguided people. These advocates of civil liberties will be doing some good by their meeting because it identifies them" The governor followed these remarks with the information that he has been turning over to the FBI all letters sent him in protest over the Oklahoma criminal syndicalism cases, and that he hoped the leaders of the conference would send him a petition with all participants attached so that he could turn that over to the FBI as well.

Conference leaders among whom were Dr. Willard Z. Park, professor of anthropology, Dr. Charles M. Perry, professor of philosophy, Dr. John F. Bender, professor of school administration--all of the University of Oklahoma; Dr. Paul S. Wright, pastor of the First Presbyterian Church; Rev. John P. Thompson, Dean Comfort and scores of other civic leaders, replied to the governor's attack with vigorous statements reaffirming their determination to preserve and extend civil rights in Oklahoma.

The conference sessions were marked by obvious attempts at disruption by a handful of persons led by Dr. W. B. Harvey of the Trinity Baptist Church who called the delegates "swine", heckled the chairman and other speakers and incited a group of his followers to make such statements as: "It's time to put our feet on the neck of every Communist in the United States and send them back to Russia." This statement was made by S. D. Crouch who described himself as a retired minister. The vast majority of the several hundred delegates and visitors expressed their disagreement with the hecklers and their support of the conference leaders.

An executive committee of six was set up composed of Ruben Martin, Brotherhood of Railway Trainmen; Dr. Paul S. Wright, pastor, First Presbyterian Church; Dr. M. Shadid, director, Cooperative Hospital, Elk City; Mrs. W. R. Holway, Vinita; Dr. W. Z. Park, head of the department of anthropology and sociology, University of Oklahoma; Roscoe Dunjee, editor, Black Dispatch. The conference also elected 17 members of the state council of 27. The executive committee is instructed to add the ten remaining members.

The resolutions passed by the conference after the delegates listened to reports and addresses by Rev. Owen A. Knox, chairman of the National Federation for Constitutional Liberties; Professor Edward A. Ross, of Wisconsin, chairman of the American Civil Liberties Union, and members of the sponsoring group, included the following:

"That we re-affirm our loyalty to the American Constitution and the Bill of Rights and that we pledge our united efforts continuously to safeguard to all citizens these traditional American rights: the freedom of speech, the freedom of the press, the right of the people peaceably to assemble and to petition the government for a redress of grievance; the right of the people to be secure in their persons, house, papers, and effects against unreasonable searches and seizures."

Other resolutions passed were in behalf of Jehovah's Witnesses and Prof. Streeter Stuart fired because he asked his congressman to vote against the Burke Wadsworth Conscription Bill, also a resolution on the Oklahoma criminal syndicalism cases which read as follows:

"That in as much as the genius of American democracy rests upon the protection of the rights of all citizens; and in the light of the important role which political and religious minorities have always played in the development of our culture: we view with grave concern the conduct and the implications of the recent criminal syndicalism trials in Oklahoma City. We hold that the foundations of democracy are in danger when any law can be made the tool of special persecution of any group; that the freedom of the press is threatened when citizens may be punished for possessing or distributing books; that the 8th amendment to the constitution is abrogated by the imposing of excessive bail; and that justice itself is made a travesty when convictions are secured on insufficient or irrelevant evidence. Fully conscious of the implications of such actions for all of us (churchmen, teachers, laborers, farmers, professional people) we condemn the extra-legal and illegal treatment of any minority group and demand further safeguards of the rights granted in the 4th and 8th amendments of our Constitution."

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NEW YORK ILD MEMBERSHIP MEETING TO DISCUSS IMPORTANT REORGANIZATION PLANS

A membership meeting of the New York International Labor Defense was announced by the I. L. D. last week in a statement urging all members of the organization to attend. The meeting will be held on Monday evening, December 2, at Manhattan Center, 34th Street and 8th Avenue, N. Y. C.

"All members of the I. L. D. are urgently requested to attend a membership meeting to be held on December 2," the I. L. D. announcement stated, "at which plans for re-organization of the New York I. L. D. will be discussed and acted upon by the membership. The National Board of the I. L. D. will propose new plans for greater efficiency and coordination of I. L. D. activities in greater New York."

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LEWISTOWN CRIMINAL SYNDICALISM VICTIMS WIN CHANGE OF VENUE

Four citizens of Chicago charged with "criminal syndicalism" and facing ten year prison terms for the "crime" of attempting to solicit signatures to a nominating petition to put a minority party on the ballot for 1940 in Lewistown, Illinois, have won a change of venue for their coming trial, it was announced by the International Labor Defense last week.

Prejudice against the defendants, Mrs. Mary Wilson, Mrs. Jane Curtiss, George Gibbs and I. L. D. attorney Ira Silbar, who was present in Lewistown as an observer when the other three went there to collect the signatures--was repeatedly shown in preliminary hearings in their case, in the setting of \$80,000 bail (subsequently reduced \$14,000) and especially in the remarks of Circuit Judge Riley E. Stevens. They will now be tried in the court of Circuit Judge William A. Bardens.

State Attorney Sherman Deutsch whose office instigated the prosecution of the Lewistown Four and who fought most vigorously for their speedy conviction was roundly defeated in the elections on November 5.

The Lewistown defendants will speak at the Chicago Civil Rights rally called for November 30, in the Coral Room of the Hamilton Hotel, 18 S. Dearborn, by the Lewistown Defense Committee. The conference call stated: "A conviction in Lewistown will be the start of a broadside against all sections of labor. A conviction in this open shop county, controlled by the International Harvester Co., and mining corporations will make the anti-labor forces bolder and pave the way to spread attacks in other parts of the state of Illinois."

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ILD PROTESTS RENEWED PERSECUTION OF LUIS CARLOS PRESTES IN BRAZIL

Denouncing renewed attempts to Brazilian authorities to threaten the life of Luis Carlos Prestes, Brazilian leader now serving a 15-year sentence in a jungle prison there, by pressing charges of "homicide" against him, the ILD last week protested against the renewed persecution to President Vargas of Brazil and urged his intervention in securing justice and freedom for Prestes. The new "homicide" charges against Prestes are based on the alleged murder of a young woman 2 years ago. Prestes has been in prison for the past 4 years. The girl was arrested several weeks before Prestes himself was seized in 1936 and was never seen alive after she was taken into the custody of the police.

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