

I tried to explain that (1) the only genuine change between negroes and whites is with those writers of the old planting class. The enemy and hate is largely between The New negroes and poor whites.

(2) This is not a mere theory or paper discussion; the question must be settled in the South; we should therefore contribute toward this judge's needs, not fly up with little

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The Week

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means of public works, the whole country will benefit. We have no illusions regarding Mr. Roosevelt's radicalism; but neither have we any regarding the torism of most big bankers and industrialists. After all, one cannot forget that they dominated Mr. Hoover, who waited years after the depression began before he lifted a finger on behalf of the plain people who are the first and worst victims of hard times.

IF PRICES of wheat continue to rise because of an extraordinarily short winter crop, we shall be interested to know the attitude of those who have opposed the domestic-allotment plan because it aimed to increase prices by restricting output. Do they deplore the same result when it arises from natural causes? Do they regret that wheat prices are rising? Do they believe that farmers and the country would have been better off if they had been able to produce millions of bushels more than they did, to swell the unmarketed surplus and drive prices further down? Do they hold that the present price increase is merely a transfer of purchasing power from the consumer to the farmer, without possibility of stimulating any expanded activity? In order to be logical, they would have to subscribe to all these beliefs. Likewise those other opponents, who opposed the plan because, in their opinion, re-

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The Week

MR. Roosevelt's acid test is now before him. Both Houses of Congress have in the past week shown a marked tendency to rebel against his leadership, to slow up the pace of legislation, and to take matters into their own hands, as the Senate did in passing the Black thirty-hour-week bill. The real point is that, until now, his measures have been stopgap proposals to meet a great national emergency, and conservative as well as progressive, Republican as well as Democrat, could support them. Now, however, he has come to the parting of the ways. He must either work, broadly speaking, in the interest of the common man, or in that of entrenched wealth. Suddenly his new proposals begin to look alarmingly radical to such great conservative organs as, for instance, The New York Herald Tribune. Before we know it, he will be denounced as a demagogue who proposes, like Robin Hood, to take from the rich and give to the poor. It is true that in a limited sense, some of Mr. Roosevelt's plans are open to that interpretation. It is also true, however, that if he succeeds in restoring prosperity through his plans for enforced activity by

*The challenge (see next page) was
criminal lawyer talk largely, he has
lost his first case.*

laying.

extraordinarily short winter crop, we shall be interested to know the attitude of those who have opposed the domestic-allotment plan because it aimed to increase prices by restricting output. Do they deplore the same result when it arises from natural causes? Do they regret that wheat prices are rising? Do they believe that farmers and the country would have been better off if they had been able to produce millions of bushels more than they did, to swell the unmarketed surplus and drive prices further down? Do they hold that the present price increase is merely a transfer of purchasing power from the consumer to the farmer, without possibility of stimulating any expanded activity? In order to be logical, they would have to subscribe to all these beliefs. Likewise those other opponents, who opposed the plan because, in their opinion, reduced output would not raise prices under depression conditions, will have some explaining to do. For our part, we regard a short crop imposed by nature as less desirable than one imposed by the human will, if only because its losses and benefits are so unequally distributed according to weather conditions.

MACHADO, the Cuban butcher, outdid himself on Good Friday. At least seven young men were murdered that day by his gangsters, without trial, on suspicion of being opposed to his regime. Two of them were killed in broad daylight, in a fashionable district of Havana, before numerous witnesses including the correspondent of The New York Times. It is not surprising that in view of the mounting list of such acts, many Americans believe that intervention by the United States will soon become inevitable. Nevertheless, such intervention should be avoided if it is possible to do so. Military occupations which begin with the best of motives

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which is why the judge is trying for a postponement

often continue from motives which are less good; and however bad are the conditions in Cuba, the rest of Latin America would quickly forget our intensions and return to the old suspicion and hostility which recent policies have done much to eradicate. Reports from Washington say that the Roosevelt administration is considering a substitute plan in regard to Cuba. If Machado will step out, and be replaced by a civilized government which is at least in some respect responsive to the popular will, the United States will help restore Cuba's prosperity by guaranteeing a definite proportion of the American sugar market. It is a bold plan, which might or might not work; but it is so much better than any alternative that we should like to see it tried.

