





COMMUNIST ACTIVITIES IN THE  
CLEVELAND, OHIO, AREA  
PART 2

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HEARINGS  
BEFORE THE  
COMMITTEE ON UN-AMERICAN ACTIVITIES  
HOUSE OF REPRESENTATIVES  
EIGHTY-SEVENTH CONGRESS  
SECOND SESSION

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JUNE 5, 6, AND 7, 1962  
INCLUDING INDEX

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Printed for the use of the  
Committee on Un-American Activities



## COMMITTEE ON UN-AMERICAN ACTIVITIES

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946]; 60 Stat. 812, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, \* \* \**

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

\* \* \* \* \*

17. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

\* \* \* \* \*

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

\* \* \* \* \*

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 126. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 87TH CONGRESS

House Resolution 8, January 3, 1961

\* \* \* \* \*

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

\* \* \* \* \*

(r) Committee on Un-American Activities, to consist of nine Members.

\* \* \* \* \*

RULE XI

POWERS AND DUTIES OF COMMITTEES

\* \* \* \* \*

18. Committee on Un-American Activities.

(a) Un-American activities.

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\* \* \* \* \*

27. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.



# COMMUNIST ACTIVITIES IN THE CLEVELAND, OHIO, AREA

## Part 2

TUESDAY AFTERNOON—JUNE 5, 1962

UNITED STATES HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE OF THE  
COMMITTEE ON UN-AMERICAN ACTIVITIES,  
*Washington, D.C.*

### PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities reconvened at 2 p.m., Hon. Francis E. Walter (chairman) presiding.

Subcommittee members present: Representatives Walter, Doyle, Scherer, Johansen, Bruce; also present Representative Schadeberg.

The CHAIRMAN. The committee will be in order. Mr. Nittle, call your next witness.

Mr. NITTLE. Will Jean Krchmarek please come forward?

The CHAIRMAN. Will you raise your right hand?

Do you solemnly swear that the testimony you will give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. KRCHMAREK. I do.

### TESTIMONY OF JEAN KRCHMAREK, ACCOMPANIED BY COUNSEL, JOSEPH FORER

Mr. NITTLE. Would you state your name, please?

Mrs. KRCHMAREK. My name is Jean Krchmarek, K-r-c-h-m-a-r-e-k.

Mr. NITTLE. I see that you are represented by counsel.

Will counsel please identify himself for the record?

Mr. FORER. Joseph Forer, Washington, D.C.

Mr. NITTLE. Where were you born, Mrs. Krchmarek?

Mrs. KRCHMAREK. I was born in the District of Columbia.

Mr. NITTLE. Are you currently employed by the Communist Party in any capacity?

(Witness conferred with counsel.)

Mrs. KRCHMAREK. Sir, I must decline to answer that question. I invoke the privilege of the fifth amendment; and furthermore, I feel that it violates my rights under the first amendment to the Constitution.

Mr. NITTLE. Are you currently employed as a columnist for *The Worker*?

Mrs. KRCHMAREK. I must decline to answer that question on the grounds previously stated.

The CHAIRMAN. You said you must decline. You are not under any compulsion.

Mrs. KRCHMAREK. I do decline. I am sorry.

The CHAIRMAN. That is better.

Mr. NITTLE. Are you at the present time a member of the Communist Party?

Mrs. KRCHMAREK. I also decline to answer that question on the grounds previously stated.

Mr. NITTLE. Are you at this instant a member of the Communist Party?

Mrs. KRCHMAREK. Again I decline to answer on the same grounds.

Mr. NITTLE. Do you know Julia Brown?

Mrs. KRCHMAREK. Again I decline to answer on the same grounds.

Mr. NITTLE. Were you, at the time Julia Brown was a resident of Cleveland, a section leader of the Northeast Section of the Communist Party?

Mrs. KRCHMAREK. I decline to answer that question on the grounds that I previously stated.

Mr. NITTLE. As said leader, did you have the responsibility of directing the activities of the Communist clubs established in the Northeast Section?

(Counsel conferred with witness.)

Mrs. KRCHMAREK. I did not state that—

You made the presumption—that I had not said. I think that is an unfair and a loaded question, and I decline to answer it on the same grounds.

Mr. NITTLE. Did you participate in the organization of a farewell party given on June 11, 1960, for Elizabeth Hall, wife of Gus Hall, now general secretary of the Communist Party?

Mrs. KRCHMAREK. I decline to answer that question, on the grounds previously stated.

Mr. NITTLE. Mr. Chairman, I think it is quite obvious this witness will not answer any of the questions put to her. The staff has no further questions.

The CHAIRMAN. The witness is discharged.

Mr. NITTLE. Pauline Taylor, will you come forward?

The CHAIRMAN. Will you raise your right hand?

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. TAYLOR. I do.

### TESTIMONY OF PAULINE TAYLOR, ACCOMPANIED BY COUNSEL, JOSEPH FORER

Mr. NITTLE. Would you please state your name for the record?

Mrs. TAYLOR. Pauline Taylor.

Mr. NITTLE. I note that you are represented by counsel.

Will counsel please identify himself for the record?

Mr. FORER. Joseph Forer.

Mr. NITTLE. Where were you born, Mrs. Taylor?

Mrs. TAYLOR. In the United States.

Mr. SCHERER. Where in the United States?

Mrs. TAYLOR. In the State of Alabama.

Mr. SCHERER. In what city?

Mrs. TAYLOR. Well, it is a village; Lockhart.

Mr. SCHERER. Lockhart, Alabama?

Mrs. TAYLOR. It is not Lockhart any more.

Mr. NITTLE. Mrs. Taylor, you appeared before this committee on a previous occasion, November 27, 1956; is that correct?

(Witness conferred with counsel.)

Mrs. TAYLOR. What was the question?

Mr. NITTLE. Will you read it, Mr. Reporter?

(The question referred to was read by the reporter.)

Mrs. TAYLOR. I can't be sure of the date. I believe the year was 1956.

The CHAIRMAN. Did we find out what your present address is? What is your present address?

Mrs. TAYLOR. Mine? 313 Chicago Avenue.

The CHAIRMAN. In Chicago?

Mrs. TAYLOR. No, Chicago Avenue.

Mr. NITTLE. In Youngstown, Ohio?

Mrs. TAYLOR. That is right.

Mr. NITTLE. Are you presently active in the Communist Party in the Youngstown area?

Mrs. TAYLOR. I refuse to answer that question, because it is not pertinent; and also on the rights of my protection under the first amendment and my privilege under the fifth amendment.

Mr. NITTLE. Mrs. Taylor, I was talking about your prior appearance before this committee in November 1956. At that time, you were questioned by Mr. Arens, who asked you this question: "Mrs. Taylor, are you a member of the Communist Party?"

Your reply was: "I am not, Mr. Chairman."

When you stated at that time that you were not a member of the Communist Party in response to that question, were you telling the truth?

Mrs. TAYLOR. Mr. Chairman, I refuse to answer the question, under the protection that I have already asked for under the first and fifth amendments.

Mr. NITTLE. I put it to you as a fact, Mrs. Taylor, that at the time you responded to that inquiry you were a member of the Communist Party.

Mr. FORER. No question has been asked.

Mr. NITTLE. Do you affirm or deny that fact?

(Counsel conferred with witness.)

Mrs. TAYLOR. Mr. Chairman, I refuse to answer on the same grounds, on my protection under the first and fifth amendments.

Mr. NITTLE. Mr. Arens also asked you: "Have you ever taken orders from the Communist Party?"; to which you replied, "I have not."

Were you telling the truth at that time?

Mrs. TAYLOR. Mr. Chairman, I refuse to answer the question under the protection of the first and fifth amendments.

Mr. NITTLE. You were a sworn witness when you testified that you had not taken orders from the Communist Party, were you not?

Mrs. TAYLOR. I refuse to answer your question under the same protection.

Mr. NITTLE. Mr. Arens also asked, while you were a witness under oath: "Did you ever hear of a Communist who was not actually a member of the party, but was under party discipline so he could be used by the party and not be easily exposed? Did you ever hear of that technique?"; to which you replied: "Mr. Chairman, I decline to answer that question under the protection of the fifth amendment."

In view of your refusal to answer that question at that time, would you be willing to answer that question now, if I put it to you?

(Witness conferred with counsel.)

Mrs. TAYLOR. No.

Mr. NITTLE. You would not be willing to answer the question?

Mr. FORER. She answered that question.

The CHAIRMAN. She answered.

Mr. NITTLE. Have you, Mrs. Taylor, received instructions from the Communist Party, or persons known to you to be members of the Communist Party, to infiltrate any church in the Cleveland or Youngstown area?

Mrs. TAYLOR. I refuse to answer that question on the previous grounds.

Mr. NITTLE. Did you, in the course of the latter part of last year, have occasion to speak at a women's meeting before a church group, at which time you stated you had received a communication from a woman in South Vietnam asking for your help to work for the removal of our troops from that place; and you further told this group that although you did not have the communication, you were told that dogs were being set upon tied civilians and that women were having reptiles injected into their reproductive organs, and that this was what our troops were doing, that is, United States troops, in South Vietnam?

Did you or did you not make that or a similar statement before a women's group in a church meeting?

Mrs. TAYLOR. I refuse to answer the question on the same grounds.

Mr. NITTLE. Did you further state that this conduct was sanctioned by U.S. Army officials, and that the actions of the American Armed Forces overseas were disgraceful? And did you add that your son had been in the Army and had knowledge of this?

I ask you to affirm or deny that account.

Mrs. TAYLOR. I refuse to answer on the same grounds previously stated.

Mr. NITTLE. Mrs. Taylor, at the time the United States was associated with Soviet Russia in World War II, were you at that time very active in promoting the defense effort of the United States?

Mrs. TAYLOR. I refuse to answer that question on the previous stated grounds.

Mr. NITTLE. Did you not at that time work, as you have said in one of your pamphlets, with the United States Employment Service, to cut down absenteeism, and were you not, to use your words, "visiting homes to find out what caused workers to take time off vital war work in steel and putting up a fight to change bad conditions"?

Mrs. TAYLOR. Are you asking the question?

Mr. NITTLE. Yes.

Mrs. TAYLOR. I refuse to answer on the grounds previously stated.

Mr. NITTLE. I show you a pamphlet, identified as Taylor Exhibit No. 1, titled "Peace Is Possible," which is described on page 12 thereof

as a report from Pauline Taylor, issued "as a public service" by the Progressive Party of Ohio, 5103 Euclid Avenue, Cleveland, Ohio.

Will you examine that pamphlet, please?

Now I want to ask you, Mrs. Taylor: Do you recognize it?

Mrs. TAYLOR. I object to the question as not being pertinent.

Mr. NITTLE. Will you tell us who wrote that pamphlet for you?

Mr. FORER. What was that question?

(Witness conferred with counsel.)

Mrs. TAYLOR. Mr. Chairman, that is a loaded question. I didn't say that I wrote it or that anybody wrote it for me.

The CHAIRMAN. Did you write it?

(Counsel conferred with witness.)

Mrs. TAYLOR. Mr. Chairman, I object, because the question is not pertinent.

The CHAIRMAN. Now, I direct you to answer the question whether or not you wrote that pamphlet.

Mr. FORER. There is no explanation of the pertinency, Mr. Chairman.

The CHAIRMAN. No. We know why we want the question answered.

(Counsel conferred with witness.)

Mrs. TAYLOR. Mr. Chairman, I refuse, on the grounds previously stated under the first and fifth amendments.

Mr. NITTLE. You refused to answer that question?

Mr. FORER. Yes, she did.

Mr. NITTLE. On what basis did you refuse?

Mrs. TAYLOR. On the grounds of my rights under the first amendment and my privilege under the fifth.

Mr. NITTLE. Was that pamphlet written for you or delivered to you by persons known to be Communists?

Mrs. TAYLOR. What are you talking about?

Mr. NITTLE. The pamphlet entitled "Peace Is Possible," to which we were referring.

Mrs. TAYLOR. I refuse to answer, on the grounds of the first and fifth amendment, Mr. Chairman.

Mr. NITTLE. The address which that exhibit bears is 5103 Euclid Avenue. Was that the office of the One World Book Shop, operated by Frida and Morris Kreitner?

Mrs. TAYLOR. Mr. Chairman, I refuse to answer the question on the previous stated grounds.

Mr. NITTLE. Was that pamphlet in fact circulated from that bookshop?

Mrs. TAYLOR. I refuse to answer the question on the previous stated grounds.

(Document marked "Taylor Exhibit No. 1" and retained in committee files.)

Mr. NITTLE. Did you know Frida Kreitner as a member of the Communist Party?

Mrs. TAYLOR. I refuse to answer the question on the previous stated grounds.

Mr. NITTLE. Did you know Morris Kreitner as a member of the Communist Party?

Mrs. TAYLOR. I refuse to answer the question on the previous stated grounds.

MR. NITTLE. I show you Taylor Exhibit No. 2, a booklet titled "We Pledge Peace," A Friendship Book, published by the American Russian Institute, Inc., 101 Post Street, San Francisco 8, California.

Did you make a contribution to this booklet?

Mrs. TAYLOR. What is the question?

MR. NITTLE. I point out to you page 62 of this booklet on which appears an article titled "If Our People Knew The Truth"—"Pauline Taylor, *peace leader, church worker*, Youngstown, Ohio."

Did you write that article for that booklet?

(Counsel conferred with witness.)

Mrs. TAYLOR. I object to the question, because it isn't pertinent, Mr. Chairman.

The CHAIRMAN. You are directed to answer the question.

Mrs. TAYLOR. Mr. Chairman, I refuse to answer the question, on the grounds that it is not pertinent, and under the privilege of the first and fifth amendments, as previously stated.

(Document marked "Taylor Exhibit No. 2" and retained in committee files.)

MR. NITTLE. If I may, Mr. Chairman, I would like to read a portion of that article from page 62 of Exhibit 2, which appears under the byline of Mrs. Taylor:

In November 1950, as chairman of the Ohio Women for Peace, I went as a delegate from Ohio to the Second World Peace Congress in Warsaw. After the Congress, 19 of us from the United States were invited by the Soviet Peace Committee to visit their country for two weeks.

In Russia I found great concentration of the people on peaceful work. Though there was concern over the war danger, the flames and bloodshed of actual war seemed remote in these countries. Everyone was building, working, farming and they seemed very much like us. They showed us great housing projects, schools and irrigation canals, subways, and forests being planted, and they said: "If we planned to start a war, do you think we would be spending billions of rubles and millions of tons of scarce steel and concrete on these projects, which will take years to finish, and have little or no military value?"

I ask, Mrs. Taylor: Who wrote that article for you?

Mrs. TAYLOR. Mr. Chairman, that is a loaded and an insulting question.

MR. NITTLE. Let me put it this way: Did you write that article?

Mrs. TAYLOR. Mr. Chairman, my objection is because the question is not pertinent.

The CHAIRMAN. Answer the question.

Mrs. TAYLOR. And the grounds of the right under the first amendment and my privilege under the fifth amendment.

The CHAIRMAN. Did you go to Europe as a delegate to some sort of a meeting?

Mrs. TAYLOR. I refuse to answer the question on the previously stated grounds.

The CHAIRMAN. Do you really feel that if you were held to answer the question as to whether or not you had taken a trip abroad, you might be prosecuted criminally?

(Witness conferred with counsel.)

Mrs. TAYLOR. It is possible.

The CHAIRMAN. Have you ever been national committeewoman, and Ohio State secretary, of the Progressive Party?

Mrs. TAYLOR. I refuse to answer the question on the previously stated grounds.

The CHAIRMAN. On the grounds that you might be prosecuted; is that it?

Mrs. TAYLOR. The first amendment, which are my rights, and the fifth amendment, which is my privilege. And the question is not pertinent.

Mr. NITTLE. Can you tell us of your own knowledge whether that item was written by a person known to you to be a representative of a foreign power?

Mrs. TAYLOR. What item are you speaking of, Mr. Chairman?

Mr. NITTLE. The article which appears in the booklet I mentioned, "We Pledge Peace."

Mrs. TAYLOR. I refuse to answer the question, because it is not pertinent, and under my rights in the first amendment and the privilege of the fifth amendment.

Mr. NITTLE. I did not ask that question without point, Mrs. Taylor.

Did you arrange for the attendance of certain Communists of the Cleveland area at the Polish Embassy in Washington?

Mrs. TAYLOR. I refuse to answer the question, on the previously stated grounds.

Mr. NITTLE. Did you not in fact appear at a banquet at the Polish Embassy?

Mrs. TAYLOR. I refuse to answer the question on the previously stated grounds.

Mr. NITTLE. And was not Julia Brown in attendance at that banquet with you?

Mrs. TAYLOR. I refuse to answer the question on the previously stated grounds.

Mr. NITTLE. Did the Communist Party of the Cleveland area pay your expenses to attend that banquet?

Mrs. TAYLOR. I refuse to answer the question on the previously stated grounds.

Mr. NITTLE. Mr. Chairman, I ask leave to insert in the record the citation of the American Russian Institute of San Francisco, the publisher of Taylor Exhibit No. 2 to which we have been referring. It was cited by Attorney General Tom Clark as a Communist organization.<sup>1</sup>

I have no further questions of this witness, Mr. Chairman.

The CHAIRMAN. Any questions?

The witness is excused.

Mr. NITTLE. Would Frieda Katz come forward, please?

The CHAIRMAN. Will you raise your right hand?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you, God?

Mrs. KATZ. I do.

<sup>1</sup> Cited as a Communist organization. (Attorney General Tom Clark, letter to Loyalty Review Board, released September 21, 1948.) (See Committee on Un-American Activities, Guide to Subversive Organizations and Publications, House Doc. 398, p. 29 (87th Cong.), Dec. 1, 1961.)

**TESTIMONY OF FRIEDA KATZ, ACCOMPANIED BY COUNSEL,  
JOSEPH FORER**

Mr. NITTLE. Would you state your name, please?

Mrs. KATZ. My name is Frieda Katz.

Mr. NITTLE. You are represented by counsel?

Mrs. KATZ. Yes, I am.

Mr. NITTLE. Would counsel please identify himself for the record?

Mr. FORER. Joseph Forer.

Mrs. KATZ. Will the committee give me permission to read a statement?

The CHAIRMAN. No. You can leave the statement, and if we think that it is relevant, we will make it a part of the record.

Mrs. KATZ. Thank you.

Mr. NITTLE. Does the statement contain any references as to whether or not you are a member of the Communist Party as of this moment?

Mr. FORER. Well, all you have to do is look at the statement.

Mr. NITTLE. Are you a member of the Communist Party, Mrs. Katz, as of this moment?

Mrs. KATZ. I should like to use my privilege under the fifth amendment of the Constitution of the United States, and my privileges and rights under the first amendment to the Constitution, of freedom of speech, redress to the Congress, and so on.

The CHAIRMAN. You said, "I should like to." Do you?

Mrs. KATZ. I do. I refuse to answer the question on those grounds.

Mr. NITTLE. Do you know Julia Brown?

Mrs. KATZ. I refuse to answer the question on the previously mentioned grounds.

Mr. SCHERER. Witness, were you in the hearing room during the time that Julia Brown testified?

(Witness conferred with counsel.)

Mrs. KATZ. Yes; I was present.

Mr. SCHERER. You heard her testimony?

Mr. FORER. During part of the time, I think.

Mrs. KATZ. Part of the time. That is correct.

Mr. SCHERER. Did you hear testimony with reference to you?

(Counsel conferred with witness.)

Mrs. KATZ. I did not hear all of the testimony.

Mr. SCHERER. You heard part of it?

Mrs. KATZ. I heard part of it.

The CHAIRMAN. Whose testimony are you talking about?

Mr. FORER. He is talking about Julia Brown's testimony.

The CHAIRMAN. Let the witness answer the question.

Mrs. KATZ. I must refuse to answer the question, on the previously stated grounds.

Mr. SCHERER. Now, is there anything that Julia Brown said about you that is untrue?

Mrs. KATZ. I refuse to answer the question on the previously stated grounds, under the first amendment and the fifth amendment to the Constitution.

