

# Frame-Up in Los Angeles

By Alfred O'Malley

LOS ANGELES.

**D**ECEMBER 16 was a big day on the American news front. That was the day the cables sizzled with the first eye-witness stories by the survivors of the *Panay* bombing. The story got top billing throughout the American press. But not in Los Angeles. There the headlines screamed across eight columns: POLICE NAB HEAD OF RED ROBBER GANG and RED "ROBIN HOOD" STOLE TO FILL COMMUNIST COFFERS. The subheads declared that a local C.I.O. official was implicated, and that documents had been found on the self-confessed burglar which connected him with the Tom Mooney Molders' Defense Committee.

The story went on to say that the police of Beverly Hills had arrested one Arthur Scott, alias Kent, and his wife; had found on him a Communist Party membership book and a credential letter personally signed by Tom Mooney; that they had also arrested Tom Johnson, of the local C.I.O. paper *Industrial Unionist*, after obtaining a confession from Scott which declared that Johnson had been his accomplice in carrying out a number of recent burglaries in swank Beverly Hills and that Johnson, too, was a member of the Communist Party. Scott said he had glorified wealthy homes and, selling the had turned the proceeds over to the communists as a form of "social taxation."

The afternoon papers carried a scorching indictment from the local C.I.O. office branding the accusation against Johnson a police frame-up. The Communist Party and the Mooney Defense Committee issued similar statements. But the papers also carried the news that Scott had led the police to his cache and that plundered residents of Beverly Hills had been calling, identifying items in the swag. The burglary charge was apparently genuine. What had happened?

I WENT to the office of the Los Angeles Communist Party. The county committee was in session on the case and promised a supplementary statement at the general membership meeting of Los Angeles County that night. At the local C.I.O. office I was told a bit more of the story as it affected Johnson. He had been called on the phone the morning of December 15 by Scott, whom he had known three years before in Frisco in connection with work for the Mooney defense. Scott said that he was in a jam and needed help, and he asked Johnson to meet him in Hollywood. Johnson insisted that pressure of work made it necessary for Scott to come down to Los Angeles. Scott agreed to meet Johnson in the lobby of the Rosslyn Hotel. Johnson left to keep the appointment—and disappeared. Hours later newspapermen phoned, saying he was in the Beverly Hills jail and

needed a lawyer. A. L. Wirin, noted for his legal work in civil liberties cases and local attorney for the C.I.O., went up to Beverly Hills. Presently Johnson was released on \$2500 bail, and he told me what had happened.

When Johnson arrived at the Rosslyn Hotel he was accosted by a stranger and asked if he was Tom Johnson. When he said yes, two plainclothesmen grabbed him and took him to Beverly Hills jail, telling him that he was being held as an accomplice in a burglary job. At the jail he was placed in a cell next to one in which Scott was confined. He asked Scott what it was all about, and Scott said that as he left his hotel to meet Johnson, he had been picked up. Scott further told Johnson that he had made a confession, and that the police really had something on him. Johnson said all he wanted was that Scott tell the police the truth—that he, Johnson, had not seen Scott in three years. Scott said he would stick to the truth. Presently Scott was taken from his cell. He returned half an hour later. Johnson asked him whether he had been third-degreed and Scott said he had. But Johnson saw no signs of rough treatment. Johnson asked Scott whether he had told the truth and he said he had.

Then the police took Johnson out. They threatened to beat him up if he didn't come clean. Johnson said he wasn't confessing to a crime he hadn't committed. They didn't beat him. Instead, they showed Johnson a document, signed by Scott, which declared that he identified Johnson as one of the burglary accomplices he had named in his "confession" of the day before. Johnson told the police he suspected it was a forgery. The police produced other apparently authentic papers of Johnson's which indicated the signature of the "identification" was genuine. Scott had declared Johnson his accomplice in burglary and had said he was a member of the Communist Party.

THAT NIGHT in Trinity Auditorium Paul Cline, county organizer of the Communist Party, read a statement from the county committee which revealed that five months ago in Frisco, Scott and his wife had been expelled from the Communist Party. Scott had been branded at that time as an "unprincipled adventurer and suspicious element unfit for membership in the party." The statement went on to say that Johnson, in whose innocence the party fully believed, was not and never had been a member.

