

to call elections. Its only really convinced followers are the armed and well-disciplined S. S., the Nazis' praetorian guard—and fine-looking, strong fellows they are.

But intellectuals, workers, and everybody else I met emitted their anti-Fascist poison and immediately added: "Don't think anything will happen. The regime is stable. It has the guns and the concentration camps behind it." I asked all my acquaintances whether they saw illegal Communist or Socialist literature. They did not. One man who works in a big publishing house said, "We are ready for it but none ever comes our way." It is obvious that the Marxist movement, heroic and indefatigably optimistic though it be, is too limited to organize and direct an opposition which is so nation-wide. All people agree that hostility to Nazism unites the opposition but, as yet, nothing else does. One hears that the monarchists feel encouraged by developments in Germany and Greece and by the sympathy of cer-

tain Reichswehr elements. Their candidate for the throne is Prince Louis Ferdinand, grandson of the Kaiser, whom I met. Once he worked at the Ford plant in Detroit and now he is employed by the Lufthansa. He is a nice chap. It is hard to imagine, however, that he will some day rule Germany. If there were free public discussion or assembly the other groups might temporarily find a common language. But the eye of the Gestapo is sharp and its punishment fierce. The hostility to National Socialism, consequently, is ubiquitous and impotent. The strength of the regime lies in its enemy's disunion, in its own large armed forces, and in the strong, almost mystic hold which Hitler still has over many Germans. The weakness of the regime is explained by the fact that it has redeemed only two of its pre-1933 pledges: it is exterminating the Jews and it is forging a vast military machine which, in the opinion of Germans, enhances the danger of a world war.

Scottsboro Interview

By CARLETON BEALS

IN the Negro ward on the fourth floor of the Hillman Hospital on Sunday afternoon I saw Ozie Powell, the Scottsboro boy who was shot in the head by Deputy Sheriff J. Street Sandlin in the mysterious scuffle on the road between Decatur and Birmingham. Ozie lies in the first room after one steps from the white ward into the ill-kept black quarters. At his doorway are stationed highway patrolmen, sheriffs, and gum-shoe men, who survey all comers with suspicious eyes. Ozie was lying on his left side asleep, a white bandage on his head, his right foot chained to the bed.

I was speaking to the nurse when a lanky sheriff poked me in the chest with a hard finger and snapped, "Who are you?"

I explained, and almost at once he became loquacious. "I'd give a fifty-dollar bill," he repeated several times, "if you could talk to that nigger. But it's against the Governor's orders. I'd like you to see for yourself that that New Yawk lawyer Leibowitz is a damn' liar. Why, we had a man planted outside Ozie's window when he and Watts wuz talkin' to the nigger, and we know everything that was said."

"What do you think of these niggers?" asked a fat gum-shoe man. "They're guilty, ain't they? You'd shoot a nigger that knifed your buddy, wouldn't you?"

I managed to convince him that I thought as any good Alabaman does, and the sheriff grew mellow with the idea that at last he had found a friendly New York newspaperman. "Stand right here in the doorway," he said, "and have a look at him."

Before I could protest, he strode over to the bed, woke up the boy who had undergone a serious brain operation less than forty-eight hours before and whose life was still in the balance, and began firing questions at him. There was fear in the spasmodic twitching of the Negro's body and his rolling dazed eyes; he answered respectfully in a weak voice. Even so, he refused to incriminate Roy Wright, one of the other two manacled Negro boys in the car where

the trouble started. When the sheriff insisted on an answer, saying, "That Leroy Wright's a bad fellow, isn't he? He put you up to this, didn't he?" Ozie groaned out, "Naw, he didn't have to put me up to it."

Similarly Ozie refused to answer the question, repeated again and again, "Leibowitz was mad at you, wasn't he?" This in a triumphant tone.

"Naw, he wasn't mad," the Negro boy managed to groan.

"But he was different toward you, wasn't he?"

"Naw, I guess—" And Ozie's voice drifted into unintelligibility.

"He didn't talk to you very long, did he?" persisted the sheriff.

"Guess—he didn't have much time."

"He was in a hurry, wasn't he?"

Merely a negative sort of groan answered this question. The Negro boy was perfectly lucid, but he seemed to grow weaker from the prolonged questioning, of which only a sample is given here.

The sheriff, with several others who had crowded into the Negro's room, came back to me with a gloating expression. "Now you can tell the truth about this, can't you? You seen for yourself that Leibowitz was lying when he said this nigger wasn't in a fit condition to be questioned. You seen that he knows everything he's saying."

This scuffle on the road (following prolonged efforts by the sheriffs, and what appears to be collusion between the prosecution and the court, to force the boys to throw over their lawyers and accept a court-appointed lawyer on the promise that they would get off with lighter sentences) is merely an incident that further obscures the guilt or innocence of the defendants and further conceals the grave social and racial implications of the whole case.