Mr. SCHERER. Was Julia Brown telling the truth when she identified you as one of the leading Communists in the State of Ohio?



Mrs. KATZ. I must refuse to answer this question on the previously stated grounds.

Mr. SCHERER. I have no further questions at this time.

The CHAIRMAN. Go ahead, Mr. Nittle.

Mr. NITTLE. Do you also refuse to answer the question on the ground that the statements made by Julia Brown are true?

Mrs. KATZ. I have already stated the grounds on which I have refused to answer the questions. These are my constitutional guarantees of freedom of speech, and the right not to incriminate myself, and these are the grounds on which I have refused and will decline to answer questions.

Mr. NITTLE. I state as a fact, Mrs. Katz, that you were also a member of the Communist Party prior to your marriage to Dave Katz, and that you were a member of the Communist Party under the name of Frieda Zucker.

Will you affirm or deny that assertion?

Mrs. KATZ. I shall refuse to answer, under the previously stated grounds.

Mr. NITTLE. Is it not a fact that under the name Frieda Zucker you were the secretary of the Tom Paine branch of the Communist Party in Cleveland, Ohio, and you were so listed in the Ohio 1939 yearbook of the Communist Party?

Mrs. KATZ. I again refuse to answer the question under the previously stated grounds.

Mr. NITTLE. Do you know Abe Strauss?

Mrs. KATZ. I refuse to answer the question on the previously stated grounds.

Mr. NITTLE. Were you the executive secretary of the Civil Rights Congress in Cleveland, Ohio?

Mrs. KATZ. I decline to answer the question, again on the previously stated grounds.

Mr. NITTLE. Mr. Chairman, I would like to read into the record a reference to the Civil Rights Congress as it appears in the committee's *Guide to Subversive Organizations and Publications*.

There is a footnote on page 44, as follows:

In response to a petition from the Attorney General for an SACB order requiring the Civil Rights Congress to register as a Communist-front organization, the SACB held hearings between November 1954 and June 1955 \* \* \*. Thereafter, the Civil Rights Congress moved to dismiss the Attorney General's petition on the ground that the organization had dissolved on January 6, 1956. The SACB denied the request to dismiss the petition, stating that the Civil Rights Congress had "failed factually to establish its dissolution, and in any event, that under the proper application of the [Internal Security] Act dissolution of the respondent would not divest the Board of jurisdiction."

Now, I ask you, Mrs. Katz, as its executive secretary, was the Civil Rights Congress in Cleveland dissolved by the Communist Party?

Mrs. KATZ. I must decline to answer this question on the previous grounds stated.

Mr. NITTLE. Are you not presently the secretary of the Ohio Bill of Rights Conference?

Mrs. KATZ. I must decline to answer that question, on previously stated grounds.

Mr. NITTLE. And was not that local organization a counterpart of the national organization titled "Civil Rights Congress"?

Mrs. KATZ. I again decline on previously stated grounds.

Mr. NITTLE. I state to you as a fact that your name appears in the City Directory of Cleveland as secretary of the Ohio Bill of Rights Conference, 2014 East 105th Street, Room 202.

Mrs. KATZ. I must again decline to answer the question on the previously stated grounds.

Mr. NITTLE. Now, Mrs. Brown testified that about the mid-1950's, the Communist Party headquarters, which was then operating under the disguise of its front names, had moved its quarters from Euclid Avenue to 2014 East 105th Street, Room 202.

Do you affirm or deny that testimony?

Mrs. KATZ. I shall again decline to answer the question on the previous grounds stated.

Mr. NITTLE. Are not the Civil Rights Congress and the Ohio Bill of Rights Conference one and the same organization?

Mrs. KATZ. I must again decline to answer the question on the grounds stated.

Mr. NITTLE. Was not this a case of the same Communist group in Cleveland operating under different disguises and names to confuse the public?

Mrs. KATZ. I repeat my declination on the grounds previously stated.

Mr. NITTLE. And did not the Communist Party succeed in duping many Negro people in that area?

Mrs. KATZ. I have already indicated my reasons for declining to answer. I do not see the point in the continued making of such statements. I am declining to answer under my rights under the first amendment to the Constitution, and the fifth amendment, not to incriminate myself.

Mr. NITTLE. The staff has no further questions, Mr. Chairman.

The CHAIRMAN. Are there any questions?

The witness is excused.

Mr. NITTLE. Would James Wells please come forward?

The CHAIRMAN. Will you raise your right hand?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you, God?

Mr. WELLS. I do.

**TESTIMONY OF JAMES WELLS, ACCOMPANIED BY COUNSEL,  
JOHN HARMON**

Mr. NITTLE. Would you state your name, please.

Mr. WELLS. James Wells.

Mr. NITTLE. I see you are represented by counsel, Mr. Wells.

Will counsel please identify himself?

Mr. HARMON. My name is John Harmon. I am a volunteer attorney for the American Civil Liberties Union.

The CHAIRMAN. Located where?

Mr. HARMON. Washington, D.C.

Mr. NITTLE. Where do you presently reside, Mr. Wells?

Mr. WELLS. Cleveland, Ohio.

Mr. NITTLE. What is your occupation?

Mr. WELLS. Well, it has been for the last 5 years making a living any kind of way I could, because there was no job.

Mr. NITTLE. You are presently unemployed?

Mr. WELLS. I am.

Mr. NITTLE. And how old are you?

Mr. WELLS. I am 54 years old.

Mr. NITTLE. I show you a copy of a letter identified as Wells Exhibit No. 1. It is dated December 21st, 1955, and the letterhead bears the legend, "Ohio Bill of Rights Conference, *Affiliated with Civil Rights Congress, Cleveland 6, Ohio,*" on which appears the signatures "James Wells, Chairman," and "Frieda Katz, Executive Secretary."

I ask you first to examine that.

(Document was handed to the witness.)

(Counsel conferred with witness.)

Mr. NITTLE. Have you had an opportunity to look at that, Mr. Wells?

Mr. WELLS. Yes.

Mr. NITTLE. I see that your attorney and you together examined it; is that correct?

(Counsel conferred with witness.)

Mr. WELLS. Yes.

Mr. NITTLE. What is the extent of your education, Mr. Wells?

Mr. WELLS. Well, 4th grade.

Mr. NITTLE. And you went no further than the 4th grade.

Did you see the previous witness who identified herself as Frieda Katz, well-dressed and evidently highly educated, appearing just before you?

(Counsel conferred with witness.)

Mr. WELLS. I don't understand that question.

The CHAIRMAN. Did you see the witness who preceded you?

(Counsel conferred with witness.)

Mr. WELLS. I want you to relate to me the pertinency of the question.

The CHAIRMAN. What did you say?

Mr. WELLS. I want to know the pertinency of the question.

The CHAIRMAN. You are directed to answer the question.

Mr. WELLS. Well, under the fifth amendment, I refuse to answer the question because I cannot be forced to testify against myself. I mean under the fifth amendment.

The CHAIRMAN. I want to make sure that you know what you are doing. The question was: Did you see the preceding witness?

(Counsel conferred with witness.)

Mr. WELLS. I am not acquainted with how that question was explained, and how it related to me.

The CHAIRMAN. I could not hear you. What was your answer? Mr. Harmon, let the witness answer the question.

Mr. WELLS. I want to know: How did that question relate to me?

The CHAIRMAN. I direct you to answer the question: Did you see the witness who preceded you?

(Counsel conferred with witness.)

Mr. WELLS. I refuse to answer the question under the fifth amendment.

Mr. NITTLE. Your name appears on Exhibit No. 1 as James Wells, chairman of the Ohio Bill of Rights Conference, does it not?

(Counsel conferred with witness.)

Mr. WELLS. Well, what I want you to explain—how that relates to my appearance here.

The CHAIRMAN. You are directed to answer the question.

Mr. WELLS. I refuse to answer on—I mean under the first amendment and the fifth.

(Document marked "Wells Exhibit No. 1" and retained in committee files.)

Mr. NITTLE. Were you in fact the chairman of the Ohio Bill of Rights Conference?

Mr. WELLS. I refuse to answer for the reasons previously stated.

Mr. NITTLE. Now, Mr. Wells, I am going to ask you to read that letter.

Mr. WELLS. I refuse to read it.

Mr. SCHERER. Where is the letter now?

The point counsel was trying to make was the fact that a man without educational attainments could not possibly write this letter. Is that the point you are trying to make?

Mr. NITTLE. Yes, Mr. Scherer. That is exactly the point.

Mr. SCHERER. It is signed by James Wells, chairman, and Frieda Katz, executive secretary.

Mr. NITTLE. Did you know that Frieda Katz was a member of the Communist Party at the time you were acting with her as an official of the Ohio Bill of Rights Conference?

(Witness conferred with counsel.)

Mr. NITTLE. I ask, Mr. Chairman, that the record indicate that counsel has talked to the witness. Will you answer that question?

Mr. WELLS. I refuse to answer it, under the first and fifth amendments, because under the first it violates my rights of freedom, speech and associates, and under the fifth, it is the privilege, under which I don't have to incriminate myself.

Mr. NITTLE. Mr. Wells, will you tell us whether you felt in your own mind that you were able to act as chairman of the Ohio Bill of Rights Conference?

(Counsel conferred with witness.)

Mr. WELLS. Well, I want to know how that relates to my appearance here.

Mr. NITTLE. Did you feel you had sufficient knowledge and ability and education to act as chairman of this propaganda operation?

(Counsel conferred with witness.)

Mr. WELLS. I refuse under the fifth amendment.

Mr. NITTLE. Was it your desire to serve the Communist Party in some capacity at that time?

(Counsel conferred with witness.)

Mr. WELLS. I object to that question under the first amendment, and I refuse to answer it under the fifth.

Mr. SCHERER. Did you ask the witness, Counsel, with reference to his own Communist Party membership?

Mr. NITTLE. I have not, Mr. Scherer. I will proceed to do so.

Are you now a member of the Communist Party?

(Counsel conferred with witness.)

Mr. WELLS. I refuse to answer the question under the fifth amendment.

Mr. SCHERER. Counsel, I do not recall whether the witness Julia Brown identified this man as a member of the Communist Party.

Mr. NITTLE. Yes, sir, she did. She positively identified him and related the extent of his activities.

Mr. SCHERER. Mr. Wells, you were in the room when Julia Brown identified you as a member of the Communist Party and told about your activities in the Communist Party, were you not?

Mr. WELLS. I refuse to answer, under the fifth amendment.

Mr. SCHERER. I did not ask you anything except whether you were in the room when she testified.

(Witness conferred with counsel.)

Mr. WELLS. I still refuse under the fifth amendment.

Mr. SCHERER. Was anything that Julia Brown said about you untrue? Now, this is your chance.

(Counsel conferred with witness.)

Mr. SCHERER. Tell us whether anything she said about you and your membership in the Communist Party and your activities in the Communist Party was untrue.

Mr. WELLS. For the reasons previously stated under the fifth amendment, I still refuse.

Mr. NITTLE. Did you participate in any of the activities of the Provisional Organizing Committee for a Marxist-Leninist Communist Party, known as the POC, on or about 1958, or thereafter?

(Witness conferred with counsel.)

Mr. WELLS. That question violates my first amendment right, and I refuse to answer it under the fifth.

Mr. NITTLE. Mr. Chairman, the staff has no further questions.

(The witness was excused.)

The CHAIRMAN. Call your next witness.

Mr. NITTLE. Would Julia Brown please resume the stand?

#### TESTIMONY OF JULIA C. BROWN—Resumed

Mr. NITTLE. Mrs. Brown, the committee would like to turn briefly to the organization of the Communist Party structure in Cleveland, Ohio.

This committee last November received a great deal of testimony with respect to the Communist Party organization nationally and with respect to its international ties. Your long experience in the Communist Party would indicate that you might well add some details, at least, to our store of knowledge, or might confirm certain conclusions that can be reached based upon such testimony.

The evidence indicates that the party today persists as it was originally conceived by Lenin, and slavishly operates upon the principles laid down by him. Lenin pointed out that the party was not a party of reform. He confirmed that it was not a democratic party, but a revolutionary organization, organized for rebellion and agitation and must therefore be, and I now quote Lenin:

\* \* \* A small, compact core, consisting of reliable, experienced and hardened workers, with responsible agents in the principal districts and connected by all the rules of strict secrecy \* \* \*.<sup>1</sup>

He further stated that it must consist of people who "will devote to the revolution not only their spare evenings but the whole of their

<sup>1</sup> HCUA, "Facts on Communism," Vol. 1, p. 79, H. Doc. No. 336 (86th Cong.), December 1959.

lives," and must consist chiefly of persons engaged in revolutionary activities as a profession.

This kind of party, he declared, must be organized "from the top," a "strictly centralized," chain-of-command type of organization, and disciplined like an army.

We should like to record your experience, and in order to establish your further competency to testify, at least with respect to certain echelons of the Communist Party hierarchy, I ask you the question: Did you obtain an official position of leadership of any kind in the Cleveland area organization of the Communist Party?

Mrs. BROWN. I was treasurer of five clubs in the Northeast Section, and also treasurer of the Sojourners for Truth and Justice.

Mr. NITTLE. As treasurer of five clubs, you may well be described as section treasurer; is that correct?

Mrs. BROWN. Yes. That is right.

Mr. NITTLE. Who was the chairman of the section during the time you were section treasurer?

Mrs. BROWN. Jean Krcmarek.

Mr. NITTLE. When did you become section treasurer?

Mrs. BROWN. In the middle 1950's.

Mr. NITTLE. And remained as section treasurer until when?

Mrs. BROWN. Until 1960.

Mr. NITTLE. And did Jean Krcmarek, who is the wife of Anthony Krcmarek, the Ohio party chairman, remain also as section leader during the period you were acting as section treasurer?

Mrs. BROWN. Yes, she did.

Mr. NITTLE. Was she acting in that capacity at the time you left Cleveland and went to the West Coast?

Mrs. BROWN. She was.

Mr. SCHERER. Is that the witness who just testified here a few moments ago?

Mrs. BROWN. This afternoon she testified.

Mr. NITTLE. What was the location of this section? What area did it cover in Cleveland?

Mrs. BROWN. Well, the central area was included in the Northeast Section, and it was in the Glenville area of Cleveland.

Mr. NITTLE. May we refer to the section of which you were treasurer then, hereafter, as the Northeast Section of the Communist Party organization in Cleveland?

Mrs. BROWN. Yes.

Mr. NITTLE. Did you have what was known as a Section Committee?

Mrs. BROWN. Yes.

Mr. NITTLE. What did that consist of?

Mrs. BROWN. It consisted of the heads of the five clubs and officers of the section.

Mr. NITTLE. The Section Committee, did I understand you to say, consisted of the heads or leaders of each of the five clubs and the section officers?

Mrs. BROWN. That is correct.

Mr. NITTLE. When the leaders of the five clubs would meet together with you and Jean Krcmarek, that was known as a Section Committee meeting?

Mrs. BROWN. That is correct.

Mr. SCHERER. These meetings you are talking about—can you distinguish them from the social gatherings that you talked about?

Mrs. BROWN. Yes, sir. Yes, indeed.

Mr. SCHERER. Were they entirely different?

Mrs. BROWN. Entirely different. The section and club meetings are secret meetings that no one else can attend.

Mr. SCHERER. But the social gatherings, you said this morning, are attended by Communists and non-Communists?

Mrs. BROWN. Well, mostly Communists; a few non-Communists.

Mr. SCHERER. That is where you said they raised money?

Mrs. BROWN. That is correct.

Mr. SCHERER. I was wondering how they raised money at these social gatherings.

Mrs. BROWN. Well, they sold liquor and food.

Mr. SCHERER. Sold liquor?

Mrs. BROWN. And food; drinks and food. They sold them by the drinks.

Mr. SCHERER. Did they raise their money any other way?

Mrs. BROWN. Well, they did have a donation at the door, too.

Mr. SCHERER. Is that all?

Mrs. BROWN. Well, that is all I can think of at this time.

Mr. NITTLE. The club leaders who met with you and Jean Krchmarek at a meeting, which would be called a Section Committee meeting—would that group have any privileges with respect to laying down club policy?

Mrs. BROWN. That is correct.

Mr. NITTLE. What matters would you discuss in section meetings?

Mrs. BROWN. Well, just how to operate the clubs, and the distributing of leaflets, and the different social affairs that were to be given to raise money for the clubs and the Communist Party, and what places to infiltrate, and directions for infiltration.

Mr. NITTLE. Who told the club leaders in the section meetings what was to be done?

Mrs. BROWN. Jean Krchmarek was the head of the section, and the orders came from Jean Krchmarek.

Mr. NITTLE. Do you mean to say that the final decision rested with Jean Krchmarek, when you say that orders came from her?

Mrs. BROWN. Yes, for the section; yes, indeed; and then they were handed down to the leaders of the clubs.

Mr. NITTLE. So that the section meeting was simply a means of bringing the club leaders into conference with Jean Krchmarek, so that she could direct them as to the activities they would undertake?

Mrs. BROWN. That is correct.

Mr. NITTLE. Now, where did Jean Krchmarek get her orders?

Mrs. BROWN. Well, I didn't see anyone give Jean Krchmarek her orders, but I am sure she got them from the next top, which was the state, or the district.

Mr. NITTLE. Was that her husband, Anthony Krchmarek, chairman of the Communist Party of the State of Ohio, that you are referring to?

Mrs. BROWN. Anthony Krchmarek is the husband of Jean Krchmarek, yes.

Mr. NITTLE. Where would her husband, Anthony Krchmarek, get his orders?

Mrs. BROWN. Anthony Krchmarek would get his orders from the national office, in New York.

Mr. NITTLE. So that the orders originated at the national headquarters of the Communist Party, were then transmitted down to the Ohio District of the Communist Party, the chairman of which was Anthony Krchmarek. He would pass that order down to the section leader, who was Jean Krchmarek, and she would pass this order down, then, to the club leaders, who would inform finally the people who constituted the clubs, the rank and file.

Mrs. BROWN. That is correct. That is correct.

Mr. NITTLE. I might note for the record, Mr. Chairman, that the committee hearings last November showed where the National Committee of the Communist Party got its orders. I think the hearings conclusively established that the orders to the headquarters of the National Committee of the Communist Party in the United States came directly from Moscow.

Mr. DOYLE. As a matter of fact, the Supreme Court upheld the constitutionality of the registration and disclosure provisions of the Internal Security Act of 1950, in its recent decision in the case of the *Communist Party of the United States, Petitioner v. Subversive Activities Control Board* (367 U.S. 1), decided June 5, 1961.

At page 111 f., the Supreme Court pointed out that the Congress in 1954 enacted the Communist Control Act (68 Stat. 775), which declares in its second section:

The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. . . . [T]he policies and programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement. . . . [I]ts role as the agency of a hostile foreign power renders its existence a clear present and continuing danger to the security of the United States. . . .

At page 112, the Supreme Court declared:

*First:* We have held, *supra*, that the congressional findings that there exists a world Communist movement, that it is directed by the Communist dictatorship of a foreign country, and that it has certain designated objectives, *inter alia*, the establishment of a Communist totalitarian dictatorship throughout the world through the medium of a world-wide Communist organization, § 2(1), (4), are not open to re-examination by the Board. We find that nothing in this violates due process.

Mr. NITTLE. As section treasurer, did you actually have anything to do with party policy?

Mrs. BROWN. No, indeed, I did not.

Mr. NITTLE. Did you get your orders also from Jean Krchmarek?

Mrs. BROWN. Yes, I did.

Mr. NITTLE. What were your duties as treasurer of the section?

Mrs. BROWN. Well, when we would have the section meetings, the heads of the clubs would pay dues, give me the dues from the club members, with 10 percent taken out; and then I would take out 20 percent and give it to the state treasurer.

Mr. NITTLE. Who was the state treasurer?

Mrs. BROWN. Betty Chaka.

Mr. NITTLE. C-h-a-k-a?



Mrs. BROWN. Yes.

Mr. DOYLE. Who got the 10 percent?

Mrs. BROWN. The clubs kept the 10 percent and the section kept 20 percent; and we used that for parties and——

Mr. DOYLE. Did you handle that money, or was it someone else?

