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THE INDUSTRIAL ORGANIZER

Official Organ of Motor Transport and Allied Workers Industrial Union Local 544-CIO

MINNEAPOLIS OFFICE: 1328 SECOND STREET NORTH

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MINNESOTA HISTORICAL SOCIETY

Stand all as one Till right is done! Believe and dare and do!

FIVE CENTS

1, NO. 4

Blair's Refusal to Grant Drivers' Elections Is Challenged by 544-CIO in District Court

On the National Picket Line

Marvel Schell... this land of "democracy" we still have, ostensibly, some of the press, there is censorship. I give you two examples: The Rockford Labor News, AFL organ, carries a box-item this week which tells its own story. The only head the word "Censored!" "Ernest R. Quick, OPM official, informs us that this paper would interfere with the settlement of the strike at the Rockford Drop Forge company if we printed anything which might 'irritate' officials of that firm. "We refused permission for him to preview any news copy going into this edition, at which he flew into a rage, making threats about the government taking care of labor papers if they interfere with defense production." U. S. Government agencies are aware of the patriotic efforts of the Rockford Labor News, through its columns and otherwise. The truth of the strike at the Drop Forge plant—the workers side of the story—will not be printed in this space as intended, not because of the bluster of Mr. Quick, but because we desire an early settlement of the controversy so that the men can go back to work if our silence is necessary to bring it about. "Mr. Quick, with his flash of temper, is not bulldozing us. We feel that there is still a free press in the United States. "(Note.) A printer's galley proof of the deleted story is pasted in the window of the Labor News office for those who wish to read it."

New Republic Magazine Says Indictments Here Are Most Serious Issue Of Civil Liberties

Liberal Magazine Calls Department of Justice Action Against Local 544-CIO "One of the Most Extraordinary Affairs in the Whole History of the Department of Justice"—Such a Violation of Democratic Rights as Appears to Be Involved Would Be Worth Ten Divisions to Hitler, New Republic Writes

(In its issue of July 28th the New Republic, liberal magazine, carried the following editorial entitled "Civil Liberties in Minneapolis." The New Republic in its editorial comment joins the Nation magazine in pointing out to liberals throughout the United States the grave abuse of civil liberties threatened in Minneapolis.) Twenty-nine people have been indicted in Minneapolis on the ground of advocating the overthrow of the government of the United States by armed force. This is one of the most serious issues involving civil liberties to arise in the United States in many years. Whether the action was politically motivated or not, it is one of the most extraordinary affairs in the whole history of the Department of Justice. One has to go back to the Great War and the hysteria of the years just following for any sort of parallel. It is tacitly admitted in Washington that this is a prosecution for opinion only. The action is taken partly under a law governing "seditious conspiracy," enacted during the American Civil War, and partly under the Smith Act, introduced in 1939. The Smith Act makes it illegal to advocate "the overthrow of the government by force or violence," even though you never do anything to put your ideas into effect. Spokesmen for the Socialist Workers' Party insist that they do not even engage in such advocacy. Invariably it has been found in practice that such laws could be stretched almost indefinitely. For many years Justices Holmes and Brandeis voted for the defendants in cases like these, on appeal to the Supreme Court (usually in the minority). In a famous phrase, they held that men should not be

punished for advocacy of revolution unless there was "a clear and present danger" to our society. Mr. Justice Holmes in a historic dissent in the Abrams case, in 1919, spoke approvingly of "free trade in ideas—that the best test of truth is the power of the thought to get itself accepted in the competition of the market, and the truth is the only ground upon which [men's] wishes safely can be carried out. . . . I think we should be sternly vigilant against attempts to check the expression of opinions that we loathe and believe to be fraught with death unless they so imminently threaten immediate interference with the lawful and pressing purposes of the law that an immediate check is required to save the country." In subsequent decisions, Justices Holmes and Brandeis repeatedly held that members of various revolutionary sects had not placed the country in any "clear and present danger." That the Minneapolis case is tremendously important goes without saying. President Roosevelt and Acting Attorney General Francis Biddle have repeatedly promised that there would be no such violations of civil liberties as stained the honor of America in the last war. For a country preparing to fight for the principles of democracy now to violate those principles either in hysterical fear of a little handful of theoretical Communists, or as part of a sordid political maneuver to help the AFL and hurt the CIO, would be unforgivable; it would be worth ten divisions to Hitler. For that reason we ask our readers to suspend judgment until the facts are a little clearer. We promise to report fully and promptly on those facts.