Then more information on Scott began to come to light. Scott, alias Kent (real name, Arthur Margolis) had been in San Quentin prison some years ago, serving a term for burglary. There he came into contact with

Tom Mooney, who is famous for his missionary work among his fellow prisoners. Margolis-Scott-Kent apparently became converted to the cause, and when he left prison he carried Mooney's endorsement. He became active in the Mooney committee and was privy to its inmost workings. He joined the Communist Party. Then strange things began to happen, things which made the party's term "unprincipled adventurer" a very mild statement of the reasons for his expulsion. But in the interim he had been to Hollywood on business for the Mooney committee. He had been received into the homes of liberal screen writers and actors. He knew enough so that if burglary was his program he would pick Beverly Hills, the Gold Coast of the film colony.

But what about Johnson? Why had Scott picked on him? Johnson told me: "I subsequently learned that Kent had phoned me at the insistence of and in the presence of police from the Beverly Hills jail after consultation with Captain Hynes of the Los Angeles police department." In other words, Scott's story about having been picked up by cops as he started out to meet Johnson was a deliberate lie. He had simply baited a police trap.

AT THE PRELIMINARY HEARING several interesting things develop. First, Scott's attorney makes no attempt to bail him out. (Is he afraid he will be interviewed?) Second, charges against Mrs. Scott are dismissed, on the ground, in the district attorney's words, that "she and her husband have been cooperating 100 percent with the police" and that she knew nothing of the robberies anyway. Most interesting of all, however, is Scott's attorney. This self-confessed "Communist" has for his attorney a man who has become distinguished on the Pacific Coast for Red-baiting. None other than Mr. Aaron Sapiro.

Here, then, is the line-up of forces: in this corner, the police, the cooperative criminal, and the cooperative criminal's attorney, a spokesman for reactionary trade-union officials eager to raise a Red scare; in the other corner the liberals, the militant trade unionists, and the Communist Party. "Red" Hynes and the open-shop chamber of commerce he represents have joined fascists the world over in making it plain as a pikestaff that attacking the people's front is on the immediate order of business. The strategy behind this frame-up is undoubtedly to paint the C.I.O. and the Mooney committee Red; and to attack them both, plus the Communist Party, by linking them with common criminality. But the odor of fish is too strong, and will nauseate the whole community as Johnson's defense really goes to work to expose this conspiracy.

# F O R S Y T H E ' S

## P A G E

### Mr. and Mrs. Sinclair Lewis at Home

MR. AND MRS. SINCLAIR LEWIS are having breakfast in their little cottage. As they talk Mrs. Lewis hurries back and forth from the kitchen where she is frying the eggs. The sunlight is coming in through the windows and there is the sound of hens cackling in the back yard. Mr. Lewis is reading the morning paper between bites.

"OH, Dottie, listen!" cries Mr. Lewis. "Listen what it says here about you." "About me?" says Mrs. Lewis, stopping in the doorway.

"Somebody suggesting that you'd make a good candidate for President. President of the United States. The United States of America."

"Somebody who?" asks Mrs. Lewis.

"Just somebody," says Mr. Lewis, not paying much attention.

"Oh," says Mrs. Lewis and begins to leave.

"Why, you'd made a great President," cries Mr. Lewis elatedly. "Mrs. Sinclair Lewis, President of the United States." He pauses and begins to reflect. "It wouldn't be Mrs. Lewis, though. It'd be Miss Dorothy Thompson."

He calls through the door.

"You ever think of that, Dottie? It wouldn't be Mrs. Lewis at all, would it?"

Mrs. Lewis returns with more toast.

"You just get through here and down to that work of yours. You know who the great man is in this family."

"Oh, pshaw," says Mr. Lewis modestly.

"Didn't you get the Nobel prize?"

"Sure."

"Didn't you turn down the Pulitzer prize?"

"Yeh, I did that."

"Didn't you stand in that pulpit in Kansas City and dare God to strike you dead?"

"He didn't strike me, did he!" demands Mr. Lewis aggressively.

"Of course, he didn't," says Mrs. Lewis.

"He knew how much this country needs you." Mr. Lewis looks at her coyly out of the corner of his eye.

"They never suggested me for President," he reminds her.

"What do you care who writes the nation's laws if you can write the nation's novels?" quotes Mrs. Lewis.