Mrs. BROWN. I handled the money that I received. I always kept the 20 percent, and the other was given, whenever I felt like taking it to her, Betty Chaka, the state treasurer.

Mr. NITTLE. Who was the husband of Betty Chaka?

Mrs. BROWN. Ed Chaka.

Mr. NITTLE. Also known as Edward Chaka?

Mrs. BROWN. Edward Chaka.

Mr. NITTLE. Mr. Chairman, I think the record should show that Edward Chaka was a member of the National Committee of the Communist Party, and that he was in attendance at the 17th National Convention of the Communist Party in December 1959, which was held in New York City. He attended that convention as a delegate from the Ohio District of the Communist Party.

Did you know Edward Chaka?

Mrs. BROWN. Yes, I did.

Mr. NITTLE. How long have you known Edward Chaka?

Mrs. BROWN. I have known Edward Chaka since 1948.

Mr. NITTLE. Did you deliver this money personally to Betty Chaka?

Mrs. BROWN. I certainly did.

Mr. NITTLE. And she was the state treasurer?

Mrs. BROWN. She was.

Mr. NITTLE. Could you tell us the names of the leaders of the five clubs in that section? I just want the names of the leaders.

Mrs. BROWN. Ruth Lencl was one.

Mr. NITTLE. You have already identified her, yes.

Mrs. BROWN. Harry Spencer.

Mr. NITTLE. Of course, you have stated he was a Communist club leader.

Mrs. BROWN. That is right.

Sally Clark was a chairman.

Mr. NITTLE. Sally Clark, C-l-a-r-k?

Mrs. BROWN. Yes.

And of course Bert Washington, who is deceased.

Mr. NITTLE. Bert Washington was at one time a club leader? When did he die?

Mrs. BROWN. Well, sometime in 1960.

And there were Laura and Fred O'Neal.

Mr. NITTLE. Was Jean Krchmarek a club leader, as well as acting in her capacity as section chairman?

Mrs. BROWN. Well, you hardly knew what leadership Jean Krchmarek was in, because she led everything and everyone, as far as the clubs were concerned.

Mr. NITTLE. Was a gentlemen named Hugh Statten in your area?

Mrs. BROWN. At one time Hugh Statten was in the club, in a club office. But he moved back to Chicago.

Mr. NITTLE. Who succeeded him, if anyone?

Mrs. BROWN. Well, it was the central area that Hugh Statten had charge of. He was sent from Chicago by the Communist Party to

Cleveland, to reorganize the Negroes in the central area and in Cleveland proper.

Mr. NITTLE. I believe you have also spoken of a Harry A. Spencer, did you?

Mrs. BROWN. Yes.

Mr. NITTLE. What position did he occupy?

(At this point Mr. Walter left the hearing room.)

Mrs. BROWN. He was one of the leaders of his club. I think it was the 124 Club.

Mr. NITTLE. In what section was that located?

Mrs. BROWN. In the Northeast Section.

Mr. NITTLE. That was in your section as well?

Mrs. BROWN. Yes, it was.

Mr. NITTLE. You mentioned an Edith and Lloyd Gaines as being active in the party.

Mrs. BROWN. Yes.

Mr. NITTLE. Were they in your section?

Mrs. BROWN. That is correct.

Mr. NITTLE. Would you regard them as club leaders in that area?

Mrs. BROWN. Oh, yes.

Mr. NITTLE. Now, did you have occasion to attend any state conventions of the Communist Party?

Mrs. BROWN. Yes.

Mr. NITTLE. The state convention was the next highest level above the section?

Mrs. BROWN. That is correct.

Mr. NITTLE. This is where leaders obtained their information as to party policy to carry down to the section level?

Mrs. BROWN. That is correct.

Mr. NITTLE. So that as treasurer and a section leader, you were selected as a delegate to the state convention?

Mrs. BROWN. That is correct.

Mr. NITTLE. Was it at the state convention that the delegates had an opportunity to learn what orders the state party chairman was instructed to give you?

Mrs. BROWN. That is correct.

Mr. NITTLE. Then at the state convention, the only matter you would debate was how to carry out the orders received from higher headquarters, which was the national grouping?

Mrs. BROWN. That is correct.

Mr. DOYLE (presiding). And you were elected to attend the state party convention in Ohio while you were an FBI informant?

Mrs. BROWN. Oh, sure. That was the only time I did my work, when I was with the FBI.

Mr. DOYLE. Did not any of your brother or sister Communists suspect you were an informant for the FBI?

Mrs. BROWN. Well, I am very sure they didn't know it. One or two had accused me of writing names down at one of the state conventions, and claimed that I was under suspicion, but they never let up on me. They still kept using me.

Mr. NITTLE. You have indicated that the Communists in party meetings usually met secretly. How did they maintain their secrecy when they would have to meet in larger numbers at a state convention?

Mrs. BROWN. Well, you had to be known as a Communist. You had to be a Communist, and somewhat of a dedicated Communist, to be elected to the state convention; state meetings, if you want to say. And there would always be someone at the door to let you in, and they would know always whether you were a Communist or not.

Mr. NITTLE. Were you delegates, who attended the state convention, ever explicitly informed or clearly informed of the place where the meeting was to convene?

Mrs. BROWN. Not often. Maybe once I was informed. But I have stood on the sidewalk in the cold and snow for hours, waiting for someone to pick me up to take me to the meeting. They don't tell you where the meetings are. They have them at secret places, and the members are picked up and carried to this place.

Mr. NITTLE. I noted you indicated that the club meetings usually took place in private homes.

Mrs. BROWN. Yes.

Mr. NITTLE. I believe some of the evidence here has indicated that these meetings lasted into the late hours of the evening and the early morning of the next day.

Mrs. BROWN. That is correct.

Mr. SCHERER. Which ones went on that long? The social, or the business meetings?

Mrs. BROWN. Well, they had social affairs and business meetings, mixed. They would have a business meeting early in the evening in the party, and then after the party was over, they would have another meeting, sometimes in the early mornings, 6 and 7 o'clock, where some would go from the meeting to their jobs to prepare for meetings the next evening.

Mr. SCHERER. What would you do all that time?

Mrs. BROWN. Well, they are just like termites. They are working all the time.

Mr. NITTLE. What kind of place would be selected for the state conventions?

Mrs. BROWN. Some hall, secret hall, where they thought no one would know they were there, very often some hall—that is what I learned—on Kinsman Avenue. And then they began to stop them from having it there, and they began to have it at some other secret place where I have been at least three or four times. But as a rule, I never went directly there on my own.

Mr. DOYLE. What do you mean by that answer?

Mrs. BROWN. Well, I mean that most of the times I was picked up by a Communist and driven there in their car.

Mr. SCHERER. You mean you didn't know in advance where the meeting was to be held?

Mrs. BROWN. No, I did not.

Mr. JOHANSEN. Well, how many persons out of a group that were meeting—how many of those individuals would know where the meeting was? Just one person?

Mrs. BROWN. Well, maybe a few of the heads, the state heads, would naturally know; and maybe Jean Krchmarek would know.

Mr. JOHANSEN. It would be one of your superiors in the hierarchy?

Mrs. BROWN. That is correct, yes. That is right.

Mr. DOYLE. But there would not be a large attendance at these meetings? Perhaps 25 or 50 people?

Mrs. BROWN. Well, 50 would be a large attendance. Maybe 20; and never over 30. I don't think they can trust 50 of them.

Mr. NITTLE. This is the assemblage of what Lenin has described as the hard-core workers, the hardened workers, who were bound to rules of secrecy?

Mrs. BROWN. That is correct.

Mr. NITTLE. Persons you have described as dedicated Communists; termites was another expression you used to describe them.

Mrs. BROWN. That is correct.

Mr. SCHERER. Were there more women than men, usually, at these meetings?

Mrs. BROWN. Just about 50-50.

Mr. NITTLE. Can you recollect some of the persons who were in attendance from the Ohio area at the state convention meetings with you?

Mrs. BROWN. Well, Frieda Katz, Dave Katz, Jean Krcmarek and Anthony Krcmarek, and Martin and Sally Chancey, the Winters girl, Sally Winters, Pearl Levin, Regina Sokol, and others.

Mr. NITTLE. Did Ethel Goodman attend any of the state convention meetings?

Mrs. BROWN. Yes, Ethel had attended.

Mr. DOYLE. Counsel, the reporter is asking for a 3-minute recess, so the committee will stand in recess. That will also give the witness a short rest.

(Short recess.)

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(Members present after recess: Representatives Doyle (presiding), Johansen, Bruce, and Schadeberg.)

Mr. DOYLE. The committee will please come to order. Let the record show that a quorum of the subcommittee is present.

Mr. NITTLE. We would like to touch upon the Ohio Smith Act trials that opened on October 31, 1955. Certain leading Communists in the Ohio area were prosecuted for alleged violations of that Act, which in brief prohibits the advocacy of the violent destruction of the Government of the United States.

We would like to explore for a moment the manner in which Communists may turn court proceedings into propaganda vehicles.

Some years ago there was set up in Moscow an organization then titled the International Red Aid, which established an American section named the International Labor Defense, for the purpose of assisting in the legal defense of Communists in the United States. This organization issued a pamphlet entitled *Under Arrest*, which stated among other things, and I shall now read from the pamphlet—

Mr. DOYLE. What is the date of it?

Mr. NITTLE. About 1933.

A Communist must utilize a political trial to help on the revolutionary struggle. Our tactics in the public proceedings of the law courts are not tactics of defense but of attack. Without clinging to legal formalities, the Communists must use the trial as a means of bringing his indictments against the dominant capitalist regime and of courageously voicing the views of his party.

The Subversive Activities Control Board has found that the Civil Rights Congress succeeded to the role of the International Labor

Defense as the Communist Party's legal arm. The Civil Rights Congress organized in Ohio an affiliate or branch titled the Ohio Bill of Rights Conference, an organization investigated by the Ohio State Commission and denominated a Communist front.

The evidence indicates that such organizations are established to conduct propaganda activities and to obtain financial assistance from non-Communists, under the disguise of civil rights organizations, for the support of Communist defense efforts.

I show you a letter identified as Brown Exhibit 14, distributed in March 1955 by the Ohio Bill of Rights Conference, which, in the letterhead is in fact designated as affiliated with the Civil Rights Congress. This letter advises that an "Annual Freedom Banquet" will be held on March 19, 1955, at Chin's Restaurant in Cleveland, and that the donation will be \$1.50 per plate; that a purpose of this banquet was to "honor" the 11 men and women being brought to trial under the Smith Act. The letter is issued under the signatures of James Wells, as chairman, who testified a moment ago, and Frieda Katz, as executive secretary.

Now, you have already told us about Frieda Katz, a Communist leader in the State of Ohio. You have already told us about James Wells, who was active in the Communist Party in the Cleveland area.

Will you tell us in a word or two what knowledge you have of the Ohio Bill of Rights Conference?

Mrs. BROWN. The Ohio Bill of Rights Conference and the Civil Rights Congress is one and the same.

Mr. NITTLE. I now hand you a copy of a circular letter, dated March 19, 1956, marked for identification as Brown Exhibit 15, and issued by the Ohio Bill of Rights Conference, with leaflets attached. One of those leaflets is titled "Guilt By Dissociation," and the other is titled "The People Score A Victory."

I would like to ask whether you participated in the Communist effort to give distribution to such letters and leaflets during the course of the Smith Act litigation.

Mrs. BROWN. I did.

Mr. NITTLE. Were many of such leaflets distributed?

Mrs. BROWN. They were.

(Documents marked "Brown Exhibit Nos. 14 and 15," respectively, and retained in committee files.)

Mr. NITTLE. Were you in fact in attendance at the Ohio Smith Act trials in which the 11 Communist leaders were prosecuted?

Mrs. BROWN. Yes, I was.

Mr. NITTLE. Were you present at any of the conferences of the defendants during the course of the trial?

Mrs. BROWN. Yes.

Mr. NITTLE. Could you tell us how the defendants reacted to their prosecutions?

Mrs. BROWN. Well, they certainly were not worried. They seemed to have felt that they would soon get out of it after the trial. And in fact they felt very sure that after it reached the Supreme Court, they would be freed.

Mr. NITTLE. They did not regard the Smith Act as a serious obstacle to the progress of their organization?

Mrs. BROWN. Will you repeat that question, please?

Mr. NITTLE. Did they regard the Smith Act as a serious obstacle to the organization?

Mrs. BROWN. At first they did, because there hadn't been a Cleveland arrest there recently. At first they were pretty frightened. But later, when the trials began, they seemed to feel more sure of their exoneration.

Mr. NITTLE. As you have heard, the resolution authorizing this hearing indicates that one of the legislative purposes of this hearing by the committee is to determine the need for an amendment to the Internal Security Act, and whether or not it should be amended in a manner so as to make unlawful membership in the Communist Party of the United States.

The committee presently has before it a bill which was introduced in the House on January 30, 1962, by Congressman Doyle of California, which is now pending and has been referred to the Committee on Un-American Activities; and Mr. Doyle has explained that the purpose of this bill is to do just that, that is, to make unlawful membership per se in the Communist Party.

Did you observe whether or not the prosecutions under the Smith Act were effective toward impeding Communist Party activities in the Cleveland area?

Mrs. BROWN. What prosecution?

Mr. NITTLE. Of the 11 leading Communists.

Mrs. BROWN. In the beginning?

Mr. NITTLE. Did this affect in any way the strength of the Communist organization in the Cleveland area?

Mrs. BROWN. Well, it did cause some of them to go underground, and it seemed that they were determined that they would work harder.

I may not be able to answer that question which was asked. But the 11, I am sure, were not worried, because they had not been prosecuted. They were only arrested and tolerated. And they felt that they could go on with their work successfully.

I am sure that they do that. They work with all the confidence in the world, because they feel that whenever they are arrested, there will be nothing done when it goes to the Supreme Court.

Mr. NITTLE. Were you or other Communist Party members instructed to demonstrate in any way within the court room during the course of the Smith Act trials?

Mrs. BROWN. Not during the course of the Smith Act trials. Naturally, everyone was afraid there. You couldn't breathe at those trials. They had proper police protection and all other kinds of protection, and the Communists wouldn't dare issue any orders for the Smith Act trials. It is only for the Committee on Un-American Activities that we are advised to demonstrate.

Mr. JOHANSEN. Does your answer apply to activities outside of the courthouse, as well as the statement you have made? In other words, you did not have orders to demonstrate outside of the courthouse during the Smith Act trials; is that correct?

Mrs. BROWN. Well, they did have picket lines. They picket quite a bit. But I don't remember—there were no picket lines during the Smith Act trials that I can remember.

Mr. JOHANSEN. And there was no attempt at disturbance in the courtroom?

Mrs. BROWN. I should say not. No, indeed. They would throw them all in jail if they did anything there.

Mr. JOHANSEN. That recalls to me, Mr. Chairman, that a Federal judge made a remark to me on seeing a certain film, regarding what happened in San Francisco, that if that were attempted in his court, they would be jailed immediately. And I recall that there is legislation on that matter before the Congress.

Mr. DOYLE. Do you mean you were instructed to raise a disturbance while this particular committee, the House Committee on Un-American Activities, was holding hearings?

Mrs. BROWN. That is correct.

Mr. DOYLE. Who gave you that instruction?

Mrs. BROWN. We got instructions—I remember I got some from a Communist Party meeting. Frieda Katz issued one order, I remember very well, that we were to demonstrate, to jeer, and boo, and laugh.

Mr. DOYLE. Well, did you ever boo and laugh?

Mrs. BROWN. Well, I didn't demonstrate so much. I was still in the service of the FBI, and I tried to probably applaud in the wrong places.

Mr. DOYLE. Did you not even demonstrate a little bit, as an FBI agent?

Mrs. BROWN. Well, yes, I did a little bit, but not too much.

Mr. DOYLE. Did any of the others?

Mrs. BROWN. They tried it. They tried it for a while. But the subversive squad began to close in on them, and they stopped that.

Where order is demanded, they are pretty quiet. They only demonstrate when you allow them to.

Mr. DOYLE. When were these hearings of the committee that you refer to held? Do you recall?

Mrs. BROWN. Not the exact dates, but it seemed to me there was a hearing in the early 1950's.

Mr. DOYLE. This was in Cleveland?

Mrs. BROWN. One was in Cleveland, conducted by the Ohio Commission on Un-American Activities; and in the morning when the Smith Act defendants were arrested, we were going to Akron to jeer and boo there, in Akron, Ohio.

Mr. DOYLE. At committee hearings?

Mrs. BROWN. Yes.

Mr. NITTLE. Did you attend committee hearings held by the Senate Internal Security Subcommittee, as well as the Committee on Un-American Activities in the Ohio area?

Mrs. BROWN. That is correct.

Mr. NITTLE. Over the years?

Mrs. BROWN. That is correct.

Mr. NITTLE. I now return for a moment to the activities of the Ohio Bill of Rights Conference.

I call your attention to a meeting which, according to information in the possession of the committee, occurred on October 12, 1952, titled "Rally for Freedom," sponsored by the Ohio Bill of Rights Conference, and held at the Jewish People's Fraternal Order Home, on Kinsman Road, Cleveland.

Simon Gerson, legislative director of the New York Communist Party, and then a candidate for Congress from Brooklyn, spoke at that meeting, together with Isadore Begun, a former schoolteacher, and leader of the Bronx Communist Party. Other speakers were E. C. Greenfield, also known as Elvador C. Greenfield, whom you previously identified as a member of the Communist Party, who was running for the office of Governor of Ohio. The chairman of the meeting was Frieda Katz.

We wonder whether you could enlighten us with respect to the candidacy for public office of such Communist candidates.

William Z. Foster said in 1928:

We are not going into the national election campaign solely for the purpose of getting votes. \* \* \* But we also have other, bigger objectives in the national election campaign. Our aim must be to arouse the class-consciousness of the masses in a political sense and to mobilize them for struggle on all fronts. Vote-getting is only one aspect of this general mobilization of the workers.<sup>1</sup>

What conclusion did you reach with respect to the activities of the Communist Party candidates for public office?

Mrs. BROWN. They don't have any idea at all that they are going to win. They run in order to find out how many members the Communist Party has, and how many people are sympathetic to the Communist cause. That gives them a reason, when they are running, really to find out more about the people that are sympathetic to the Communist cause. They have no intention of winning.

Mr. NITTLE. Do they also use the political platform as a vehicle for agitation and the dissemination of Communist propaganda?

Mrs. BROWN. Well, yes, they do.

Mr. NITTLE. Foster said, "Our aim must be to arouse class consciousness." I will ask for your opinion, whether he meant by that, that the objective of political campaigns conducted by Communists, was "to stimulate," as Lenin previously urged, in the minds of the people, the thought that the entire government of the country was ineffective and objectionable. Did you find that to be so?

Mrs. BROWN. Yes.

Mr. NITTLE. Did you reach the conclusion, which I think we are bound to reach upon the evidence you have presented here, that the Communist effort, propaganda-wise, is to lay the basis among our people for a state of mind receptive to the suggestion of rebellion, which will pave the way either for the revolution which the Communists hope to lead, or will disaffect our people to such degree that they would not defend the United States if it were challenged by the Soviet Union?

Mrs. BROWN. I am sure of that.

Mr. DOYLE. May I interrupt there, at that point, Counsel?

Mr. NITTLE. Yes, sir.

Mr. DOYLE. Why do you give that answer, Mrs. Brown? It worries me. Is it your opinion, that it is a fact, that at least the Communists that you knew would not respond to a call to defend the United States of America in the event of a war, if Russia was our enemy? Is that your opinion?

<sup>1</sup> Acceptance Speech of William Z. Foster, delivered at the National Nominating Convention of the Workers (Communist) Party of America, May 25-27, 1928, New York City.



Mrs. BROWN. My opinion is if they were called, they would be our enemies right here on our own shores. And they would not stop for anything.

Mr. JOHANSEN. Does that mean sabotage and espionage?

Mrs. BROWN. Anything.

Mr. DOYLE. When you say "anything," do you mean they would do anything against the United States of America?

Mrs. BROWN. That is correct.

