

NEWS from Workers Defense League 112 East 19th Street New York City Algonquin 4 - 4954 Samuel H. Friedman, Publicity

> ODELL WALLER, VIRGINIA SHARECROPPER SENTENCED TO DIE DEC. 27, GRANTED THREE MONTHS' STAY OF EXECUTION Waller A stay of execution in the case of Odell Waller, Negro sharecropper

A stay of execution in the case of Odell Waller, Negro sharecropper originally scheduled to die in the electric chair in Virginia December 27, has been granted until March 14, according to a wire received today from Thomas H. Stone, the Richmond, Va., attorney who is acting as counsel for Waller and for the Workers Defense League, which is handling the sharecropper's case. The stay was granted by Governor James H. Price, the governor's secretary announced today. A statement by the governor will be forthcoming in the next few days, his secretary added. John F. Finerty is co-counsel with Mr. Stone in the Waller case.

Announcement of the receipt of the telegram was issued by David L. Clendenin, national secretary-treasurer of the Workers Defense League, from the League's national headquarters at 112 East 19th Street, New York, Pauli Murray, field secretary of the Workers Defense League, is in direct charge of the Waller case. The league, which was responsible for the request to the governor for the stay of execution and which has announced that it will appeal

December 18th, 1940 FOR IMMEDIATE RELEASE

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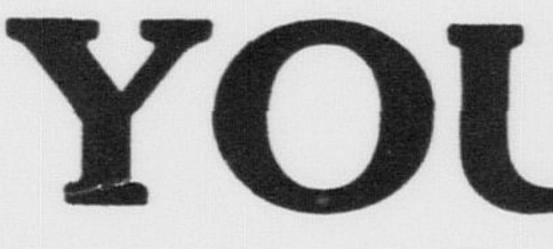
the case to the highest court in the land, is a national nonpartisan organization devoted to the defense of labor's rights, and has the official cooperation of the National Association for the Advancement of Colored People and of the Brotherhood of Sleeping Car Porters in this case. The league is also official defense agency of the Southern Tenant Farmers! Union, organization of shareoroppers and tenant farmers, white and colored.

Waller was convicted several weeks ago of shooting his white landlord, Oscar Davis, in a dispute over Davis' refusal to turn over to Waller his share of the crop. Counsel for Waller alleged that he shot only in selfdefense, after Davis had reached into his "gun pocket". The jury, consisting of ten planters, a business man and a carpenter-all whites-found Waller guilty. Waller stated that Davis had cheated him, his wife and his aged mother, had evicted the two women while Waller was away looking for work, and had then profanely and abusively denied Waller any of his share of the crop on which all three had worked, meanwhile making the threatening gesture. Furthermore, Davis is alleged to have been a "bad man" to get along with and to have carried a gun because of a violent dispute with his own son.

The three months' stay came as the result of a presentment by the Workers Defense League, acting through Mr. Stone, to Judge Turner Clement and Governor Price for a stay of execution pending appeal to the Virginia Supreme Court. Unfair selection of the jury from the wealthier elements in the community-since the polltax requirement for jurors prevents poor people and sharecroppers, Waller's "peers", from being drawn for the jury--is alleged by the Workers Defense League. A jury drawn from the list of voters and poll-tax payers would inevitably be prejudiced against Waller and would be unable to decide fairly either as to the Negro sharecropper's guilt or as to his degree of guilt, if any, the league contends.

Mr. Finerty, well-known corporation attorney who acted as chief counsel for Tom Mooney, is a member of the national executive board of the league. He will handle the constitutional questions involved in the case.





Sentenced To Die December 27th TWO DAYS AFTER CHRISTMAS!

MRS. ANNIE WALLER

Negro Sharecropper and Family,

including aged MOTHER-ROBBED, CHEATED, AND EVICTED BY WHITE LANDLORD !!!

ODELL WALLER, born in Gretna, Virginia, 23 years of age, who worked long days for the miserable one-fourth of the crop that meant food and shelter for himself, his wife and his old mother, now faces death on December 27th in a Virginia electric chair for the self-defense shooting of his landlord, Oscar Davis.

Picture this sharecropper cheated by his landlord Picture for yourself Waller-asking for his share as people of his race have been cheated and beaten of the wheat crop and Davis, brief and profane, refor generations of Southern history. Picture for your- fusing; his aging mother, waiting in the truck for self a desperate boy, home from Baltimore where he the bread crop she had toiled to raise; Davis cutting short his talk with a gesture toward his "gun" had gone for work, finding his family evicted and its pocket. Then Waller, fearful, shooting for his life. share of the bread crop withheld. Remember that The Virginia law allows a man to carry a gun if he a contract between landlord and tenant means nothfeels his life is in danger. ing; if it is violated, the tenant has no redress and Hunted by armed lynch mobs and dogs, Waller was no money to secure legal aid. A sharecropper or a caught and tried by an all-white jury made up of ten Negro has few rights in the American South. landlords, a carpenter and a business man.

Sharecroppers, who are the majority of county residents, were excluded from the jury because they were unable to pay the \$1.50 Virginia poll tax. The tax adds up for years, and poor people can never catch up on payments. In that way, six million white people and four million Negroes in 8 States are prevented from voting and from serving on juries. Is this democracy?

THE WORKERS DEFENSE LEAGUE is fighting the death sentence, with the cooperation of the NA-TIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE and the BROTHERHOOD OF SLEEPING CAR PORTERS. The crime for which Odell Waller stands condemned is the outgrowth of unbearable conditions facing Negro and white sharecroppers and migrant workers in the South. He symbolizes the tragic lives of so many of the disinherited and dispossessed citizens of our country, both white and colored, whose condition has long been the shame of the greatest democracy on earth. The defense of Waller is one way of bringing to the attention of the American people a condition which must be wiped out.

To appeal his case to the United States Supreme Court, FUNDS are needed.

SNATCH ODELL WALLER FROM THE JAWS OF DEATH! RUSH CONTRIBUTIONS!

TEAR OFF AND MAIL

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YOU can save a Life!

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