Reprinted from Austin Unionist

Austin Drivers Dispose of Thugs Sent In by Tobin

Under the heading "AFL FAKERS CRASH CIO MEETING," the Austin Unionist in its August 1st issue describes the unsuccessful efforts of Tobin thugs to gain a foothold among the drivers of Austin, Minnesota, all of whom followed Local 544 into the CIO. The Austin Unionist story follows: Some weeks ago Local Union 778, General Drivers, voted by unanimous ballot to call a special meeting to consider disaffiliating with the AFL and to affiliate with the United Construction Workers Organizing Committee, CIO. The special meeting was held on June 15, 1941. At the meeting, past relations of Local 778 with the AFL were reviewed in detail and the rank and file were in unanimous accord with a motion to disaffiliate with the IBT-AFL and the Tobin strong-arm method of union dictatorship. It was then decided by unanimous ballot that 778 apply for a charter under the CIO. Immediately Tobin and his first lieutenants shipped an army of sixteen or more thugs to Austin to threaten and intimidate workers on the job and on the street into signing back with AFL. It is believed, and not without reason, that since June 16th there have been as many as forty of the so-

tion of the character of Tobin's hirelings.

On Tuesday night, Tobin's boys again burst in on a union meeting. Every member at the meeting demanded simultaneously that they leave. However, Tobin's men displayed their gangster breeding by placing their backs to the wall and acclaiming that they were our superiors and that they would not leave! The rank and file then, up on their feet, began to yell, "Throw them out!" At this point Ollman in an attempt to avoid trouble called the local police and had the AFL thugs removed. Every man in the meeting voiced his intention of remaining loyal and defending the right of Local 778 to be CIO. The membership of 778 declare they will use all means within the law to defend themselves against the threatened action of Tobin's chosen ruffian, but they also wish to inform the union members and the public of Austin that if serious trouble starts they will defend themselves in whatever way seems appropriate at that time. The difficult is that which we can do today; the impossible takes a little longer.—FRIDTJOF NAWSEN. A lie can cover the earth while the truth is putting on its shoes.

Motor Transport and Allied Workers All Out Monday Night for 544-CIO Membership Meet

A number of important reports are listed on the agenda for the regular membership meeting of the Motor Transport and Allied Workers Industrial Union Local 544-CIO, to be held next Monday, August 11th, in the union headquarters, 1328 Second street North, 8 p. m. All union members—drivers, helpers, warehousemen—are urged to attend this important meeting. Frank Barnhart, regional director of the United Construction Workers Organizing Committee and personal representative of John L. Lewis, will report on the progress of the CIO campaign in organizing its new industrial union among the nation's motor transport workers. Union attorneys will report on the hearings on the 544-CIO election petitions, and on recent court actions initiated to force Blair to abide by the law and to order the elections. A report will be made on the federal "conspiracy" indictments against sixteen members and leaders of the union, who will be arraigned next Monday prior to the meeting. Other important reports packed with information that every driver should have will be delivered by V. R. Dunne and Farrell Dobbs. Drivers, plan without fail to attend your membership meeting Monday night. Hear the latest developments on our successful fight to maintain our union against the machinations of Dictator Dan Tobin and his hoodlums and political cronies.

Blair's AFL Bias Is Hit by 544-CIO

Regional CIO Director Frank Barnhart Joins Local 544-CIO Executive Board in Blast Against Blair—Stassen's Labor Conciliator Seizes Upon Flimsy Technicality to Deny 544-CIO Petition for Democratic Election Among Furniture Drivers—Union Will Continue to Press Its Demand for Elections

State Labor Conciliator Alfred Blair last Saturday ruled against Local 544-CIO's petition for a collective bargaining election in the Minneapolis retail furniture stores, and thus openly joined Tobin and his henchmen in seeking to deny the Minneapolis furniture drivers a democratic solution of the dispute between Local 544-CIO and Tobin. Blair seized upon the flimsiest of reasons—that 544's strike notice was "illegal" because the union had switched from the AFL to the CIO—to deny the 544-CIO petition. At no time did Blair inform Local 544 that its switch to the CIO invalidated the strike notices sent out by the union June 1st, before the membership voted to leave the AFL and join the CIO. Yet he pointed to this as his reason for refusing the union's request for a secret election whereby the workers themselves can choose their collective bargaining agent. The executive board of Local 544-CIO, in a joint statement with Frank Barnhart, regional director of the United Construction Workers Organizing Committee, promptly answered Blair's unjust ruling, in a press statement issued August 3rd. Following is the text of the union statement: "The action of the State Labor Conciliator, Alfred P. Blair, in ruling against the petition of Local 544-CIO for a collective bargaining election in the Minneapolis retail furniture stores is a gross miscarriage of justice. "Contrary to press accounts, it is not true that the furniture employees struck without first serving the necessary strike notice. Such notice was filed and accepted by the Conciliator on or about June 1st. Since the strike did not begin until 17 days had elapsed, all the objectives sought by the 'cooling off period' requirement of the State Labor Act were fully served. Yet Mr. Blair seized upon the flimsy pretext that the employees had changed their affiliation from the AFL to the CIO as the basis of his ruling that they were guilty of what he terms 'unfair labor practice.' "Moreover, overwhelming evidence was produced in the hearings proving the AFL, between June 20 and July 10, by force and threats intimidated many furniture employees into signing AFL authorizations. Upon this record, why has not Mr. Blair, in accordance with his broad investigative powers, also disqualified the AFL from being the bargaining agent? Impartial enforcement of the law would compel disqualification of the AFL if the CIO is to be disqualified. Such a decision by the State Conciliator is an open invitation to the AFL to continue its terrorist tactics against the employees of the industry. "Local 544-CIO, with the full support of the United Construction Workers Organizing Committee, will continue to vigorously press its demand for democratic elections by secret ballot to determine the bargaining agent for the employees in the furniture stores and all other sections of the motor transport industry. "We shall use every available channel in our vigorous efforts to defend the legal rights of the employees against Mr. Blair's obvious bias toward the AFL and the unfair decision which he has rendered because of this partisanship."