"That's right, I guess," says Mr. Lewis, mollified, and gives himself over thoughtfully to munching on a piece of toast.

Mrs. Lewis goes back to the kitchen and addresses him from that point.

"Oh, Red," she calls. "I forgot to tell you. I'll be a little late getting home tonight."

"Yeh?" says Mr. Lewis suspiciously.

"I'm making a speech before the Manufacturers' Association. A big banquet."

Mr. Lewis sits sulking, saying nothing. Mrs. Lewis returns from the kitchen.

"Now, if you're going to get angry about that again . . ." she begins.

"I'm not angry," says Mr. Lewis. "I'm sore. How do you think I like it sitting around here every night while you're out speech-making for a bunch of Babbitts?"

"Now, Red, you know what I think about that. We've discussed it before. At a time like this when everything is at odds and ends, it's a person's duty to do what he can."

"It's damn funny they never ask me to speak," says Mr. Lewis. He sees her about to answer and hurriedly beats her to it. "Yeh, I know, who cares who writes the nation's laws. . . . To hell with that. But they don't ask me to speak." His voice rises. "They didn't even ask me to speak at the Union League Club."

"Maybe they didn't know you wanted to speak," she suggests.

"How'd they know I didn't want to speak unless they asked me!"

"Now, Red, really. . . . If you're going to feel hurt about a little thing like that. . . ."

"Hurt . . . me hurt! I suppose you've forgotten that I spoke before the king of Sweden . . . and a whole lot of the cabinet members . . . dukes and things like that. . . ."

"Yes, yes, I know," says Mrs. Lewis wearily, "I've heard about that. But what do you care about those little things? You're a writer. You're an important writer. I think this new job you have with *News-Week* is going to be fine for you. It'll probably work into something pretty big."

"Thanks."

"Oh, I know. . . . You think it's just a hack job, but it'll give you a chance to get in with the right people and you can do a lot of good with it."

"The right people?" asks Mr. Lewis.

"You know what I mean . . . the people who do things in America, the people who run this country."

"The people who belong to the Harvard Club, for instance?" says Mr. Lewis.

"Yes," says Mrs. Lewis defiantly. "The

people who belong to the Harvard Club. And I'll tell you one thing, Red. . . . You're never going to reach those people with the sort of thing you did in those first *News-Week* pieces. They were too obvious."

"Now you're telling me how to be a writer."

"Well, I've had a great deal of experience lately. After all my column is syndicated. . . ."

"In forty papers. I've heard *that*, too."

"You can be funny if you want to, but I know that you can't influence the people you want to influence if you do it as you've tried in *News-Week*. You have to be more subtle. It's all right to be mad at something but you mustn't just come right out and say you're mad at it."

"If you're in favor of the Babbitts, the way to do it is come out and attack labor, but always as labor's best friend. . . . Is that it?"

"Oh, you'd twist it around."

"But is that it? And when you want to show the common people you love them, you do it before the Manufacturers' Association?" cries Mr. Lewis.

"You needn't get so uppity about it. You don't love them any more than I do. If you

really want to know whom you love, you love Mr. George Babbitt. . . . And possibly the king of Sweden."

"No, my dear says Mr. Lewis with the guile of diplomat. "I love you, Miss Dorothy Thompson, President of



Ruth Gikow

United States of America, and darling of Union League and the Harvard and Manufacturers'."

Mrs. Lewis is hurt.

"If you're going to act that way about it," she says, "I won't do it."

"Do what?"

"I'll give it up."

"Give what up?"

"I won't be President of the United States," says Mrs. Lewis.

Mr. Lewis leaps eight feet in the air and hurls his napkin on the floor.

"Well, that's very decent of you. . . . That's very damned decent and sporting, I must say. Just to make me feel better, you won't be President of the United States after all!"

"Now, Red, really. . . ."

"Do you mean to say you've been taken in by that damned nonsense!"

Mrs. Lewis is very obviously wounded at this.

"I guess I have as much right as anybody else," she says, in a small hurt voice. "It's a free country. If they wanted to ask you, they could do it just as well."

"Let me tell you something, my fine feathered friend!" yells Mr. Lewis. "I'm a writer. I'm an artist. I don't care who makes the nation's. . . . Oh, SHUT UP!"

ROBERT FORSYTHE.