These nine Negroes, ranging from thirteen to nineteen at the time of their arrest, have varied intelligence and character. Some were illiterate, although all of them can now

read and write. All the young folk, black and white, taken off that fatal train at Paint Rock, Alabama, five years ago, were driftwood. One of the seventeen-year-old Negro boys had both syphilis and gonorrhea and was barely able to get about with a cane. Haywood Patterson, who received a sentence of seventy-five years in his fourth trial, was apparently chosen by the prosecution to be tried first because he has the blackest skin, the wickedest gleam in his eyes, and the meanest expression on his face. He is what is known in the South as "a bad nigger." This means that he is wilful, self-assertive, independent, not properly servile. Add five years of jail, and it would not be surprising if he had become hard and perhaps treacherous. Yet he is decidedly likable and, in contrast to Victoria Price, he has a straightforward honesty in his manner; he is more gentle and restrained than his accuser, who viciously spits out her words, some of them foul. He was generous enough to save Orville Gilley from death under the wheels by hauling him back by his feet into the "chert," or gravel car, although the white boy had trampled on his hands and almost caused him to fall off the moving train and had been heaving "stud," or rocks, at him. Haywood writes good English in a beautiful hand.

Ozie Powell, who was shot in the brain, was sullen and shifty on the stand and sometimes flared up with anger. Five years in a jail cell, with no proper exercise, no sunlight, and no amusements, have given him an acute prison psychosis. One of his fellow-prisoners says he has been "queer" for nearly a year. "He jus' sits off all by himself and plays that little harp of his and after a while throws a fit. He jumps up and curses everybody and everything. Theah's something the matter with his haid."

Willie Robertson, the sick boy, has at least improved in health during his jail experience. As one Southerner described him, "He is so dumb he tells the truth." When he first appeared on the stand he had a wild mop of kinky half-combed hair that split into tufts in the back. Now he is well dressed and slicks his hair with anti-kink grease, as do most of the others. Strangely enough, this seems to irritate the good people of Morgan County even more than the crime the Negroes supposedly committed; it is a constant topic of bitter conversation how well the boys are now dressed; and they are ridiculed for taking pains with their appearance. The fact is that they are better mannered and better dressed than most of the spectators at their trials.

Olen Montgomery, the nearly blind boy, who was hopping to get free treatment from an eye specialist in Memphis when he was taken off a box-car far removed from the part of the train where the supposed rape occurred, seems an honest, simple boy. He is "funny." One likes him at once.

The two Wright boys are both very bright. The youngest, only thirteen when arrested, has since been jabbed in the face with a bayonet by a state militiaman who was supposed to protect him; his cheek is drawn into an artificial perpetual grin. The older, Roy Wright, is a fine type of Negro with a good mind and open, good-natured countenance. Because he is the most intelligent of the lot, he is the one most fiercely hated by his guards.

At the recent trial, watching the half-illiterate talesmen shuffle forward in response to Judge Callahan's sharp calling of their names, surveying their shabby clothes, their dull eyes, their vacant countenances, their malformed bodies, and

seeing them fill the spittoons with tobacco juice, one felt a sense of shame. These are of our purest American stock. What has brought about their degeneracy?

As one rides through the countryside and sees the shacks in which they live, the boards warped and rotting, the windows broken and stuffed with rags, as one looks at the stony hillsides and the pine trees standing in swampy pools, one realizes that many of these people in America in the twentieth century live worse than most peasants in the Balkans and certainly have fewer cultural attainments. They fear the Negroes. It is an economic fear. It is a physical fear. It is a cultural fear. It is a blind fear.

I have no space to summarize the evidence. Certainly in the recent trial there was not sufficient evidence to warrant a conviction. There was, in addition, a constant effort to obscure the defense testimony and to rule it out through tricky but legal procedure. The most vital evidence for the defense was barred. The prosecution could not call Ruby Bates, who has recanted her previous testimony and has declared the boys innocent. It could not call Orville Gilley, presumably an eyewitness, though it had him there under guard, for Gilley is now serving time in the Tennessee penitentiary for knocking down two women on separate occasions and stealing their purses. The prosecution, since the Horton trial, has not dared call Dr. R. R. Bridges, the official doctor who examined Victoria an hour and a half after the alleged rape, because in the first place his testimony contradicts Victoria's and in the second place, by not calling him, it prevents the defense from bringing in rebuttal testimony that would knock the prosecution's case into a cocked hat in any fair court in the land.

In one of the earlier trials a state's attorney, in his summation to the jury, waved Victoria Price's cotton drawers over his head and shouted a defense of Alabama's "pure womanhood." No other garments were offered by the state. Dr. Bridges had testified that there were no stains on the girls' clothing. At the recent trial the drawers were again waved in the courtroom, but this time they had become silk. Before the defense could make a protest, Judge Callahan testily ruled that they were inadmissible as evidence. But they had already had their effect on the jurors.

This is typical of the farce of the trial. Technically everything may have been perfectly legal. The record may read fairly, for all I know. But no one who was not present can realize the inflections of the court and the subtly changed meanings that were put upon words. In charging the jury Judge Callahan said that if such and such things were true, in a tone implying they probably were, then the defendant was a "rapist" and should be convicted. As he said these words, he glared over at the defendant in fury, his lips drew back in a snarl, and he rolled out the word "r-r-rapist" in a horrendous tone. The record will never show such things; but continue them hour after hour and day after day in an already prejudiced courtroom, and the sum total weighs upon the minds of the jurors.

Next Week

Colonel Frank Knox as a Presidential Candidate

By RAYMOND GRAM SWING

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