

# EDITORIAL

**Pittsburgh**  
AMERICA'S

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SATURDAY, APRIL 22, 1933

## SCOTTSBORO AD INFINITUM

**T**HE country has been fed with the Scottsboro case for several months. To recite the facts is but to insult intelligence; everybody knows the facts. The recent trial brings the whole case anew before the American public. In spite of ourselves, we find it impossible to dismiss the case as it stands. Everybody feels that something should be done to close the chapter satisfactorily and definitely.

In our opinion, the case has reached the stage of exaggeration. Everything has been exaggerated. There has been too much publicity; too much sectional recrimination; too much racial emphasis; and too much personal feeling.

At this very moment the country is confronted with a new phase of the case. One of the attorneys for the defense, Mr. Leibowitz, after leaving the South where he conducted

## SWORD OF DAMOCLES



On the other hand, the defense went into the case with a determination to bring Alabama to its knees. Sectional



Mr. Leibowitz is supposed to have made this statement in answer to the query of someone as to how the jury could convict Heywood Patterson after hearing one of the white girls declare that the boys did not make the attacks as charged in the indictment. We do not know whether Mr. Leibowitz made the statement above quoted, but we say, if he did, he has disqualified himself, absolutely, and should not attempt to go back to Alabama to participate in any of the other trials. Whether Mr. Leibowitz made this statement or not, it appears that Judge Horton, when informed of the statement by Mr. Leibowitz, decided to continue the other cases indefinitely, and he is quoted as saying that "no court, regardless of its duty, could, under such baneful influences, permit the trial of this case to proceed at the present time." Judge Horton very properly continued the case because he feels that the public mind of Alabama is so stirred over the alleged statement of Mr. Leibowitz that any jury from any section of the State would convict the rest of the defendants in order to repudiate Mr. Leibowitz.

On the other hand, the prosecuting counsel, Mr. Knight, should gracefully withdraw. He should do this to allow the case to be restored to normalcy. It is said that his personal feeling in the case is born of a desire to vindicate the opinion written in the case by his own father, which opinion was reversed by the Supreme Court of the United States. There is also rumor that Mr. Knight desires to seek the governorship of the State of Alabama, and is manufacturing for himself campaign material on which to ride into office. If this be true, Mr. Knight has disqualified himself and he should gracefully withdraw.

We believe sincerely that the I. L. D., known as a wing of the Communist party, should gracefully withdraw. We believe that the N. A. A. C. P., in withdrawing from actual participation in the defense, made its biggest contribution to the possible acquittal of the boys.

When we say withdraw from the case, we mean withdraw from the actual participation in the defense. There are any number of lawyers in this country, North and South, who could go to Decatur or any other Alabama town and conduct a prosecution and a defense absolutely within the law and rules of court, without inflaming public sentiment; without insulting the judge or the jury, and, at the same time, without sacrificing a single legal right to which the defendants are entitled. Such lawyers can be found and employed, and if the I. L. D. is interested in the boys or interested in securing justice for all men in all courts, it ought to help raise money to hire such lawyers as could and would go into the case with less feeling, less glamor and bombast, and secure for the boys a fair trial in the courts. All other agencies interested in the Scottsboro case ought to assist in raising funds to defray the necessary and normal expense of securing a fair trial for those boys.

The agencies at work on both sides of the case have lost sight of the boys. The prosecution is mad because the I. L. D. and its agents long ago sent telegrams to the judges and the governor, attempting to intimidate them, browbeat them and threaten them. These telegrams and their content are known to all the people of Alabama. They resented them when they were sent and they resent them to this very day. The case was not lost at Decatur. The Scottsboro case was lost when those intimidating telegrams were sent to Alabama. The case will remain lost until some agency takes hold of the case and erases from the minds of the Alabama citizens the resentment and anger implanted by the intimidating telegrams of the I. L. D. The prosecution went into courts to defend what it considered the traditions of Alabama, the pride of Alabama, the insults to Alabama intelligence, and not to prosecute nine Negroes. The phraseology and insinuations of the prosecuting attorney at the trial are proof that he had in mind sectional traditions, and he emphasized them both by word and gesture, and the only thing he asked for in support of Alabama traditions was the lives of those nine Negroes. The man was actually mad.

properly quoted, it seems to us that his remarks were made deliberately for the purpose of making his return to Alabama for the other cases impossible. He either employs a ruse to get out of the case or, by his words, he establishes himself a bigot.

As the case now stands, it represents an array of section against section, race against race, exploitation against exploitation. Before the boys can hope for a fair trial, the case must be reduced to normalcy; the parties interested in the prosecution should be substituted by others whose minds are less inflamed. The agencies exploiting the defense should withdraw and permit a sane and calm counsel to take its place at the table. The judge was more than fair, and we venture the assertion that it would be the triumph of his judicial career to see those cases disposed of in his State, and in his court, in a way satisfactory to the fair-minded people of America. Until the picture is changed, until the parties interested are substituted by others less inflamed, the Scottsboro case may go on ad infinitum.

## THE 30-HOUR WORK WEEK



THE 30-hour work week bill, which has just met with the approval of the United States Senate, is another of the Roosevelt Administration's progressive pieces of legislation. When it becomes a law it will prove effective in repairing some of the damages wrought to society by the breakdown of our system of production and consumption.

The cause of the present slump, as of all previous ones, is over-production: that is to say, the production of more goods than the consumers can purchase with the money in circulation. By curtailing production with the shorter work week, less goods will be produced in a week's time or more people will have to be put to work to produce the same amount of goods now finished for sale in that period.

If there could be some way of keeping wages at the present level or raising them at the same time the work week is shortened, a long step would be taken in the direction of recovery. This the Administration undoubtedly has in mind in pushing the minimum wage bill which is now under consideration. Such measures will, to be sure, somewhat reduce profits, but they will go a long way toward reviving industry and making more jobs. And, after all, that is the most important consideration, for unless industry and commerce are revived, there will be neither profits nor wages. One lesson that this depression has hammered home is the absolute interdependence of all classes in our society.

## VIGILANT LEGISLATORS



BY having vigilant legislators fighting in their interest, Negroes can often make more concrete gains than they can by loose talk and wild denunciation of the powers-that-be. The only forces Negroes can use effectively and without devastating reprisal are persuasive force and political force. Economic boycotts are effective to a certain extent, but they are dangerous weapons to use.

Two recent examples of vigilance of our legislators were the successful effort of Congressman Oscar DePriest to attach a "rider" to the forestry bill guaranteeing fair and equal treatment of Negro workers, and the passage by the New York State legislature of the bill of Assemblyman J. Edward Stephens prohibiting discrimination by public utility companies of the State on account of race or color.

Directly as a result of these two pieces of legislation, Negroes will get hundreds and thousands of jobs they would not have otherwise obtained. This is something for colored waters to remember.