Mr. DOYLE. If our enemy was Soviet Russia; is that correct?

Mrs. BROWN. That is correct. And regardless of who our enemy was.

The Communist Party here in the United States, within our own country, is our great enemy. Whether Soviet Russia or any other country, the Communists would still be our enemies.

Mr. JOHANSEN. I assume that that statement carries the further suggestion that certainly in case of a war involving Soviet Russia, their loyalty would be to Soviet Russia. Is that correct?

Mrs. BROWN. It certainly would.

Mr. JOHANSEN. Well, that pretty well reduces to an absurdity any claims that some of these witnesses make that they are merely exercising the right of political association and political freedom.

Mrs. BROWN. They don't know what they are talking about when they say it.

I don't know too much about the theory of communism. I was too busy with practical experience. And I know what the Commies will do.

Mr. DOYLE. My question was directed to just those that you had personal knowledge of; in other words, the Communists that you dealt with.

Do you have any opinion as to the general run of Communists, over and above those that you personally knew? And apparently you knew hundreds of them personally.

Mrs. BROWN. Yes.

Mr. DOYLE. How many Communists do you suppose you knew more or less personally? Have you ever counted them?

Mrs. BROWN. Mr. Chairman, I have never counted them. I guess I just couldn't count them.

Mr. DOYLE. Counsel, is it a fair question for me to ask you at this point, as long as I am digressing: About how many individuals will Mrs. Brown identify as Communist, according to her own personal knowledge, in these hearings?

Mr. NITTLE. In the open hearing today?

Mr. DOYLE. Well, today and yesterday and tomorrow.

Mr. NITTLE. I asked Mr. Wetterman to keep a record, and perhaps he may at this point have a summary.

One of the representatives of the press advises me that Mrs. Brown has already, in the course of the hearings, identified over 100 persons as members of the Communist Party.

Mr. DOYLE. In Cleveland?

Mr. NITTLE. In the Cleveland area. And we must bear in mind, Mr. Chairman, that we have confined ourselves very carefully and scrupulously in this hearing toward identifying as Communist Party

members only those with whom Mrs. Brown was in attendance at closed Communist Party meetings.

Mr. DOYLE. Closed Communist Party meetings.

Mr. NITTLE. Closed Communist Party meetings. Nor have we allowed her to exhaust all of her sources of information or knowledge.

Mr. BRUCE. Counsel, I think at this point it might be well to remember also that we are dealing here with the Communist Party, and indeed the front apparatus of the Communist Party, and in proper perspective, it might be well for us to inject the thought here that has been expressed by the Director of the Federal Bureau of Investigation, that for every member identified with the Communist Party, there are 10 others ready, willing, and able to do the bidding of the Communist Party.

So membership numbers in the party make a nice game, which is played constantly. But if there are 10,000 members identified, according to the statement of Mr. Hoover, you had to multiply that by 10 to really understand the impact of an arm of a foreign-directed conspiracy on the soil of the United States.

Mr. NITTLE. Yes, sir, I think that is a very important observation.

Mrs. BROWN. I would like to make a correction, Mr. Bruce.

There are more than 10,000 Communists in the United States.

Mr. BRUCE. I simply pulled that figure out. I said if you used the figure of 10,000.

Mrs. BROWN. Well, so many have said that. Now the number is much less than it used to be, but where are the other Communists? They are still Communists and working under orders from Moscow, and they have infiltrated every stratum of American society. They have gone into organizations pretending to fight on our side.

Mr. DOYLE. Counsel, proceed.

Mr. NITTLE. Mrs. Brown, at the 17th National Convention of the Communist Party, held in December 1959, a resolution was adopted on party organization, subsequently published in the official Communist theoretical organ, *Political Affairs*, of March 1960. The resolutions of the convention, of course, establish official party policy.

The 1959 resolution of the 17th National Convention, the last convention that they have held, enjoined upon the party leadership the conduct of a "united front" policy in the following language of the resolution, from which I now quote:

Mastery of the theory and practice of the united front policy is the key task before the whole Party—before *every organization, every member.*

*The united front is the basic style and method of our mass work.*

\* \* \* \* \*

Practical leadership must be directed first of all to helping members, clubs and sections solve problems of developing the united front. The absence of attention and guidance to work in the mass organizations must be overcome.

Of course, this resolution was upon the very point about which you were expressing an opinion in response to a committee member inquiry.

This resolution, at the last National Convention, did not plainly define the policy of "united front," which is well understood by Communists from long usage, but J. Edgar Hoover, in his volume, *Masters of Deceit*, makes the matter clear when he explains it as follows:

A revolutionary tactic designed to secure the support of noncommunists for Party objectives. This generally involves Party manipulation of noncommunist groups, usually on some current issue such as "peace" or "civil rights," whereby

the Party, while maintaining its independent role, cooperates with others to work for certain goals. To noncommunists, the goal is advancement of the good of society; To communists, the revolution.

One aspect of the united front is the policy known as infiltration, sometimes described as "united front from below." It is derived from the doctrines and practices of Lenin. It is an old tactic which is utilized during periods or in countries where the Communist Party is either illegal or unpopular, because under such circumstances the party would not very likely receive much support if it were openly to bid for cooperation from non-Communist groups or individuals.

Now, did you receive any particular orders with respect to executing a program of infiltration subsequent to the 1959 action at the National Convention of the Communist Party? Do you remember receiving any order, direction or instruction at your section level?

Mrs. BROWN. In the early part of 1960, we were ordered to infiltrate every organization, fraternal organization, neighborhood clubs, churches, and every organization that we could go in. We were not restricted on any one organization. If you had a neighborhood club that the Commies didn't know anything about, you were to infiltrate that on your own accord. But any organization, the Communist Party members were to infiltrate.

At one time the Communists were not too successful in their infiltration, because it seems when they first went in, they tried to take over too fast. So in 1960, they were asked to go in and take it easy. Just go in and work with the organization, and then come back and report the policies and activities of that organization.

Mr. DOYLE. Who gave that order to infiltrate to you?

Mrs. BROWN. That order was given to me by Jean Krehmarek and Bert Washington.

Mr. DOYLE. And who were they at that time, in the Communist Party?

Mrs. BROWN. Jean Krehmarek was head of the Northeast Section, and Bert Washington, who is now deceased, was one of the officials.

At a section meeting, the order was given to people there.

Mr. JOHANSEN. Were you instructed as to specific types of activities that you were to carry on within these groups?

Mrs. BROWN. We were to just go in at first, in this 1960 order, and be with the group, work with the group.

Mr. JOHANSEN. In other words, establish a base.

Mrs. BROWN. That is correct.

Mr. DOYLE. Well, what did you do about it? Did you infiltrate?

Mrs. BROWN. I didn't take part in their infiltration.

Mr. DOYLE. Did any of the others, to your knowledge?

Mrs. BROWN. Not to my knowledge, because I had at that time come under suspicion, and I was trying to get out of there as fast as I could. I was losing my health because of the tension.

Mr. JOHANSEN. This was just before you terminated your services as an undercover informant in the Communist Party?

Mrs. BROWN. That is right.

Mr. JOHANSEN. I mean as an undercover informant for the FBI.

Mrs. BROWN. That is right.

Mr. NITTLE. Did you find your mission for the FBI a very trying one?

Mrs. BROWN. It was trying, but it was a privilege and an honor.

Mr. NITTLE. You are a good soldier.

Mr. JOHANSEN. Well, I would like to say at this point, Mrs. Brown, that I think you brought honor to the FBI.

Mr. DOYLE. I think, Counsel, this might be a good place to terminate our hearings for the day, until 10 o'clock tomorrow morning.

The committee therefore will stand in recess until 10 o'clock tomorrow morning.

(Whereupon, at 4:20 p.m., Tuesday, June 5, 1962, the subcommittee was recessed, to reconvene at 10 a.m., Wednesday, June 6, 1962.)

# COMMUNIST ACTIVITIES IN THE CLEVELAND, OHIO, AREA

## Part 2

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WEDNESDAY, JUNE 6, 1962

UNITED STATES HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE OF THE  
COMMITTEE ON UN-AMERICAN ACTIVITIES,  
*Washington, D.C.*

### PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m., in the Caucus Room, Old House Office Building, Hon. Francis E. Walter (chairman) presiding.

Subcommittee members present: Representatives Francis E. Walter, of Pennsylvania; Clyde Doyle, of California; Gordon H. Scherer, of Ohio; August E. Johansen, of Michigan; and Donald C. Bruce, of Indiana.

Committee members also present: Representatives William M. Tuck, of Virginia, and Henry C. Schadeberg, of Wisconsin. (Appearances as noted.)

Staff members present: Francis J. McNamara, director; Frank S. Tavenner, Jr., general counsel; Alfred M. Nittle, counsel; and Neil E. Wetterman, investigator.

The CHAIRMAN. The committee will come to order.

Mr. NITTLE, will you call your first witness?

Mr. NITTLE. I would like to recall Mrs. Brown.

The CHAIRMAN. All right.

Mr. NITTLE. Mrs. Julia Brown, will you please resume the stand?

The CHAIRMAN. Mrs. Brown has been sworn.

### TESTIMONY OF JULIA C. BROWN—Resumed

Mr. NITTLE. Mrs. Brown, when the committee adjourned last evening you were discussing Communist Party tactics of infiltration pursuant, particularly, to a resolution adopted at the 17th National Convention of the Communist Party held at New York in December 1959.

By that resolution there was enjoined upon the party leadership the conduct of a united-front policy. We had mentioned that the tactics of infiltration were not new, that the origin of this policy goes as far back as Lenin's day. However, that resolution was placing a renewed emphasis upon the policy of "united front."

Now, I would like to take you back to one of the incidents that occurred during the early 1950's. Do you recollect a party which took place at the home of Margaret Wherry?

Mrs. BROWN. Yes, I do.

Mr. NITTLE. I discussed this matter with Mrs. Wherry when she was on the stand yesterday. Can you tell us about that particular party?

Mrs. BROWN. In the early fifties—I don't remember the exact year—a barbecue party was given by Margaret Wherry for her church. It was a public party where everyone was invited. There were drinks sold and food sold. In the recreation room were people and in the back yard there was a lawn party.

There were at least 150 or 200 people attending from around 6 o'clock until around 4 o'clock in the morning. Most of the members of the Communist Party were present. There were Communists and non-Communists.

Mr. NITTLE. What was the purpose of this party? I do not recollect whether you stated that.

Mrs. BROWN. It was to raise money for the church that Margaret Wherry had infiltrated.

Mr. NITTLE. That was the stated purpose?

Mrs. BROWN. That is right. Invitations went out to that effect.

Mr. NITTLE. Proceed.

Mrs. BROWN. There was around \$800 raised. There were several members of the party attending.

Mr. NITTLE. Could you name some of those that immediately occur to you?

Mrs. BROWN. Well, Myrtle Dennis and Sam Handelman, James Smid, Bertha and Milton Tenenbaum, Sally and Martin Chancey, Eugene Brudno and his wife, Shirley Saferstein and her husband, Sanford, Regina Sokol, Jean and Anthony Krchmarek, and numbers of others and non-Communists.

Mr. NITTLE. When you refer to non-Communists, do you mean members of this church?

Mrs. BROWN. Yes, members of the church and people that I did not know as members of the Communist Party. It was around 4 or 4:30 o'clock in the morning Frieda called me upstairs to a meeting in Margaret's bedroom.

Mr. NITTLE. When you say Frieda, whom do you mean?

Mrs. BROWN. Frieda Katz, and we had a meeting there as to what to do with the proceeds of this party.

Mr. NITTLE. Who were in attendance at this meeting in the bedroom of Margaret Wherry?

Mrs. BROWN. Frieda and David Katz, Margaret Wherry, Ethel Goodman, Myrtle Dennis.

Mr. NITTLE. Now, tell the committee what occurred in the course of that meeting.

Mrs. BROWN. Well, Margaret had this barbecue for the church and she wanted to give the proceeds to the church, and Frieda suggested that she give a third to the church, and a third went to the Myrtle Dennis defense fund, and a third went to Marie Reed Haug's campaign for the school board. Margaret was very dissatisfied with that, but that was what she had to stand for.

Mr. DOYLE. Hadn't there been a public announcement of some sort that the proceeds would go to the church?

Mrs. BROWN. Well, yes, that was what the invitations announced, that the party was given for this church.

Mr. BRUCE. May I ask a question?

Was there any indication that this was a party that was officially sanctioned by the church, or was it rather a move on the part of Margaret Wherry on her own?

Mrs. BROWN. Well, it was understood by the church that this barbecue party would be given for the church because the church members were all there participating.

Mr. BRUCE. What church was that?

Mrs. BROWN. It was the Methodist Church at Abell and 126th.

Mr. BRUCE. The reason I ask that question is you mentioned that there were drinks sold. You mean alcoholic beverages?

Mrs. BROWN. Oh, sure.

Mr. BRUCE. The reason I asked that question was it would be extremely difficult for the Methodist Church, which has as one of its basic tenets a total opposition to the use of alcoholic beverages, to publicly sanction a party wherein alcoholic beverages were sold.

Mrs. BROWN. That is if they know it.

Mr. BRUCE. That is the point I am getting at.

Mrs. BROWN. Drinks were in the basement, and they had a lawn party outside where people that didn't participate could go out on the lawn or in the house.

Mr. BRUCE. But it was not an official church function, as such? It was rather a party sponsored by Margaret Wherry to raise funds for the church?

Mrs. BROWN. That is correct.

Mr. BRUCE. Thank you.

(At this point Mr. Schadeberg entered the hearing room.)

Mr. NITTLE. Do you have any personal knowledge as to whether or not Margaret Wherry was instructed by Frieda Katz or any other known Communists to hold this party?

Mrs. BROWN. I am sorry, I couldn't tell you. I don't know.

Mr. NITTLE. Was Marie Haug successful in her candidacy for the school board?

Mrs. BROWN. Well, she did not win.

Mr. NITTLE. Was the Communist Party making an effort to have her elected to that important office?

Mrs. BROWN. Yes. I happened to be one in the campaign, and we all worked pretty hard to have her elected, get her elected.

Mr. NITTLE. Were you very successful in interesting voters in your immediate neighborhood, or district, to vote for and support Marie Haug?

Mrs. BROWN. No.

Mr. NITTLE. Did the Communist Party hold any meeting thereafter to discuss the failure of Marie Haug's candidacy?

Mrs. BROWN. Yes. They did.

Mr. NITTLE. Where did that meeting take place?

Mrs. BROWN. Well, the first meeting took place at Don Rothenberg's home. I was called by Don Rothenberg to attend a meeting

to reevaluate the campaign and just what was the cause of Marie having failed to win the election to the school board.

Mr. NITTLE. Do you recollect who were in attendance at the meeting Don Rothenberg had called?

Mrs. BROWN. I think I do.

Mr. NITTLE. Would you name the persons present?

Mrs. BROWN. Well, Hugh DeLacy, Margaret Wherry, Myrtle Dennis, Elsie Tarcai, and Sam Handelman.

Mr. NITTLE. So that at the meeting the only persons in attendance were persons known to you to be members of the Communist Party?

Mrs. BROWN. That is correct.

Mr. NITTLE. Could you give us the substance of the discussions at that meeting?

Mrs. BROWN. Well, Hugh DeLacy was chairman of that meeting and he was explaining to us that the reason he thought that Marie Haug did not win was because the people that campaigned for Marie were too timid in identifying themselves as members of the Communist Party.

Mr. NITTLE. Now, I would like to turn to another subject for a moment.

Yesterday I was questioning Margaret Wherry with respect to her attendance at a banquet in the Polish Embassy. Can you tell us about that?

Did I say Margaret Wherry?

Mrs. BROWN. Yes, you did.

Mr. NITTLE. I meant to say Pauline Taylor.

Mrs. BROWN. I was called by Elsie Zazrivy in the middle fifties, early fifties, I would say, and asked if I would come to Washington here to a banquet at the Polish Embassy, and she told me that Pauline Taylor would be going, and I was delighted to accept the invitation. Pauline met me in Cleveland, Ohio, and we went to Washington to the Polish Embassy for the banquet.

Mr. NITTLE. Who paid your expenses for attendance at this banquet in the Polish Embassy?

Mrs. BROWN. Well, the Communist Party paid part of it and I paid the other part.

Mr. NITTLE. How many were in attendance at this banquet?

Mrs. BROWN. Oh, several hundred people. Maybe what I saw was probably two or three hundred in the room where I was.

The CHAIRMAN. Do I understand you to say that this banquet was arranged by the Polish Government?

Mrs. BROWN. It certainly was.

The CHAIRMAN. The expenses of the Americans who attended this banquet were borne by the Communist Party of the United States?

Mrs. BROWN. Well, this is what I do know: Pauline Taylor was sent by the Communist Party and I was sent by the Communist Party to the Polish Embassy.

Mr. NITTLE. Do you recollect any other persons from the Cleveland area who were in attendance there?

Mrs. BROWN. Paul Robeson was there.

Mr. NITTLE. Did he sing on that occasion?

Mrs. BROWN. I didn't hear him.

Mr. NITTLE. Was he at that time a resident of Cleveland?



Mrs. BROWN. No.

Mr. NITTLE. You are referring to him merely as being present?

Mrs. BROWN. Yes.

Mr. NITTLE. In addition to your presence and that of Pauline Taylor, do you recollect others, if any, from the Cleveland area who were in attendance?

Mrs. BROWN. Well, no. It was such a crowd, I really don't remember anyone else at this time. I think we were the only two sent from Cleveland.

Mr. NITTLE. Do you know whether this was a meeting of American Communists at the Polish Embassy?

Mrs. BROWN. Well, I was introduced to quite a number of them. Pauline introduced me to one of the heads there, and he did take us around and introduced me to a number of people, but really I don't know whether they were Communists or non-Communists and I don't remember the names.

Mr. NITTLE. Were you introduced to any officials of the Polish Embassy staff?

Mrs. BROWN. Yes, yes.

Mr. NITTLE. Could you tell us who made those introductions, if you remember?

Mrs. BROWN. Pauline Taylor introduced me to some and she asked some man to introduce me to some, and he introduced her to some of them. It was a big crowd.

Mr. NITTLE. That concludes the staff interrogation of Mrs. Brown, Mr. Chairman.

The CHAIRMAN. Do you know whether or not the Polish Government is still engaged in entertaining American Communists at its embassy here and elsewhere?

Mrs. BROWN. I do not.

The CHAIRMAN. All right, Mr. Nittle.

Are you finished with this witness?

Mr. NITTLE. Yes, sir.

The CHAIRMAN. I want to thank you on behalf of the committee and the Congress and the American people for making the contribution that you have made in this struggle. It is indeed fortunate that there are people like you who are willing to come forward and assist. I know it wasn't easy and you are entitled to the thanks of all of the American people.

Mrs. BROWN. Thank you all.

The CHAIRMAN. All right, Mr. Nittle?

Mr. NITTLE. Samuel Handelman.

The CHAIRMAN. Will you raise your right hand? Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HANDELMAN. I do.

#### TESTIMONY OF SAMUEL HANDELMAN, ACCOMPANIED BY COUNSEL, JOSEPH FORER

Mr. NITTLE. Would you state your name for the record, please?

Mr. HANDELMAN. Samuel Handelman.

Mr. NITTLE. I see that you are represented by counsel. Will counsel please identify himself?

Mr. FORER. Joseph Forer, Washington, D.C.

Mr. NITTLE. Where were you born, Mr. Handelman?

Mr. HANDELMAN. Born in Glasgow, Scotland.

Mr. NITTLE. Where do you presently reside?

Mr. HANDELMAN. Cleveland, Ohio.

Mr. NITTLE. And how long have you lived in Cleveland, Ohio?

Mr. HANDELMAN. Oh, approximately since 1915.

Mr. NITTLE. Are you a citizen of the United States?

Mr. HANDELMAN. Counsel wouldn't have to ask that question if he knew I was a practicing lawyer. The answer is "yes."

Mr. NITTLE. You are a practicing lawyer by profession?

Mr. HANDELMAN. Yes.

Mr. NITTLE. Of what bars are you a member?