Stassen Man's Ruling Rejecting 544-CIO Petition for Election in Furniture Industry Is Taken to District Court for Review—Local 544-CIO Demands of Blair That He Exercise Even-Handed Justice by Denying all Tobin Petitions on Grounds of Illegal and Unfair Labor Practices by Tobin Hoodlums—Motions Put Blair on Hot Seat—Local 544-CIO Planning New Moves to Expose Star Chamber Proceedings, Win Democratic Right of Elections, Speed Contract Negotiations

In a move calculated to break out of the Star Chamber proceedings engineered by Alfred P. Blair and the daily press in the labor board hearings on Local 544-CIO's petitions for industry-wide elections, the union on Monday went into District Court and obtained a writ of certiorari from Judge Mathias Baldwin. The writ, returnable September 15th, calls for a review of Blair's brazen decision of last Saturday denying Local 544-CIO's petition for an election in the local furniture industry. AFL petitions demanding certification, on the same grounds he used unjustly upon Local 544-CIO—the grounds of unfair labor practice.

Stassen Law Up For Judgment Blair is now placed in the position before the public where he must either apply the Stassen Slave Labor Law impartially to both sides—or admit that both the law and himself are instruments whereby the bosses and Governor Stassen can intervene in the labor movement to exercise gross bias against the stronger and more militant union in favor of the weaker and boss-minded union. Enough proof of illegal and unfair labor practices on the part of Tobin's hoodlums has been presented in the hearings to date to disqualify them from the slightest consideration in the hearings. The whole labor movement knows this, despite the efforts of the daily press to boycott the majority of testimony to this effect.

By Blair's own "logic," if he is to disqualify one union for an alleged unfair labor practice, he must also disqualify the other party, Tobin's union, for the many concrete unfair labor practices it has engaged in since June 9th when the drivers left the AFL and joined the CIO. Let Blair Apply His "Logic" Attorneys for Local 544-CIO were not slow to drive home this point with Blair. Monday Gilbert Carlson and William K. Thomas, union attorneys, went before Blair and submitted a motion that he disqualify the AFL in the wholesale grocery houses because of the unfair labor practices of Tobin's goons. CIO attorneys pointed to the evidence whereby the Tobin men used threats and intimidation to compel drivers and warehousemen to pay dues and sign AFL pledge cards.

A second motion was also filed with Blair by 544-CIO, demanding that Stassen's conciliator that he dismiss the petition of the AFL for citywide certification, on the grounds that Tobin's forces have been guilty of unfair labor practices, and on the further grounds that there has never been citywide labor relations covering the Minneapolis motor transport drivers, the men in each industry being covered by a separate contract. Again on Tuesday, attorneys for Local 544-CIO moved, at the cement block hearing held in the Nicollet hotel, that Blair disqualify the AFL from any further participation in the cement block hearing and that the AFL has no place on the ballot because of its unfair labor practices. Blair took all motions under advisement. No doubt Blair and his advisers thought it a clever move last Saturday to rule against the 544-CIO petition for elections in the furniture industry, on the basis of a legal technicality scored as an "unfair labor practice." The technicality seized upon was that the strike notice mailed Blair and the furniture bosses on June 1st by Local 544 was "illegal" because of the switch from the AFL to the CIO. Actually, through this unjust ruling, Blair has permitted 544-CIO to turn the tables on him and the AFL by demanding that he now disqualify and dismiss all

CIO Scores 2-1 Over AFL in NLRB Elections

CIO unions won 50.3 per cent of the NLRB elections as against 25.8 per cent for the AFL and 6.5 per cent for independent unions during the three-month period ending June 30th. The CIO led with 147,230 votes as against the AFL's 75,478. The CIO unions won more than half of the elections in such basic industries as auto, building and construction, electrical equipment, glass, leather, meat packing and rubber.

We Made Minneapolis a Union Town --- Let's KEEP IT That Way