NOTHING could be more ironical than the action of Judge James E. Horton of Alabama in postponing indefinitely the trials of the remaining Scottsboro defendants. He did so on the ground that a remark made in New York City by Samuel Leibowitz, one of the defense counsel, had made a fair trial in Alabama at present impossible. Mr. Leibowitz's remark, which has been widely quoted, referred to the jurors in the first trial, that of Haywood Patterson. He said:

If you ever saw those creatures, those bigots, whose mouths are slits in their faces, whose eyes pop out at you like frogs, whose chins drip tobacco juice, be-whiskered and filthy, you would not ask how they could do it.

The irony lies in the fact that the defense has insisted all along that a fair trial was impossible in Decatur or in any other Alabama town where conditions were approximately the same as those in Scottsboro. Moreover, all friends of the defendants have hoped for a postponement of the remaining cases until that of Patterson could be appealed to the State and United States Supreme Courts.

ors, in resentment against a few ill chosen words spoken in heat by a lawyer in New York City, would sentence eight Negroes to die, guilty or innocent. One can imagine a commonwealth so zealous of its reputation for justice that a challenge like that of Mr. Leibowitz would make it all the more passionately resolved to be fair; but on Judge Horton's word, that commonwealth is not rural Alabama.

IT IS encouraging to find the administration devoting its attention to the subject of real banking reform, but it is anything but encouraging that the Glass bill should be the result. This bill, still in committee as this issue goes to press, provides for a \$2,000 million corporation capitalized by subscription of the Treasury, the Federal Reserve Banks and the commercial banks, to insure bank deposits. Fortunately there is delay because of a fight about the terms of eligibility to the benefits of the insurance: Representative Steagall is holding out against Senator Glass for inclusion of state banks, regardless of whether or not they are members of the Federal Reserve System. Meanwhile, opposition is converging upon the two fatal weaknesses of the scheme. In the first place, the bill has been falsely advertised as a guarantee of bank deposits. This it certainly is not. The total resources of the protective corporation would be approximately one-twentieth of the total bank deposits. Precisely the same sort of protective fund was tried in several Western states until the bank crisis demonstrated its insufficiency. After application to a few of the sore spots, the fund was exhausted. When banks thereafter failed, the effects were all the more shocking and severe. In the second place, it is nothing less than a premium on unsound banking, of which we have seen quite enough, to vest responsibility for bank deposits, either partial or entire, in any agency without giving it a corresponding degree of authority over the banks. The New Republic believes and has often

It was said: a mere editorial in a newspaper like this is not an attack

the judge admits the likely possibility of a fair trial in Alabama and showed that he was not so sure of the human element

Shaw referred to the jurors in the first trial, that of Raymond Patterson. He said: *For seeing the human element*
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MR. Leibowitz was indiscreet in the extreme to speak as he did and, were it not for the special circumstances surrounding the case, his remark would have been wholly inexcusable. But for two weeks he had labored under the emotional strain of conducting a capital trial in a city where he believed his own life to be in constant danger from the mob. Every day in the mail he received threats of lynching. In the courtroom he listened while Solicitor Wade Wright declared that the witnesses had been "bought with Jew money from New York." His indiscretion, after all, was committed a thousand miles from Alabama after the trial was over, while that of Solicitor Wright took place in the courtroom and helped to sentence Patterson to death for a crime which surely no sensible person now believed he committed. Judge Horton conducted the trial with scrupulous fairness; and his statement on the occasion of ordering the postponement is a spirited and dignified defense of Southern justice. Yet after all, what does he say? He says that Alabama jur-

He was the second time in the trial, that of Raymond Patterson. He said: "For seeing the human element" If you ever saw those creatures, those bigots, whose mouths are slits in their faces, whose eyes pop out at you like frogs, whose chins drip tobacco juice, be-whiskered and filthy, you would not ask how they could do it.

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PRESIDENT Roosevelt is usually so adroit in diplomacy that a blunder on his part is far more noticeable than it was in the days of the inept Mr. Hoover. Such a blunder was the selection of Josephus Daniels to be Ambassador to Mexico. Mr. Daniels, personally the kindest of men, was Secretary of the Navy under Wilson (when President Roosevelt, by the way, was Assistant Secretary). It was in the Wilson era that Vera Cruz was shelled. If the United States had forgotten this, some Mexicans hadn't, and they have been objecting to the appointment as loudly as they

This referred partly to the Ruby Bates witness having heard her affixes paid, while she was under surveillance for a month.

Do you see the connection? It was a mere coincidence.

7-2-36