Mr. HANDELMAN. Member of the Ohio Bar.

Mr. NITTLE. How long have you practiced law in Ohio?

Mr. HANDELMAN. Since 1930.

Mr. NITTLE. The witness whom you have heard on the stand and who has immediately preceded you, namely, Mrs. Julia Brown, has identified you as a member of the Communist Party. Are you at this instant a member of the Communist Party?

Mr. HANDELMAN. Mr. Chairman, I refuse to answer this question under the first and fifth amendments of the Constitution.

Mr. NITTLE. Mr. Handelman, I believe you did not refuse to answer that question when it was asked of you by the Governor of the State of Ohio, Thomas J. Herbert, on April 2, 1948. At that time, in order to refresh your memory, you were appearing at the Governor's mansion, together with a Paul Shepard, who was then a member of the CIO United Electrical Workers union, and another lawyer named Jerome Land, the son of Yetta Land, who has been identified as a member of the Communist Party by Mrs. Brown.

The Governor of Ohio asked, according to this United Press report of April 2, "Are you men Communists?" Handelman and Shepard replied that they were not. Land, according to the Governor, hesitated, then said, "I would rather be excused from answering that question."

Were you then a member of the Communist Party?

Mr. HANDELMAN. I refuse to answer the question on the same ground as previously stated.

Mr. SCHERER. When the Governor of Ohio asked you that question you were not under oath, is that right?

Mr. HANDELMAN. Mr. Scherer, I can't even recall this incident.

Mr. SCHERER. You can't what?

Mr. HANDELMAN. I can't even recall this incident and I can't be responsible for what the newspapers say in their press comments.

Mr. SCHERER. You don't recall the incident at all in the Governor's—

Mr. HANDELMAN. No.

Mr. SCHERER. Did you know Governor Herbert?

Mr. HANDELMAN. I wouldn't say I knew him, no. I knew who he was when he was Governor.

Mr. SCHERER. You never were in the Governor's mansion in Ohio?

Mr. HANDELMAN. If I was I have no recollection of it.

Mr. SCHERER. You don't recollect? Well, I would.

The CHAIRMAN. Go ahead, Mr. Nittle.

Mr. NITTLE. Are you, Mr. Handelman, a member of the National Lawyers Guild?

Mr. HANDELMAN. I am.

Mr. NITTLE. And have you been active in the affairs of the National Lawyers Guild, serving in various official capacities for that lawyers' association?

Mr. HANDELMAN. Not for many years.

Mr. NITTLE. Beg pardon?

Mr. HANDELMAN. Not for many years.

Mr. NITTLE. Mr. Chairman, I would like at this point to have noted in the record the extract relating to the National Lawyers Guild which appears in the *Guide to Subversive Organizations and Publications*, a publication of this committee.

The CHAIRMAN. Let it be made a part of the record.

(The document referred to follows:)

#### NATIONAL LAWYERS GUILD

1. Cited as a Communist front.

(*Special Committee on Un-American Activities, House Report 1311 on the CIO Political Action Committee, March 29, 1944, p. 149.*)

2. Cited as a Communist front which "is the foremost legal bulwark of the Communist Party, its front organizations, and controlled unions" and which "since its inception has never failed to rally to the legal defense of the Communist Party and individual members thereof, including known espionage agents."

(*Committee on Un-American Activities, House Report 3123 on the National Lawyers Guild, September 21, 1950, originally released September 17, 1950.*)

3. "To defend the cases of Communist lawbreakers, fronts have been devised making special appeals in behalf of civil liberties and reaching out far beyond the confines of the Communist Party itself. Among these organizations are the \* \* \* National Lawyers Guild. When the Communist Party itself is under fire these offer a bulwark of protection."

(*Internal Security Subcommittee of the Senate Judiciary Committee, Handbook for Americans, S. Doc. 117, April 23, 1956, p. 91.*)

Mr. NITTLE. Were you in attendance at the National Lawyers Guild convention of July 28 to 31, 1960, at the Jack Tar Hotel in San Francisco, California?

Mr. HANDELMAN. Mr. Chairman, I don't see the materiality of this question for any purpose this committee can have, but I was not in attendance.

Mr. NITTLE. I show you Handelman Exhibit No. 1, the 1962 Lawyers Referral Directory of the National Lawyers Guild, in which your name appears, and your office is listed as 1110 Euclid Avenue, Cleveland, Ohio. I ask if that is a correct listing?

Mr. HANDELMAN. I don't have to see it. I know it. I don't have to see the exhibit. I know where my office is located.

The CHAIRMAN. Is that correct?

Mr. NITTLE. That is correct. That is on there.

Mr. JOHANSEN. The witness' answer was that that is the correct address?

Mr. HANDELMAN. Oh, yes, of course, yes, certainly.

Mr. NITTLE. You also appear upon the directory with Elsie R. Tarcai, a resident of Cleveland, Ohio. Do you know Elsie R. Tarcai?

Mr. HANDELMAN. Yes, I know Elsie Tarcai.

Mr. NITTLE. Do you know Elsie R. Tarcai to be a member of the Communist Party?

Mr. HANDELMAN. I refuse to answer on the same grounds as stated before.

Mr. NITTLE. There also appears upon the Referral Directory of the National Lawyers Guild the name of Violet J. Tarcai. Do you know Violet J. Tarcai?

Mr. HANDELMAN. Yes, I know Violet J. Tarcai.

Mr. NITTLE. Do you know her as a member of the Communist Party?

Mr. HANDELMAN. I refuse to answer on the same grounds as previously stated.

Mr. NITTLE. There also appears upon the directory the name of Thelma C. Furry, attorney from Akron, Ohio. Do you know Thelma C. Furry as a member of the Communist Party?

Mr. HANDELMAN. I refuse to answer on the same grounds as previously stated.

Mr. NITTLE. I put it to you as a fact, Mr. Handelman, that you do know those persons as members of the Communist Party. Will you affirm or deny or explain that statement?

Mr. HANDELMAN. I refuse to again on the same grounds as previously stated. I refuse to answer rather.

Mr. NITTLE. On what grounds do you base your answer?

Mr. HANDELMAN. Same grounds as originally stated.

The CHAIRMAN. It is understood that when you say "the same grounds" you mean by that, that you invoke the privileges of the fifth amendment and the first amendment.

Mr. HANDELMAN. That is for you to state, Mr. Chairman.

(Document marked "Handelman Exhibit No. 1" and retained in committee files.)

Mr. NITTLE. Were you in attendance at a party in the early fifties at the home of Margaret Wherry which was described a moment ago by Mrs. Brown?

Mr. HANDELMAN. I have no recollection of being there.

Mr. NITTLE. You do not deny being there?

Mr. HANDELMAN. I have grave doubts about it, but I go many places. I have no recollection.

Mr. NITTLE. Do you know Don Rothenberg?

Mr. HANDELMAN. Yes, I know Don Rothenberg.

Mr. NITTLE. And do you know him to be a member of the Communist Party?

Mr. HANDELMAN. I refuse to answer on the same grounds as previously stated.

Mr. NITTLE. Mrs. Brown has testified, immediately before you appeared upon the stand, that you were in attendance at a meeting in the home of Don Rothenberg after the failure of Marie Haug to be elected to the board of education in Cleveland.

Mr. HANDELMAN. I have no recollection of this incident either, and it is just characteristic of the broadside accusations and charges made by this witness.

Mr. SCHERER. Do you deny the statement of Julia Brown?

Mr. HANDELMAN. I have no recollection and I so stated that.

Mr. SCHERER. Do you deny her testimony?

Mr. HANDELMAN. I have no recollection of being there.

Mr. SCHERER. That isn't my question.

The CHAIRMAN. He has answered.

Mr. HANDELMAN. I cannot recall.

The CHAIRMAN. Go ahead.

Mr. NITTLE. I will show you an item, identified as Handelman Exhibit No. 2, which appeared in the *Daily Worker* for August 13, 1952, at page 8, in which you are identified as one of 45 "prominent American attorneys" who have signed a statement on behalf of an organization titled "Council of Greek Americans," addressed to the Premier of Greece, demanding a civilian trial for Tony Ambatielos and nine other leaders of the Greek maritime unions sentenced to death in 1948 "for their trade union activities."

Will you examine that please?

(Witness handed document.)

Mr. NITTLE. Were you, in fact, one of the 45 "prominent American attorneys" who had executed a statement or petition of that sort?

Mr. HANDELMAN. Well, of course, it is flattering to be referred to as prominent. This I deny. I am not prominent.

Mr. NITTLE. I was merely quoting the *Daily Worker*.

Mr. HANDELMAN. I object to the question. It is completely immaterial to any purpose that this committee can have.

Mr. NITTLE. It is not if you were engaged—

Mr. HANDELMAN. Well, that is your statement.

Mr. NITTLE. — engaged in signing that petition as a member of the Communist Party of the United States, seeking to influence a foreign government friendly to the United States which was then resisting Communist aggression and was involved in civil war instigated by comrades in Russia.

Did you, as a member of the Communist Party pursuant to instructions by Communists known to you, execute this petition in order to influence the Greek Government, a friendly power?

(Counsel conferred with witness.)

Mr. HANDELMAN. The answer is no.

Mr. NITTLE. Did you execute that petition?

Mr. HANDELMAN. I have no recollection of it.

The CHAIRMAN. Do you know of the case of these people who were on trial in Trieste?

Mr. HANDELMAN. All I can tell you is that many lawyers, myself included, are asked, from time to time, to sign petitions for different things and I may have signed it. I have no recollection of it.

The CHAIRMAN. Yes, I am sure that is correct.

Mr. HANDELMAN. Of course you know that is correct.

The CHAIRMAN. Lawyers are very careful about what they sign usually, unless they are doing it deliberately. Tell me, do you know the names of these people who were arrested by the Greeks?

Mr. HANDELMAN. As I say, Mr. Chairman, I have no recollection of even signing this thing, let alone knowing the names of the persons involved; but it would appear to have been, as stated for the record and as appears from the article, an attempt to save someone's life. That's what it says. I don't recall it though, but apparently someone was facing execution and an appeal was made for their lives. That is what it says.

Mr. NITTLE. Was not that council to which I have referred a Communist front?

Mr. HANDELMAN. I have no knowledge.

Mr. NITTLE. Apparently the Attorney General thought so. It was designated under Executive Order No. 10450 on July 15, 1953.

The CHAIRMAN. What paper did this appear in?

Mr. NITTLE. The *Daily Worker*, Mr. Chairman, August 13, 1952.

Mr. SCHERER. If the witness says that he can't remember the Governor of Ohio at the Governor's mansion asking him whether he is a Communist, you don't expect him to say that he can remember this.

Mr. NITTLE. I ask, Mr. Chairman, that the exhibit to which I refer be admitted in the record.

The CHAIRMAN. It will be admitted and made a part of the record. Go ahead with your questions.

(Document marked "Handelman Exhibit No. 2" and retained in committee files.)

Mr. NITTLE. During the 1949 convention of the CIO in Cleveland, Ohio, was there not a caucus meeting of the Communist Party group held in your law office while the convention was in session, the purpose being to assign specific resolutions to members of the Communist Party who were convention delegates?

(Witness conferred with counsel.)

Mr. HANDELMAN. I have no recollection or knowledge of such an incident.

(At this point Mr. Johansen left the hearing room.)

Mr. NITTLE. Do you deny that it took place?

Mr. HANDELMAN. I said I have no recollection or knowledge of it.

Mr. NITTLE. The staff has no further questions of this witness. It is quite apparent that he is not going to remember anything.

Mr. FORER. I object to that statement, Mr. Chairman.

I don't think it is proper for counsel to make such a derogatory remark. I ask it be stricken.

The CHAIRMAN. It is not derogatory. It is simply a statement of fact. It is obvious that he doesn't remember.

Mr. FORER. He didn't say that, Mr. Chairman. He said it is obvious he is not going to remember, which carries a very different implication.

Mr. SCHERER. That is obvious to me also.

Mr. FORER. It may be obvious to you, but a lot of things that are obvious to you aren't so, Mr. Scherer.

The CHAIRMAN. All right. Call another witness.

Mr. NITTLE. James Smid.

The CHAIRMAN. Will you stand up please?

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SMID. I do.

(At this point Mr. Johansen returned to the hearing room.)

#### TESTIMONY OF JAMES SMID, ACCOMPANIED BY COUNSEL, JOSEPH FORER

Mr. NITTLE. Would you state your name please?

Mr. SMID. James Smid.

Mr. NITTLE. I note you are represented by counsel. Will counsel identify himself?

Mr. FORER. I am still Joseph Forer, of Washington, D.C.

Mr. NITTLE. Mr. Smid, Julia Brown, who appeared on the stand earlier this morning and who is present here in the Caucus Room, has identified you as a member of the Communist Party and a very active one during the period she resided in Cleveland and after her reception into the Communist Party in 1947 or thereabouts. Are you at this instant a member of the Communist Party?

(Witness conferred with counsel.)

The CHAIRMAN. You don't have to get legal advice to answer that question. You know whether or not you are a member of the Communist Party. Are you a member of the Communist Party?

(Witness conferred with counsel.)

Mr. SMID. I refuse to answer on the grounds that this question is not pertinent. I also refuse—

The CHAIRMAN. Not pertinent to what?

Mr. SMID. It is not pertinent to anything.

The CHAIRMAN. Well, it is pertinent to the security of the United States. That may not be anything to you, but it is a great deal to most of us. Go ahead, Mr. Nittle.

Mr. SCHERER. I ask that he be given a direction to answer.

The CHAIRMAN. Yes, you are directed to answer the question.

(Witness conferred with counsel.)

Mr. SMID. I refuse to answer the question on the grounds that the question is not pertinent; also on the basis of my rights under the first amendment and the privilege under the fifth amendment. This inquiry has no legitimate legislative program.

The CHAIRMAN. Purpose you mean, not program. You didn't understand your lawyer.

Mr. FORER. Are you agreeing with him, Mr. Walter?

The CHAIRMAN. No, but you were talking a while ago about obvious things. It was obvious to me when he came here with you that he wasn't going to testify, because you don't come to a hearing with a Communist lawyer and expect to get—

Mr. FORER. Mr. Walter, that is an improper remark to make and I ask you to withdraw it.

The CHAIRMAN. I will admit that is improper. A lot of things that happen around here are improper. Go ahead and answer the question.

Mr. NITTLE. I state as a fact that on October 11 and 12, 1941, you attended the State Conference of the Communist Party at Finnish Hall on Franklin Avenue. Will you affirm or deny that statement?

Mr. SMID. I refuse to answer for the reasons I stated before.

Mr. NITTLE. I state as a fact that you attended the State Convention of the Communist Party on April 30, 1944, which was held in Public Hall in Cleveland, Ohio. Will you affirm or deny that statement?

Mr. SMID. I refuse to answer for the reasons given before.

Mr. NITTLE. I state as a fact that you attended the June 17 and 18, 1944, sessions of the Ohio State Communist Party Convention in Cleveland, Ohio. Will you affirm or deny that statement?

(Witness conferred with counsel.)

Mr. SMID. I refuse to answer for the same reasons as stated before.

Mr. NITTLE. I show you passport application No. 162666, identified as Smid Exhibit No. 1, in which you made application for a passport

on January 17, 1935, and stated that your purpose was to go abroad—and to return to the United States within 2 years—to visit Russia and setting forth that you might reside there. Did you, in fact, make application for such a passport, stating your purpose to be a visit to Russia with a possible intent to reside there?

(Witness conferred with counsel.)

The CHAIRMAN. Go ahead.

Mr. NITTLE. I hand you Exhibit No. 1 and ask you to identify that.

(Witness conferred with counsel.)

Mr. SMID. I refuse to answer for the same reasons as stated before.

(Document marked "Smid Exhibit No. 1" and retained in committee files.)

The CHAIRMAN. I notice that "Rush" is written on there. Did you write that on there?

(Witness conferred with counsel.)

Mr. SMID. I refuse to answer for the same reasons as given before.

Mr. SCHERER. Were you born in Czechoslovakia, sir?

Mr. SMID. I was born in Czechoslovakia.

Mr. NITTLE. Are you a naturalized citizen?

Mr. SMID. I am.

Mr. NITTLE. When were you naturalized?

(Witness conferred with counsel.)

Mr. SMID. It is approximately in the year of 1922 or 1924.

Mr. NITTLE. Were you a member of the Communist Party at the time you were naturalized?

Mr. SMID. I refuse to answer for the same reasons as I stated before.

Mr. NITTLE. As a matter of fact, Mr. Smid, were you not naturalized at Cleveland, Ohio, on September 19, 1930, by petition No. 42073, and issued Certificate No. 3391446?

(Witness conferred with counsel.)

Mr. FORER. Do you expect him to remember all that?

Mr. NITTLE. I ask him to remember the date of his naturalization.

Mr. FORER. Ask him the date then.

Mr. NITTLE. I have asked him whether that was the date.

(Witness conferred with counsel.)

Mr. SMID. Your date that you quote could be possible. My first mention of 1922 or 1924—I said it was approximate.

Mr. NITTLE. Did you visit Russia, in fact, during the year 1935?

(Witness conferred with counsel.)

Mr. SMID. I refuse to answer for the same reasons as stated before.

The CHAIRMAN. Let's get this straight.

You refuse to answer the question as to whether or not you visited Russia in 1935 on the grounds that the answer might subject you to a criminal prosecution?

(Witness conferred with counsel.)

Mr. SMID. I stated my reasons.

Mr. NITTLE. Did you, in fact, visit Russia and while there attend any schools for indoctrination in communism?

(Witness conferred with counsel.)

Mr. SMID. No.

Mr. NITTLE. You did not?

Mr. SCHERER. You asked him two questions. Did you go to Russia?



Mr. SMID. I refuse to answer for the same reasons I stated before.

Mr. NITTLE. Did you attend any schools of indoctrination in communism in Russia during the period 1935?

(Witness conferred with counsel.)

Mr. SMID. No.

Mr. NITTLE. Did you, in fact, visit Russia in 1935?

Mr. SMID. I refuse to answer for the same reasons I stated before.

Mr. NITTLE. Were you in attendance at a party given by Margaret Wherry for a Methodist Church in Cleveland in the early 1950's?

Mr. SMID. I refuse to answer for the same reasons as stated before.

Mr. NITTLE. I have no further questions of this witness, Mr. Chairman.

Mr. SCHERER. You subsequently received another passport, did you not, in June of 1949 and went to Czechoslovakia for 3 months?

(Witness conferred with counsel.)

Mr. SMID. I refuse to answer for the same reasons I have given before.

Mr. SCHERER. Well, did you make an application for a passport in June of 1949 in which you said you intended to go to Czechoslovakia and stay for 3 months?

Mr. SMID. I refuse to answer for the same reasons as I have given before.

Mr. SCHERER. Pursuant to the issuance of this passport, did you actually go to Czechoslovakia?

Mr. SMID. I refuse to answer for the same reasons as given before.

The CHAIRMAN. Are there any further questions?

Mr. BRUCE. I believe in response to a question by counsel as to whether you had attended what he described as a school of indoctrination you replied "no." Am I correct?

Mr. SMID. I said "no."

Mr. BRUCE. Did you attend any educational institution in the Soviet Union?

(Witness conferred with counsel.)

Mr. SMID. No.

Mr. BRUCE. Have you ever attended or received instruction in any Communist school or center of instruction?

(Witness conferred with counsel.)

Mr. SMID. I refuse to answer the question for the same reasons as stated before.

Mr. BRUCE. I have no further questions.

The CHAIRMAN. All right.

Call your next witness.

Mr. NITTLE. Frida Kreitner, come forward please.

The CHAIRMAN. Will you raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. KREITNER. I affirm that I do.

**TESTIMONY OF FRIDA KREITNER, ACCOMPANIED BY COUNSEL,  
JOSEPH FORER**

Mr. NITTLE. Will you state your name, please, for the record?

Mrs. KREITNER. My name is Frida Kreitner.

Mr. NITTLE. I see you are represented by counsel. Will counsel please identify himself for the record?

Mr. FORER. Joseph Forer.

The CHAIRMAN. What is your last name?

Mrs. KREITNER. Kreitner, K-r-e-i-t as in Tom, n as in no, e-r.

Mr. FORER. R as in refusal to answer.

Mrs. KREITNER. Amen.

Mr. NITTLE. You are married?

Mrs. KREITNER. I am.

Mr. NITTLE. And Frida Kreitner is your married name?

Mrs. KREITNER. Yes.

Mr. NITTLE. Since you have been married, Mrs. Kreitner, and have been using the name Kreitner, have you used any other names?

(Witness conferred with counsel.)

Mrs. KREITNER. I refuse to answer that question on the ground that it is, firstly, not pertinent and, secondly, on the right given to me under the first and fifth amendments.

Mr. NITTLE. Mrs. Brown——

Mr. FORER. You got the wrong name.

Mr. NITTLE. —has testified before this committee that in the fifties you operated a bookstore titled "One World Bookshop" at 5103 Euclid Avenue. Did you in fact operate a bookshop titled "One World Bookshop" at that address?

(Witness conferred with counsel.)

Mrs. KREITNER. I refuse to answer on the previously stated grounds.

Mr. NITTLE. While you were operating that bookshop, I put it to you as a fact that the name which appeared upon the door was that of Frida Smith. Is that correct?

Mrs. KREITNER. I refuse to answer on previously stated grounds.

Mr. NITTLE. Why were you disguising your identity?

(Witness conferred with counsel.)

Mrs. KREITNER. I consider that a loaded question. I have never admitted or said or impugned that I have ever disguised my name.

The CHAIRMAN. What was your maiden name?

Mrs. KREITNER. Smith.

The CHAIRMAN. Go on.

Mr. NITTLE. At the time the name Frida Smith appeared upon that door, were you then married or single?

(Witness conferred with counsel.)

Mrs. KREITNER. I refuse to answer that question on the previously stated grounds.

Mr. NITTLE. Mrs. Brown has identified you as a member of the Communist Party, known to her to be such, in the Cleveland area. Are you as of this instant a member of the Communist Party?

Mrs. KREITNER. I refuse to answer on the previously stated grounds.

Mr. NITTLE. Mrs. Brown has testified further that you were instructed by persons known to you to be Communists to infiltrate the National Association for the Advancement of Colored People. Will you affirm or deny that allegation?

Mrs. KREITNER. I refuse to answer on the first and fifth amendments.

Mr. NITTLE. Did you, in fact, engage in activity within the NAACP with the objective of influencing its policies or conduct on behalf of the Communist Party?

(Witness conferred with counsel.)

Mrs. KREITNER. I refuse to answer that question on the previously stated grounds.

Mr. NITTLE. Was it the policy of the Communist Party to capture or to destroy the NAACP?

(Witness conferred with counsel.)

Mrs. KREITNER. I have absolutely no knowledge of any such thing.

Mr. NITTLE. After the office at 5103 Euclid Avenue was closed in the middle fifties, did you have other employment?

(Witness conferred with counsel.)

Mrs. KREITNER. Are you ready?

Mr. NITTLE. Yes.

Mrs. KREITNER. I consider that a loaded question. I never testified to having that office.

Mr. NITTLE. Well, did you have that office?

Mrs. KREITNER. I refuse to answer on the previously stated grounds.

Mr. NITTLE. Have you ever visited at that office?

Mrs. KREITNER. I refuse as before on the previously stated grounds.

Mr. NITTLE. Are you presently a salaried functionary of the Communist Party?

(Witness conferred with counsel.)

Mrs. KREITNER. I consider that impertinent, in fact, and I refuse to answer on the ground of the first and fifth amendments.

Mr. NITTLE. No further questions, Mr. Chairman.

The CHAIRMAN. Any questions?

Mr. DOYLE. No questions.

The CHAIRMAN. All right.

Call the next witness.

Mr. NITTLE. Mr. Martin Chancey.

The CHAIRMAN. Will you raise your right hand?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God.

Mr. CHANCEY. I do.

### TESTIMONY OF MARTIN CHANCEY, ACCOMPANIED BY COUNSEL, JOSEPH FORER

Mr. NITTLE. Would you state your name for the record, please?

Mr. CHANCEY. My name is Martin Chancey, C-h-a-n-c-e-y.

Mr. Chairman, I would like to call your attention to a communication I sent to Congressman Doyle and Congressman Johansen, in which I informed them—and I think I should inform the committee as a whole—that I have strongly protested my being called again to

this committee. I was called here less than a year ago. My business was ruined. I was called to an executive session and, a month before I ever appeared, information was leaked to the newspapers and my business was destroyed and now, less than a year after that, I am called here again.

Again the information has leaked to the newspapers, and you can be sure that my efforts to rebuild my little business are again destroyed.

Congressman Doyle, as you will remember at that last hearing less than a year ago, you expressed your deep concern at the ruin to my business. Now, why the committee should go ahead and drag me here again with the same consequences, again leaking information to the newspapers, I don't think it is humane, I don't think it is decent, and I don't see why it is being done to me.

The CHAIRMAN. You will be given an opportunity now to clarify the atmosphere so that your business will be flourishing.

Mr. CHANCEY. Your Honor, this information was given to the papers contrary to your own rule not to reveal this information. I think the rule is XVI of your Rules of Procedure.

I also want to call this to your attention. Last year before I was informed as to the purpose of the hearing, the *Cleveland Press* already announced the purpose. Then the hearing was postponed. I wasn't informed of the postponement, my counsel wasn't, and the *Cleveland Press* had this information; and before I appeared here, the *Cleveland Press* said it was an executive session.

The CHAIRMAN. I would like to tell you that the committee is disturbed by this sort of thing and that we have conducted investigations, and are still investigating, in order to find out how this information has been leaked, if it has been, and we are going to leave no stone unturned in order to prevent it in the future, if it means firing everybody on the committee and starting out with a new staff or having Western Union do the same thing.

Mr. CHANCEY. Mr. Doyle remembers last year, when I raised the question of the information being leaked to the *Press*, Mr. Doyle very carefully questioned the staff and each one very strongly denied knowing anything about it, and yet the same thing exactly is being repeated now. Now, it couldn't be all these accidents happening time and again.

The CHAIRMAN. The fact of the matter is you went to the *Press* yourself, didn't you? I have in my hand a letter from the *Cleveland Press* stating that you had gone to the city editor regarding the subpoena and that you provided the newspaper with the details of how you received the subpoena.

Let's go on, Mr. Nittle.

Mr. NITTLE. Yes.

Mr. CHANCEY. I might say, Your Honor, that—

The CHAIRMAN. All right.

Mr. CHANCEY. All right, sir.

The CHAIRMAN. We want to be fair, but we expect you to be fair, and honest, incidentally.

Mr. CHANCEY. Since I communicated with members of your committee, I thought you should know about that.

The CHAIRMAN. All right. Go ahead, Mr. Nittle.

Mr. NITTLE. Mr. Chancey, are you at this moment a member of the Communist Party?

Mr. CHANCEY. I am sorry that I will have to refuse to answer this question.

The CHAIRMAN. You don't have to refuse to answer. You are not under any compulsion at all.

Mr. CHANCEY. I think I should refuse to answer it, because I think my own political beliefs are my own business under the first amendment and I don't think any congressional committee has any business to inquire into it; and the Supreme Court ruled a couple of weeks ago, when they threw out the six contempt citations, that Congress cannot legislate in the field of opinion and belief and association and, therefore, has no right to investigate in that field.

The CHAIRMAN. Well, we will find out.

Mr. CHANCEY. That is one reason. Secondly, I think under the fifth amendment, not to testify against myself, I don't think I have to answer this question. I think this question is not pertinent to any legislative inquiry I can think of, and I think this whole investigation is illegitimate to any legislative purpose. I think it just does to other people as it does to me. I think it destroys their business.

The CHAIRMAN. You have answered the question. You refuse to answer because of your privileges under the Constitution of the United States.

Mr. CHANCEY. All right, sir.

The CHAIRMAN. Go ahead, Mr. Nittle.

Mr. NITTLE. I suggest, Mr. Chancey, that you are a hard-core Communist and that the tears in your voice are quite unbecoming. Would you comment on that?

Mr. CHANCEY. I don't think as a counsel you have any business to speak about my tears or any such insinuations.

The CHAIRMAN. Ask him questions.

Mr. CHANCEY. I think we are here for serious business and not to cast aspersions on my tears or anything like that.

Mr. NITTLE. When were you born, Mr. Chancey?

Mr. CHANCEY. I was born on July 26, 1908.

Mr. NITTLE. Where were you born?

Mr. CHANCEY. I was born in New York City.

Mr. NITTLE. During the year 1934 were you a candidate of the Communist Party for Assemblyman for the 12th District of New York.

Mr. CHANCEY. I refuse to answer for the reasons already stated.

Mr. NITTLE. Were you the Communist Party secretary of the Yorkville Section in New York during 1936?

Mr. CHANCEY. I refuse to answer for the reasons given.

(At this point Mr. Tuck left the hearing room.)

Mr. NITTLE. Is it not a fact that you were the organizational secretary of Section 28 of the New York Communist Party from 1932 to 1936?

Mr. CHANCEY. I refuse to answer for the reasons already stated.

Mr. NITTLE. In the year 1937, did you become the Communist Party organizer for Washington, D.C.?

Mr. CHANCEY. I refuse to answer for the reasons already given.

Mr. NITTLE. During the period 1937 to 1943, did you not also hold the positions of city secretary, executive secretary, section organizer, and district organizer of the Communist Party for the District of Columbia?

Mr. CHANCEY. I refuse to answer for the reasons already stated.

Mr. NITTLE. During the year 1937 did you recruit Henry Thomas into the Communist Party and give him his instructions?

Mr. CHANCEY. I refuse to answer for the reasons already stated.

Mr. NITTLE. Did you not select and send Henry Thomas to a Communist Party school in New York City?

Mr. CHANCEY. I refuse to answer for the reasons given.

Mr. NITTLE. As city secretary of the Communist Party in Washington, D.C., did you not send \$500 to the national headquarters of the Communist Party in New York in the year 1940?

Mr. CHANCEY. I have no such recollection.

Mr. NITTLE. Do you deny that you did?

Mr. CHANCEY. I refuse to answer this question on the reasons given.

Mr. NITTLE. Did you not testify before the Special Committee on Un-American Activities in Washington on October 6, 1939?

Mr. CHANCEY. I remember having been at such a committee. I haven't the faintest idea what took place there. It was a long, long time ago.

Mr. NITTLE. Were you asked this question at that hearing by the chairman:

Suppose we were at war with Russia, what would be your position as between the United States and Russia? Would you favor the United States or Russia?

And did you reply to that inquiry:

I would wait for such a thing to happen.

Mr. CHANCEY. I have no recollection of that. That was 23 years ago and it is a long time ago. Incidentally, I think the committee should know that the previous witness was fired from his job, Mr. James Smid lost his job, when he was served a subpoena at his place of employment. I think the committee should also know that half of those subpoenaed were served either on the job or in their place of business, and why such a thing should happen is very hard to understand, unless the committee is interested in economic strangulation of its witnesses. As one whose little business was destroyed—

The CHAIRMAN. No. These witnesses had an opportunity to testify and they invoked the fifth amendment. Now, go ahead, Mr. Nittle.

(Witness conferred with counsel.)

Mr. NITTLE. On November 8, 1942, were you not the chairman of the 25th Soviet Anniversary Celebration in Washington, D.C.?

Mr. CHANCEY. I refuse to answer that question on the grounds stated; and it also just occurred to me, in reference to your previous question, that a short time after the war started I was drafted into the Army. I was overseas for about 2½ years. I received five battle stars and a Certificate of Merit, and if there is any question about my patriotism, I think I can square myself with anybody in this room.

Mr. SCHERER. Was that the Second World War?

Mr. CHANCEY. That was the Second World War.

Mr. SCHERER. We were a co-belligerent of Russia at that time.

Mr. CHANCEY. I fought in defense of my country and I will do so any time my country is attacked.

Mr. SCHERER. I understand that. At that time Russia was an ally. I say a co-belligerent.

Mr. CHANCEY. I fought because I was drafted.

The CHAIRMAN. Were you a Communist at that time?

Mr. CHANCEY. Sir, I am sorry, I can't answer the question for the reasons given, but I was an American. I am an American. I will always fight when my country is attacked and I will fight for what our country stands for, and I hate to see those principles dragged out into the mud.

The CHAIRMAN. All right. Go ahead, Mr. Nittle.

Mr. NITTLE. Following your separation from the armed services in May of 1945, I assert as a fact that you were then directed by the Communist Party to lead certain organizational activities for them in the State of Ohio. Will you affirm or deny that fact?

Mr. CHANCEY. I refuse to answer this question on the same grounds.

Mr. NITTLE. During the year 1946 did you not select LaVerne Slagle to reorganize the North End Club of the Communist Party in Franklin County, Ohio?

Mr. CHANCEY. I haven't the faintest recollection of any such thing.

Mr. NITTLE. As a matter of fact, I assert that in 1946 you were the Ohio State organizational secretary of the Communist Party. Will you affirm or deny that statement?

Mr. CHANCEY. I refuse to answer that question on the same grounds.

Mr. NITTLE. Did you also hold by virtue of that office various positions as member of the State Board of the Communist Party, member of the State Committee of the Communist Party, and labor organizer for the State of Ohio?

Mr. CHANCEY. I decline to reply on the grounds given.

Mr. NITTLE. Did you not hold the position of secretary of the Communist Party in Ohio until the latter part of 1949 or the early part of 1950?

Mr. CHANCEY. What is the purpose of going into all other stuff? I thought in this country people have a right to belong to any organization they please, that it is not the concern of Congress to investigate into their political activities. Do I ask whether you are a Democrat or a Republican? I belong to whatever organization I feel I want to belong as an American. That is my right under the Constitution. Why do you have to inquire into that?

Mr. SCHERER. I ask that you direct the witness to answer.

The CHAIRMAN. You are directed to answer.

Mr. CHANCEY. I refuse to answer on the grounds already given.

The CHAIRMAN. All right. Go ahead.

Mr. NITTLE. I put it to you as a fact that one Robert Gunkel in 1947, who was then the Hamilton County chairman of the Communist Party, called a special meeting to hear you discuss, and make a report of, a Communist meeting which you had attended in New York City. Will you affirm or deny that?

Mr. CHANCEY. I have no recollection of any such event.

Mr. NITTLE. On October 11, 1947, did you not address the State Convention of the Communist Party at the Ukrainian Labor Temple on Auburn Avenue in Cleveland?

Mr. CHANCEY. I have no recollection of it. I might say that you get witnesses here, your friendly witnesses, who have phenomenal memories, who can recite a hundred names of people and what they did in the last 20 years. I don't have any such memory. I am just a normal human being.

The CHAIRMAN. Didn't it strike you as significant that when the people named were called and asked about the recollection of this witness they invoked the fifth amendment?

Mr. CHANCEY. I think they were perfectly right in doing so because it is not the business—furthermore, I think, Your Honor—

The CHAIRMAN. We don't care what you think. If I would inquire into what you think, you would accuse me of violating your constitutional right.

Go ahead, Mr. Nittle.

Mr. CHANCEY. I don't care what you think. I think it is your private business what you think. Why should any congressional committee probe my mind. That is my affair.

The CHAIRMAN. We are not probing your mind at all. We are asking you about a course of conduct over the years which indicated to us that you were in a position to supply this committee with information which would be helpful in the drafting of legislation designed to make us more secure in this cold war that we are engaged in.

Mr. CHANCEY. I am very much concerned with the security of our country and any information which I can give which would help I would be glad to do so.



The CHAIRMAN. All right. Now you are going to be given the opportunity.

Proceed.

Mr. NITTLE. I show you a publication, marked for identification as Chancey Exhibit No. 1, which is a publication titled *Contact*, issued by the National Organization and Education Commissions of the Communist Party, U.S.A., and I ask if you authored the article on page 11 thereof, as shown by your byline, in the August 1947 issue of that publication.

Mr. CHANCEY. I have seen it.

Mr. NITTLE. Did you make that contribution to this leading Communist Party theoretical organ?

Mr. CHANCEY. I have to decline for the reasons given.

Mr. NITTLE. The question to which you addressed yourself in that article, as set forth on page 11 thereof, is as follows:

To what extent can the group system help solve the tough problem of how to overcome the gap between the active and inactive sections of our membership?

Then you go on to say:

With some 700 new members as a result of the present recruiting drive, we are faced with the problem of making guarantees that these comrades will be drawn into the life and activities of our clubs.

Were you referring to 700 members in the Cleveland area, or for the entire State of Ohio?

(Witness conferred with counsel.)

Mr. CHANCEY. As you well know, I did not say that I wrote the article and, therefore, I think it is a loaded question. I also think that much of the proceedings going on here about parties being held and people running for political office—

The CHAIRMAN. You haven't been asked about this at all. Mr. Nittle, proceed.

Just a minute. You answer the question you are asked. Don't comment on the questions that have been asked of other witnesses.

Go ahead.

Mr. CHANCEY. I shall answer. I did not admit to having written this article and, therefore, I think your question—whether I made such-and-such a statement—I think is irrelevant and I decline to answer it.

Mr. NITTLE. For the reasons previously stated?

Mr. CHANCEY. For the reasons previously stated.

(Document marked "Chancey Exhibit No. 1" follows:)

CHANCEY EXHIBIT No. 1

# contact

VOL. 1, NO. 8

AUGUST, 1947

TEN CENTS

ISSUED BY NATIONAL ORGANIZATION AND EDUCATION COMMISSIONS, C.P.U.S.A. 55 EAST 12TH STREET, NEW YORK 3, N. Y.

## GOOD THINGS . . . SMALL PACKAGES!

11

by *Martin Chaucey*  
Cleveland

To what extent can the group system help solve the tough problem of how to overcome the gap between the active and inactive sections of our membership?

I should like to discuss some of our experiences. We have found here in Ohio that the solution to the problem of activating our membership is to be found in the extent to which our clubs are alive to the urgent problems of the workers and in organizing activities around them. But the group system can be of tremendous assistance in increasing the mobility of our clubs and in drawing an ever larger number of

comrades into activity. It alters the present tendency on the part of our club leadership, when it comes to planning activity, to think only in terms of the faithful few who attend club meetings regularly. It provides an apparatus for the wider distribution of the work of the club, and for better control and check-up on the activities of all members.

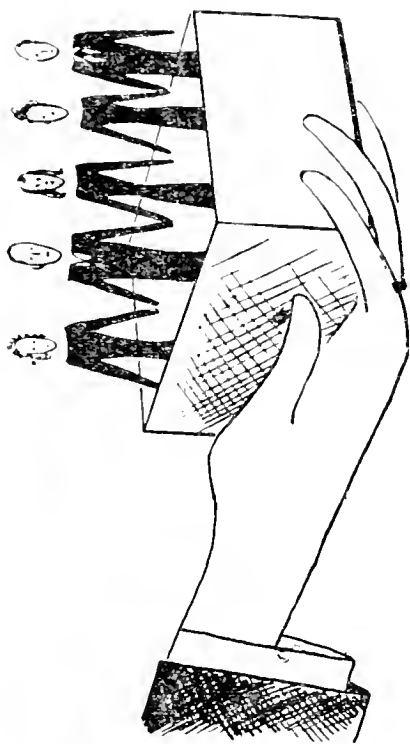
The great value of such a system for year-round contact with our membership was sharply brought to our attention during the annual registration period. Our loss of membership was lowest in clubs with functioning group systems.

With some 700 new members as a result of the present recruiting drive, we

are faced with the problem of making guarantees that these comrades will be drawn into the life and activities of our clubs. An important first step in this direction is to have each new member assigned to a group and to have the group captain visit him, discuss how the new member can best contribute to the work of the Party, and then to maintain this live personal link between the new member and the club.

### The Set-Up

On what basis shall the groups be set up? How large shall they be? Our experience is that the most effective divi-



ston is one based on territory or shop—where they live or work. The least effective have been the groups based on common function or activity. Our shop clubs generally find that the most workable setup is that based on the shop or plant division—such as building or department.

However, some other forms work out well. Thus, one of our Youngstown steel clubs has been best able to mobilize its membership by setting up a group of Italian and one of Slav comrades. In Akron, where the rubber workers live in all sections of the city, one rubber club formed groups based on where the comrades live, with many of the rubber workers participating in the activities of their community clubs.

Groups of between five and eight members seem to work out best.

As to activity, the most common shortcoming is that of too restrictive use of

the group. The tendency is to limit the function of the group captain to a collector of dues and mobilizer for club meetings. While these tasks are important, the group captain can play a much greater role. He should be regarded as the political representative of the club executive, with the responsibility of maintaining live political contact with his members. He should keep his group supplied with literature and endeavor to get every member to subscribe to our press.

### Praise Where Due

It is high time our entire party recognized the important role of the group captain. To effectively carry out his responsibilities he should be a member of the club executive. As such he could bring back to the executive the thinking and criticism of the members of his

group and assist the club leadership in planning the work and checking on the activity of all its members. It would also help to train and equip the group captain in carrying out his job and would generally broaden the club leadership.

There is sometimes seen the tendency to make the group substitute for the club. I could cite many examples where the group was called together, drew up an agenda and embarked upon a program of activities which had nothing in common with the work of the club.

It would be a violation of Party democracy to have a subdivision of the club made decisions at variance with those of the majority of its membership.

On the basis of our experience we are convinced that the group system can make an important contribution toward strengthening the fighting capacity of our clubs.

Mr. NITTLE. Certainly none but those highest in the Communist Party ranks in the country would have available to them the membership lists of the Communist Party in the State of Ohio. Would you comment upon that statement?

(Witness conferred with counsel.)

Mr. CHANCEY. I have no comment to make.

Mr. NITTLE. During the year 1948 were you not reelected to the State Committee of the Communist Party at its State Convention?

Mr. CHANCEY. I decline to answer for the reasons already stated.

Mr. NITTLE. Is it not a fact that at the same convention you were one of the principal speakers and reported to the delegates on "Party Organization" and "The Fight for the Communist Party"?

Mr. CHANCEY. I decline to answer for the reasons already given.

Mr. NITTLE. Didn't this report deal with the call to membership and leadership of the party for the important task of building the party as the "vanguard of the working class"?

Mr. CHANCEY. I didn't say I made that report and, therefore, I think your question is a loaded one and I don't see any reason to answer it.

Mr. NITTLE. Did not the convention report which you made direct every party member to pay "unswerving personal attention to the moulding and the processing of the party clubs in every shop and factory"?

Mr. CHANCEY. I think you are just making speeches. I don't think you are asking any question.

Mr. NITTLE. Did you or did you not make that report, and did I not quote your language?

Mr. CHANCEY. I already said I refuse to answer this question, so why do you ask me whether I said these things? I said I refuse to answer that I made that report, so why are you making speeches here like that?

Mr. NITTLE. Were you not also at that convention elected a delegate to represent the Ohio Communist Party at the succeeding National Convention of the Communist Party?

Mr. CHANCEY. Let me ask you, do you have anything of any crimes that I committed there that you are so serious about?

Mr. SCHERER. I ask you to direct the witness to answer the question.

The CHAIRMAN. You are directed to answer the question.

Mr. CHANCEY. I decline to answer it for the reasons given.

Mr. NITTLE. Mr. Chancey, I show you an unassigned Communist Party membership card for the year 1948, No. 103218, on which appears the signature of Gus Hall as state chairman and your own name, Martin Chancey, underneath. Is that your signature or a facsimile of it?

Mr. CHANCEY. I decline to answer on the reasons already given.

(Document marked "Chancey Exhibit No. 2" and retained in committee files.)

The CHAIRMAN. Chancey. Is that the name under which you were born?

Was your name changed when you were naturalized?

Mr. CHANCEY. I anglicized my name. I was not born under that name.

Mr. NITTLE. May I ask you at this point what was the extent of your formal education?

Mr. CHANCEY. I graduated elementary school, high school, and I went to NYU.

Mr. NITTLE. Where did you graduate from high school?

Mr. CHANCEY. New York City.

Mr. NITTLE. And following high school you went to New York University?

Mr. CHANCEY. I went to New York University and I went to the law school there and I received a —

Mr. NITTLE. Wait a moment. Did you go to college at New York University, or directly to law school?

Mr. CHANCEY. It is a college, a prelaw, and then I went to law school.

Mr. NITTLE. You went to college. Did you get a degree at college?

Mr. CHANCEY. I got a B.S. degree at college.

Mr. NITTLE. You had how many years in college?

Mr. CHANCEY. About six. I received a doctor of jurisprudence degree after graduating law school from NYU.

Mr. NITTLE. You got a B.S. degree in college. Then you went to law school?

Mr. CHANCEY. That is right.

Mr. NITTLE. How many years did you spend at law school?

Mr. CHANCEY. They had some sort of a package deal. I think it was 6 years altogether.

Mr. NITTLE. Six years at law school?

Mr. CHANCEY. No, prelaw and law.

I don't remember exactly how it divided up.

Mr. NITTLE. Did you get a doctor of jurisprudence degree?

Mr. CHANCEY. That is right.

Mr. NITTLE. Were you admitted to the practice of law anywhere?

Mr. CHANCEY. I was.

Mr. NITTLE. Are you now a member of the bar?

Mr. CHANCEY. No. I am not.

Mr. NITTLE. To what bar were you admitted to practice law?

Mr. CHANCEY. New York Bar.

Mr. NITTLE. How long did you practice law at the New York Bar?

Mr. CHANCEY. I didn't practice law.

Mr. NITTLE. What year were you admitted to the New York Bar?

(The witness conferred with counsel.)

Mr. CHANCEY. I don't quite know what purpose, legislative purpose, all this questioning will lead to, how it will help this country draft good laws.

The CHAIRMAN. Ask another question, Mr. Nittle.

Mr. NITTLE. Would it be correct to say, Mr. Chancey, that the major part of your activities within the Communist Party in the past has been directed to organizational activities and with respect to the colonization of industry by Communists?

Mr. CHANCEY. This is obviously a loaded question. I did not answer to being a member of the party or being active and now you are asking me what my activities consisted of.

Mr. NITTLE. You are given the opportunity to respond.

Mr. CHANCEY. I have already stated my reasons why I would refuse to respond.

Mr. NITTLE. Did you during April 1950 as state secretary of the Communist Party attend a Communist Party meeting at the headquarters of the Fur and Leather Workers Union, 1064 Flint Street in Cincinnati, Ohio?

Mr. CHANCEY. I haven't the faintest recollection.

Mr. NITTLE. You do not deny your attendance there?

Mr. CHANCEY. I refuse to answer this question on the grounds given.

Mr. NITTLE. On March 17, 1952, John Janowitz testified before the Ohio Un-American Activities Commission that you were the person in the party for issuing directives to all echelons of the Communist Party in the State of Ohio. I will give you an opportunity to affirm or deny that testimony.

(Witness conferred with counsel.)

Mr. CHANCEY. I decline to answer this question on the grounds given.

Mr. NITTLE. On April 21, 1952, John C. Mitchell testified before the Ohio Commission that all reports made by him as a member of the Communist Party were sent to Martin Chancey as state secretary of the Communist Party. Was that testimony correct?

Mr. CHANCEY. I will not answer this question on the same grounds.

Mr. NITTLE. On September 13, 1954, Arthur Strunk testified before this House Committee on Un-American Activities that during his last years in the Communist Party, and as late as the year 1952, he collected membership dues which were then sent on to you in Cleveland, Ohio, from Dayton.

Mr. CHANCEY. I think it will save a lot of time—

Mr. NITTLE. Did you receive dues collected by Arthur Strunk in Dayton?

Mr. CHANCEY. Your Honor, it will save a lot of time if I will just say that I refuse to answer statements made by paid informers, people who work for money and have to lie for that purpose, and I don't see any reason why you have to spend hours of time. These paid informers who are given—

The CHAIRMAN. They are not paid informers at all. They are statements of reputable witnesses under oath, and you have seen fit not to deny the sworn testimony of these witnesses.

Now, there are other questions that we would like to ask you about your activities.

Go ahead, Mr. Nittle.

Mr. CHANCEY. As you know, Mr. Walter, if these people would produce their FBI reports and be subject to cross-examination this would be statutory, but this is a very one-sided proceeding here that you subject the witness to.

The CHAIRMAN. Proceed.

Mr. NITTLE. How much are you being paid by the Communist Party at this time?

Mr. CHANCEY. Well, do you expect me to answer such a question?

Mr. NITTLE. Are you on a salaried basis with the Communist Party?

Mr. CHANCEY. I refuse to answer the question. As the committee knows, I am trying to run a little business, if I am given the chance to do so, to make a living for myself and my family.

The CHAIRMAN. Go ahead.

Mr. SCHERER. He hasn't answered that question.

Mr. CHANCEY. I decline to answer for the reasons already stated.

The CHAIRMAN. All right. Go ahead.

Mr. NITTLE. Testimony was given during the Dayton hearings of this committee that you came to Ohio to help plan the strategy for the Communist-instigated Univis Lens strike which was in progress from May to August of 1948. Will you affirm or deny that testimony?

Mr. CHANCEY. I decline to answer for the reasons given.

Mr. SCHERER. That Univis strike was the one, was it not, Counsel, where it got so bad they had to call out the National Guard?

Mr. NITTLE. Yes, sir.

The CHAIRMAN. When did you go to Ohio from New York?

Mr. CHANCEY. After I was discharged from the Army, my family and I moved to Ohio.

The CHAIRMAN. When?

Mr. CHANCEY. 1946.

Mr. SCHERER. You were in Dayton, weren't you, during the Univis strike?

Mr. CHANCEY. I am sorry, I have to decline to answer this question for the reasons given.

Mr. SCHERER. Where were you living? What was your residence address at the time of the strike?

Mr. CHANCEY. I have to decline to answer this question.

Mr. SCHERER. It wasn't Dayton, Ohio, was it?

Mr. CHANCEY. Sorry, sir, I decline to answer this question.

Mr. NITTLE. Mrs. Julia Brown testified that she knew you as a member of the Communist Party in the Cleveland, Ohio, area and that you were active on behalf of the Communist Party there. Do you affirm or deny her testimony?

Mr. CHANCEY. I decline to answer this for the reasons already stated.

The CHAIRMAN. Are there any further questions?

All right, the witness is excused.

Mr. CHANCEY. I hope I will be given a chance to rebuild my business here and not be directed here time after time with all the publicity that is accompanying this. It makes it very hard on a person trying to support his family.

The CHAIRMAN. Yes, I hope that you do rebuild your business. I am sure that the people in your community will take into consideration all of the help you have been in trying to protect the opportunity for private business such as you are engaged in.

Mr. CHANCEY. Thank you, sir.

The CHAIRMAN. The committee will stand recessed, to meet at 10 o'clock tomorrow morning.

(Whereupon, at 11:50 a.m., Wednesday, June 6, 1962, the hearing recessed, to reconvene at 10 a.m. Thursday, June 7, 1962.)





# COMMUNIST ACTIVITIES IN THE CLEVELAND, OHIO, AREA

## Part 2

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THURSDAY, JUNE 7, 1962

UNITED STATES HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE OF THE  
COMMITTEE ON UN-AMERICAN ACTIVITIES,  
*Washington, D.C.*  
PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m. in the Caucus Room, Old House Office Building, Hon. Clyde Doyle presiding.

Subcommittee members present: Representatives Francis E. Walter, of Pennsylvania; Clyde Doyle, of California; Gordon H. Scherer, of Ohio; August E. Johansen, of Michigan; and Donald C. Bruce, of Indiana.

Committee members also present: Henry C. Schadeberg, of Wisconsin. (Appearance as noted.)

Staff members present: Francis J. McNamara, director; Frank S. Tavenner, Jr., general counsel; Alfred M. Nittle, counsel; and Neil E. Wetterman, investigator.

Mr. DOYLE. The subcommittee of the House Committee on Un-American Activities, as a matter of cooperation with another House committee which wants to use this room because they will have a large attendance, will adjourn now to 1304 of the New House Building across the street.

That is the Public Works Committee Room. That is 1304 across the street. The witnesses had been subpoenaed to be in this room.

Elsie Tarcai. Is Miss Tarcai here? Did you hear my announcement?

Miss ELSIE TARCAI. Yes, I did.

Mr. DOYLE. Thank you. And Violet Tarcai?

Miss VIOLET TARCAI. Yes, I heard it.

Mr. DOYLE. Thank you.

Regina Sokol?

Mrs. SOKOL. I heard it.

Mr. DOYLE. Thank you.

And Milton Tenenbaum?

Mr. TENENBAUM. Yes, sir.

Mr. DOYLE. Thank you.

And Ruth Emmer?

Mrs. EMMER. Yes, sir.

Mr. DOYLE. Thank you.

Eugene Bayer?

Mr. FORER. He is scheduled for this afternoon. I will get the word to him.

Mr. DOYLE. Thank you. Mr. Forer is counsel.

Mr. NITTLE. I do not remember agreeing to have him scheduled this afternoon.

Mr. FORER. Remember I spoke to you and asked if it would be okay for him to be in the afternoon because he wanted to fly in, so he is on his way.

Mr. NITTLE. Mr. Joseph Forer, attorney for Eugene Bayer, is present and they will be in attendance in the afternoon.

Mr. DOYLE. Abraham Strauss?

Mr. STRAUSS. Yes, sir.

Mr. DOYLE. Sylvia Strauss?

Mrs. STRAUSS. Yes.

Mr. DOYLE. Thank you. Then will you witnesses please adjourn to Room 1304. That is across the street in the new building. The subcommittee will convene there.

(A brief recess was taken.)

(The subcommittee reconvened in Room 1304, New House Office Building, Hon. Francis E. Walter (chairman) presiding, with the following members present: Representatives Walter, Doyle, and Johansen.)

The CHAIRMAN. The committee will be in order.

Call your first witness.

Mr. NITTLE. Sylvia Strauss, please come forward.

The CHAIRMAN. Will you raise your right hand please? Stand up. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. STRAUSS. Yes.

#### TESTIMONY OF SYLVIA STRAUSS, ACCOMPANIED BY COUNSEL, NORMAN HELLER

Mr. NITTLE. Would you state your name for the record, please?

Mrs. STRAUSS. Sylvia Strauss.

Mr. NITTLE. Are you represented by counsel, Mrs. Strauss?

Mrs. STRAUSS. Yes, I am.

Mr. NITTLE. Would counsel please identify himself for the record?

Mr. HELLER. Norman Heller, member of the Bar of the District of Columbia, volunteer attorney for the American Civil Liberties Union.

The CHAIRMAN. Mr. Heller, did this witness request you to appear?

Mr. HELLER. She requested an attorney from the American Civil Liberties Union, not me specifically, no, sir.

The CHAIRMAN. All right.

Mr. NITTLE. What was the date and place of your birth, Mrs. Strauss?

Mrs. STRAUSS. July 10, 1910, Pittsburgh, Pennsylvania.

Mr. NITTLE. What is your present residence?

Mrs. STRAUSS. 2801 Avondale Road, Cleveland Heights, Ohio.

Mr. NITTLE. How long have you lived in Cleveland, Ohio?

Mrs. STRAUSS. 16 years.

Mr. NITTLE. I beg your pardon?

Mrs. STRAUSS. 16 years.

Mr. NITTLE. Mrs. Brown testified in this hearing that she knew you to be a member of the Communist Party while she herself resided in the Cleveland area. I would like to ask, Mrs. Strauss, whether you are at this moment a member of the Communist Party?

Mrs. STRAUSS. I decline to answer on the basis of the first and fifth amendments.

Mr. NITTLE. Do you wish to avail yourself of the opportunity being now offered you to affirm or deny the testimony of Mrs. Brown?

Mrs. STRAUSS. I decline to answer on the basis of the first and fifth amendments.

Mr. NITTLE. Mrs. Brown testified that shortly after her induction into the Communist Party in Cleveland during the Christmas holidays of 1947 she was assigned to a group or cell of the Communist Party for the purposes of instruction and indoctrination and that you were the teacher of that group. She further testified that she met frequently in your home, together with other persons who were receiving similar instructions from you.

Mrs. STRAUSS. I decline to answer on the basis of the first and fifth amendments.

The CHAIRMAN. Did you ever conduct any classes anywhere, any instructions on communism?

Mrs. STRAUSS. I decline to answer on the basis of the first and fifth amendments.

Mr. NITTLE. I understand further that you have been very active in support of Communist activities. Would you care to affirm or deny that statement?

Mrs. STRAUSS. I decline to answer on the same reasons.

Mr. NITTLE. Did you on June 11, 1960, attend a farewell party at the American-Russian Hall at No. 13700 Kinsman Road, Cleveland, Ohio, which was given "in honor" of Elizabeth Hall, wife of Gus Hall, who was leaving to join her husband in New York?

Mrs. STRAUSS. I decline to answer for the same reasons.

Mr. NITTLE. Did you know Gus Hall personally?

Mrs. STRAUSS. I decline to answer for the same reasons.

Mr. NITTLE. I put it to you as a fact that you have for many years past worked together in association with Gus Hall to advance the objectives and purposes of the Communist Party. Will you affirm or deny that statement?

Mrs. STRAUSS. I decline to answer for the same reasons.

Mr. NITTLE. Are you a member of an organization in the Cleveland area known as the Council on Human Relations?

Mrs. STRAUSS. I decline to answer for the same reasons.

Mr. NITTLE. As a matter of fact, you were named to the board of trustees of that Council, were you not, at or about the mid-fifties?

Mrs. STRAUSS. I decline to answer for the same reasons.

Mr. NITTLE. The Council on Human Relations was a successor to an organization known as the National Conference of Christians and Jews in your area, was it not?

Mrs. STRAUSS. I decline to answer for the same reasons.

Mr. NITTLE. The Council on Human Relations and the National Conference of Christians and Jews are not known as Communist organizations, nor do I imply that. Do you feel that it would in-

criminate you to admit your membership at that time in that non-Communist organization?

Mrs. STRAUSS. It is possible it may tend to incriminate me. I do not know.

Mr. NITTLE. Were you instructed by any person known to you to be a Communist to infiltrate the Council on Human Relations or the National Conference of Christians and Jews?

Mrs. STRAUSS. I decline to answer for the same reasons.

Mr. NITTLE. No further questions, Mr. Walter.

The CHAIRMAN. Any questions?

Mr. DOYLE. No questions.

The CHAIRMAN. The witness is excused.

Mr. NITTLE. Abraham Strauss, please come forward.

The CHAIRMAN. Mr. Strauss, will you raise your right hand? Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. STRAUSS. I do.

#### TESTIMONY OF ABRAHAM STRAUSS, ACCOMPANIED BY COUNSEL, NORMAN HELLER

Mr. NITTLE. For the purposes of the record, Mr. Strauss, would you state your full name?

Mr. STRAUSS. Abraham Strauss.

Mr. NITTLE. I note that you are represented by counsel.

Mr. STRAUSS. That is correct.

Mr. NITTLE. Will counsel please identify himself for the record?

Mr. HELLER. Norman Heller, member of the Bar of the District of Columbia, a volunteer for the American Civil Liberties Union.

The CHAIRMAN. Mr. Heller, may I ask you: Are you aware of the type of people that you are representing here?

Mr. HELLER. I understand what they have been accused of by other people and I also understand that they have certain rights which I have advised them of.

The CHAIRMAN. We understand that entirely, but this last witness quite obviously was connected with the international Communist movement. I am interested in knowing whether or not your organization has adopted a policy of representing people who are identified with this movement. We are not complaining about your appearance here. What I am interested in knowing is whether or not your organization has adopted a policy of identifying itself with people who have been identified under oath as members of the international conspiracy.

Mr. HELLER. My understanding is that the American Civil Liberties Union will represent anyone who claims that their civil liberties are threatened by the courts or any congressional committee, and that is my purpose in representing Mr. and Mrs. Strauss. They have made that claim, and I am here to advise them as to their rights under the Constitution.

The CHAIRMAN. All right.

Mr. NITTLE. Would you state the date and place of your birth, Mr. Strauss?

(Witness conferred with counsel.)

Mr. STRAUSS. I was born in Rumania 60 years ago, that is in November of 1902.

Mr. NITTLE. Can you state specifically whether your birth date was November 20, 1902?

Mr. STRAUSS. I can't make a recollection of the exact year, but it was 1902. I know that I will be 60 on November 20, 1962.

Mr. NITTLE. Are you a citizen of the United States?

Mr. STRAUSS. I am.

Mr. NITTLE. What is your present residence?

Mr. STRAUSS. 2801 Avondale Street, Cleveland Heights, Ohio.

Mr. NITTLE. How long have you lived in Cleveland?

Mr. STRAUSS. 16 years.

Mr. NITTLE. You are the husband of the prior witness, Sylvia Strauss?

Mr. STRAUSS. Yes, I am.

Mr. NITTLE. Prior to coming to Cleveland, Ohio, 16 years ago, where did you live?

Mr. STRAUSS. I decline to answer on the grounds of the first and fifth amendment of the Constitution.

The CHAIRMAN. You are directed to answer that question.

(Counsel conferred with witness.)

Mr. STRAUSS. I resided in Pittsburgh.

The CHAIRMAN. Where in Pittsburgh?

Mr. STRAUSS. Nicholson Street. Frankly, I cannot recollect the number, the address. It was Nicholson Street on Squirrel Hill.

Mr. NITTLE. I noted that you hesitated to tell us of your residence in Pittsburgh. Is the reason for your hesitancy the fact that you were during your residence in Pittsburgh a member of the Nationality Commission of the Communist Party of Western Pennsylvania?

Mr. STRAUSS. I decline to answer on the grounds of the first and fifth amendments.

Mr. NITTLE. Perhaps you could tell us something about the purposes of the Nationality Commission, which performs a particular function within the Communist Party organization?

Mr. STRAUSS. I decline to answer on the grounds of the first and fifth amendments.

Mr. NITTLE. If I were to state that the function of the Nationality Commission of the Communist Party hierarchy is to interest immigrants in the objectives of the Communist Party and to cause their disaffection from the country of their adoption, would you affirm or deny that?

Mr. STRAUSS. I decline to answer on the grounds of the first and fifth amendments.

Mr. NITTLE. Have you been active both in Pennsylvania and in the Cleveland area on behalf of the Communist Party toward endeavoring to attract immigrant persons and groups to the cause of the Communist Party?

Mr. STRAUSS. I decline to answer for the same reasons.

Mr. NITTLE. As a matter of fact, you were assigned by the Communist Party to leave the Pittsburgh area, after Steve Nelson's conviction in the courts of Pennsylvania for sedition, to take up Communist Party activities in Cleveland. Would you affirm or deny that assertion?

Mr. STRAUSS. I decline to answer for the same reasons.

Mr. NITTLE. Pursuant to your activities as an immigrant leader on behalf of the Communist Party, you have assumed the role of reporter for a newspaper directed toward immigrants known as the *Morning Freiheit*, have you not?

Mr. STRAUSS. I decline to answer on the same grounds.

Mr. NITTLE. You are presently a reporter for the *Morning Freiheit*?

Mr. STRAUSS. I decline to answer on the same grounds.

The CHAIRMAN. Are you employed?

(Counsel conferred with witness.)

Mr. STRAUSS. I decline to answer on the same grounds.

Mr. NITTLE. The committee is interested in obtaining information which will confirm or explain its findings or testimony previously received. In our *Guide to Subversive Organizations and Publications*, the Committee on Un-American Activities has listed the *Morning Freiheit* as a subversive publication, based in part upon a finding of the Subversive Activities Control Board, which is a quasi-judicial body set up under the Internal Security Act of 1950. The Subversive Activities Control Board found that the Communist International "subsidized \* \* \* the founding of the CPUSA's newspaper, *Freiheit*."

As one familiar with the operations of the *Morning Freiheit*, would you care to comment upon this finding of the Subversive Activities Control Board?

Mr. STRAUSS. I decline to answer on the same grounds.

Mr. NITTLE. The Communist International was organized in 1919 by the Soviet Union as the international organization of Communist parties in all countries so as to make possible Soviet leadership of the world Communist movement. Do you affirm or deny that the *Morning Freiheit* is an instrumentality of Moscow leadership?

Mr. STRAUSS. Are you through with your question?

Mr. NITTLE. Yes.

Mr. STRAUSS. I decline to answer on the same grounds.

Mr. NITTLE. According to affidavits filed by the business management of the *Morning Freiheit* under the act of Congress requiring a statement of average paid circulation, the officials of the *Morning Freiheit* as of September 26, 1961, indicated that the paid circulation of the *Morning Freiheit* totals 7,896.

Now, while that may be the national paid circulation of the newspaper, I would like to ask you whether you could enlighten the committee and the American people as to the extent of the circulation of the *Morning Freiheit* within Cleveland itself?

(Witness conferred with counsel.)

Mr. STRAUSS. I decline to answer on the same grounds.

Mr. NITTLE. While 7,896 is the total paid circulation, am I correct in saying that many more copies of this newspaper are disseminated free of charge?

Mr. STRAUSS. I decline to answer on the same grounds.

Mr. NITTLE. Have you yourself engaged in the free distribution of the *Morning Freiheit* within the Cleveland area on behalf of the Communist Party leadership of the State of Ohio?

Mr. STRAUSS. I decline to answer on the same grounds.

Mr. NITTLE. Mrs. Brown in the course of her testimony told the committee that offices were maintained by the Communist Party on

behalf of its activities, first, at 5103 Euclid Avenue in Cleveland and that subsequently the headquarters were moved to 2014 East 105th Street in Cleveland in the mid-fifties. We understand that the Communist Party maintained a bookshop at that address called the One World Bookshop, the objective of which was to disseminate Communist literature and propaganda with the view of influencing Communists and non-Communists.

Did you have anything to do with the management or operation of the One World Bookshop at the address, namely, 2014 East 105th Street, Cleveland, Ohio?

Mr. STRAUSS. I decline to answer on the same grounds.

Mr. NITTLE. I put it to you as a fact that you have operated out of that address as a propagandist amongst immigrant persons in the Cleveland area. Will you affirm or deny that assertion of fact?

Mr. STRAUSS. I decline to answer on the same grounds.

Mr. NITTLE. I have no further questions, Mr. Chairman.

Mr. JOHANSEN. One question, Mr. Chairman. Counsel, does your investigation disclose whether this newspaper, the *Morning Freiheit*, is circulated through the mails?

Mr. NITTLE. Yes, Mr. Johansen, we understand that the *Morning Freiheit* is circulated through the mails. The main publishing house is located in New York City.

Mr. JOHANSEN. And therefore they enjoy special rates to which second-class mail newspapers are entitled?

Mr. NITTLE. I would agree with that statement.

Mr. JOHANSEN. Mr. Strauss, would you care to advise us whether the newspaper enjoys second-class rates which are extended generally to newspapers, which amounts, in effect, to a subsidy by the taxpayers?

Mr. STRAUSS. I decline to answer for the same reasons.

Mr. JOHANSEN. That is all.

The CHAIRMAN. The witness is excused.

Mr. NITTLE. Ruth Emmer.

The CHAIRMAN. Stand up please and raise your right hand. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. EMMER. I do.

### TESTIMONY OF RUTH EMMER, ACCOMPANIED BY COUNSEL, JACK REDDEN

Mr. NITTLE. Would you please identify yourself for the record?

Mrs. EMMER. My name is Ruth Emmer.

Mr. NITTLE. I see you are represented by counsel. Will counsel please identify himself?

Mr. REDDEN. My name is Jack Redden. I am in the Warner Building, Washington. I am representing Mrs. Emmer at her request and at the request of the American Civil Liberties Union.

(At this point Mr. Schadeberg entered the hearing room.)

Mr. NITTLE. Would you state the place of your birth and the date of your birth?

Mrs. EMMER. Cleveland, Ohio, October 23, 1922.

Mr. NITTLE. Are you married or single?

(Witness conferred with counsel.)

Mrs. EMMER. I am married.

Mr. NITTLE. Is your husband named Jack Emmer?

(Witness conferred with counsel.)

Mrs. EMMER. Yes.

Mr. NITTLE. Are you also the sister of Eugene Bayer?

(Witness conferred with counsel.)

Mrs. EMMER. Yes.

Mr. NITTLE. Do you know Regina Sokol?

Mrs. EMMER. I refuse to answer on the grounds that the question violates my rights guaranteed by the first and fifth amendments.

Mr. NITTLE. Are you at this moment a member of the Communist Party?

Mrs. EMMER. I refuse to answer on the grounds of the first and fifth amendments.

Mr. NITTLE. Is Regina Sokol, to your certain knowledge, as of this moment a member of the Communist Party?

Mrs. EMMER. I refuse to answer for the same reasons.

Mr. NITTLE. In the early fifties you were very active on behalf of the candidacy of Hugh DeLacy for the office of State representative for the State of Ohio, were you not?

Mrs. EMMER. I refuse to answer for the same reasons.

Mr. NITTLE. And you were active on his behalf as a member of the Communist Party of the United States, were you not?

Mrs. EMMER. I refuse to answer on the grounds of the first and fifth amendments.

Mr. NITTLE. Did you not in that campaign circulate five petitions on his behalf?

Mrs. EMMER. I refuse to answer for the reasons already stated.

Mr. NITTLE. These petitions were notarized by a notary, Elsie Tarcai, is that correct?

Mrs. EMMER. I refuse to answer on the same grounds.

Mr. NITTLE. I thought you had nodded previously. You were merely nodding to indicate that you had heard my question?

Mrs. EMMER. That is correct.

Mr. NITTLE. Did you know Elsie Tarcai to be a member of the Communist Party at the time those documents were notarized?

Mrs. EMMER. I refuse to answer for the reasons already stated.

Mr. NITTLE. As a matter of fact, I put it to you that you know that as of this moment Elsie Tarcai is a member of the Communist Party.

Mrs. EMMER. I refuse to answer on the grounds of the first and fifth amendments.

Mr. NITTLE. Is there a civic organization in the Cleveland area known as the Mount Pleasant Community Council?

(Witness conferred with counsel.)

Mrs. EMMER. I refuse to answer for the reasons already stated.

Mr. NITTLE. I wish no inference to be taken that the Mount Pleasant Community Council is a Communist organization. So far as our knowledge is concerned, it is not that kind of organization. It is a civic organization. Are you presently a member of that organization?

Mrs. EMMER. I refuse to answer on the same grounds.

The CHAIRMAN. I direct you to answer that question.

(Witness conferred with counsel.)



Mr. REDDEN. What was the last question?

Mr. NITTLE. Would the reporter kindly read it to the witness?

(The reporter read the question.)

The CHAIRMAN. I directed the witness to answer the question as to whether or not she was a member of whatever the organization is.

Mr. NITTLE. Mount Pleasant Community Council, Mr. Chairman.

(Counsel conferred with the witness.)

Mrs. EMMER. I prefer not to answer for the reasons already stated.

The CHAIRMAN. Now, you say you prefer not to answer. Do you decline or refuse to answer?

(Witness conferred with counsel.)

Mrs. EMMER. I refuse to answer on the grounds of the fifth amendment.

The CHAIRMAN. I think it is my duty to warn you that you have been advised by counsel that this organization about which you are being interrogated is not a Communist organization. Nobody believes that it is. There has never been any charge that it is and to invoke the fifth amendment, might subject you to some difficulties with this committee. I think it is my duty to so warn you.

Go ahead, Mr. Nittle.

Mr. NITTLE. While you were a member of the Mount Pleasant Community Council did you also know as members of that organization the following named individuals: Regina Sokol, Pearl Levin, and Eugene Brudno?

Perhaps you better read that question back to her.

(The reporter read the question.)

Mrs. EMMER. I refuse to answer for the reasons already stated.

Mr. NITTLE. Mrs. Brown has testified that she knew Regina Sokol to be a member of the Communist Party. I assert as a fact that you, too, know that Regina Sokol was a member of the Communist Party as Mrs. Brown testified. Do you wish to affirm or deny that fact or explain it in some way?

Mrs. EMMER. I refuse to answer on the grounds of the first and fifth amendments.

Mr. NITTLE. Mrs. Brown testified that she knew Pearl Levin as a member of the Communist Party. I say that you, too, know Pearl Levin as a member of the Communist Party. Do you wish to affirm or deny that assertion?

Mrs. EMMER. I refuse to answer on the same grounds.

Mr. NITTLE. Mrs. Brown has also identified Eugene Brudno as a member of the Communist Party. I put it to you as a fact that you, too, know Eugene Brudno to have been a member of the Communist Party, as Mrs. Brown testified. Would you affirm or deny that statement?

Mrs. EMMER. I refuse to answer on the grounds of the first and fifth amendments.

Mr. NITTLE. Mrs. Brown also testified that members of the Communist Party in the Cleveland area had received instructions to infiltrate non-Communist organizations—churches, educational institutions, public offices, and other non-Communist groups. I ask, Did you receive instructions from the Communist Party to infiltrate the Mount Pleasant Community Council?

Mrs. EMMER. I refuse to answer for the reasons already stated.

Mr. NITTLE. Mrs. Emmer, if you did not receive those instructions how could that possibly incriminate you?

Mrs. EMMER. I refuse to answer on the same grounds.

Mr. NITTLE. Would you be able to tell us what the objective was of the Communist directive to infiltrate civic organizations?

Mrs. EMMER. I refuse to answer for reasons already stated.

Mr. NITTLE. In asking you that question, Mrs. Emmer, I assumed that you had knowledge of the purposes of the Communist Party. Was I correct in my assumption?

Mrs. EMMER. I refuse to answer for the same reasons.

Mr. NITTLE. How could it possibly incriminate you if you did not have knowledge of such purposes?

Mrs. EMMER. I refuse to answer on the same grounds.

Mr. NITTLE. The committee, Mrs. Emmer, has had a great deal of testimony on certain aspects of Communist policy and how that policy is carried out. We would, however, like you to enlighten us, if you will, as to the methods utilized by Communists to stimulate "class struggle" within or by the use of civic organizations. By "class struggle" I refer to agitation or the atomization and disintegration of a social group, the setting of people against each other, or the creation of excessive burdens and demands upon the government of the area, or of the United States? Would you tell us how this is done?

Mrs. EMMER. I refuse to answer for reasons already stated.

Mr. NITTLE. Was it not your purpose to do just that in your activities in the Mount Pleasant Community Council?

Mr. EMMER. I refuse to answer on the grounds of the first and fifth amendments.

Mr. NITTLE. I do not recollect if I asked you whether you are at this instant a member of the Communist Party. I believe I did.

Mrs. EMMER. I refuse to answer on the grounds of the first and fifth amendments.

Mr. NITTLE. Did you, while pursuing your Communist objectives, participate in a picket line demonstration on January 16, 1962, at the Federal Building in Cleveland on behalf of a Communist-front organization, the Cleveland Committee to Secure Justice for Morton Sobell?

Mrs. EMMER. I refuse to answer under my rights under the first and fifth amendments.

Mr. NITTLE. As a matter of fact, you drove Helen Sobell, the wife of Morton Sobell, to the site of that demonstration in the car of Milton Tenenbaum, did you not?

Mrs. EMMER. I refuse to answer on the same grounds.

Mr. NITTLE. Morton Sobell was a co-defendant with Ethel and Julius Rosenberg, the notorious atom spies who jeopardized the security of this Nation for many years to come.

The CHAIRMAN. Ask the next question.

Mr. NITTLE. Did you not as recently as January 16, 1962, participate, at the behest of the Communist Party of the Cleveland area, in setting up a picket line demonstration before the Federal Building at Cleveland, Ohio, on that date?

Mrs. EMMER. I refuse to answer on the grounds of the first and fifth amendments.

Mr. NITTLE. Do you know Milton Tenenbaum, whose car, I charge, you drove to the demonstration?

Mrs. EMMER. I refuse to answer on the same grounds.

Mr. NITTLE. Mrs. Brown has identified him as a member of the Communist Party during her activities in that party between 1951 and 1960. I state that you knew, and now know, Milton Tenenbaum as a member of the Communist Party in the Cleveland area. Will you affirm or deny that assertion of fact?

Mrs. EMMER. I refuse to answer for reasons already stated.

Mr. NITTLE. I have no further questions, Mr. Chairman.

The CHAIRMAN. All right. Any questions?

Mr. DOYLE. No questions.

The CHAIRMAN. Call your next witness.

Mr. NITTLE. Milton Tenenbaum, please come forward.

The CHAIRMAN. Will you stand up and raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. TENENBAUM. I do.

The CHAIRMAN. The committee will stand in recess for 5 minutes. (A brief recess was taken.)

The CHAIRMAN. Are you ready, Mr. Nittle?

Mr. NITTLE. Yes, Mr. Chairman.

#### TESTIMONY OF MILTON TENENBAUM, ACCOMPANIED BY COUNSEL, CLEMENT THEODORE COOPER

Mr. NITTLE. For the purpose of the record, would you please state your name?

Mr. TENENBAUM. Milton Tenenbaum.

Mr. NITTLE. You are represented by counsel?

Mr. TENENBAUM. I am.

Mr. NITTLE. Will counsel please identify himself for the record.

Mr. COOPER. My name is Clement Theodore Cooper. I am a member of the State Bar of Michigan and the District of Columbia. I am representing Mr. Tenenbaum through the American Civil Liberties Union as a volunteer attorney.

The CHAIRMAN. May I ask you whether or not you know that the purpose of your organization is the abolition of this committee, its stated purpose in its literature?

Mr. COOPER. I am not at liberty, Mr. Chairman, to give any information on that point, inasmuch as I am not a spokesman for the American Civil Liberties Union.

The CHAIRMAN. No, you are not a spokesman. I just wondered if you know that is the purpose of your organization and whether or not one of the things it is doing to bring this about is preventing witnesses from testifying.

Mr. COOPER. With all due respect to the chairman, I don't believe that that is a correct connotation or interpretation of the American Civil Liberties Union practice. Basically we are concerned with protecting the civil liberties of any persons where those liberties have been brought into question.

Mr. SCHERER. Chiefly Communists, though, is it not?

Mr. COOPER. I would respectfully object to that question because, basically, I am not here as a subpoenaed witness; number two, that it is repugnant to the very purpose why I am here. The American Civil Liberties Union does not support any particular movement. It is concerned with protecting the civil liberties of all persons. We do not inquire into the political or social beliefs of any person. We are concerned with his legal rights and his protection.

The CHAIRMAN. What about my civil liberties when I attempt to speak in New York and Los Angeles and have mobs there to try to prevent me? Does your organization ever raise its voice? I have the right to speak under the Constitution, just as well as your clients or other Communists. I never heard you raise your voice about that.

Mr. COOPER. That would be very true, Mr. Chairman. However, it is only in a case where you seek the help of the American Civil Liberties Union. In this case, Mr. Tenenbaum has sought the American Civil Liberties Union help and that is the reason why I am here and that is the reason why we are part of these proceedings.

The CHAIRMAN. All right.

Mr. SCHERER. The American Civil Liberties Union has appeared *amicus curiae* on behalf of Communist causes and individuals time and time again in courts in this country without any request when the Communists (under indictment) were represented by their own lawyers. You have voluntarily gone into court in support of Communist causes when you were not asked.

Mr. COOPER. It is not because of blanket association with communism, socialism, or any other type of ideology inasmuch as we are concerned with the protection afforded under the Constitution of the United States, these civil liberties.

Mr. DOYLE. In other words, it is to protect the alleged liberties of a man or woman that is known to be part of the international Communist conspiracy to destroy this form of government.

Mr. COOPER. I would not go so far as to say that.

Mr. DOYLE. The Supreme Court has said that is the purpose of the Communist Party of the United States—you know that—on June 5.

Mr. COOPER. I am quite aware of the Supreme Court ruling but we are departing from the very purpose of the American Civil Liberties Union, which was the original question asked by the chairman and by other members of the committee.

The CHAIRMAN. It just seemed significant to us that these people who are strangers to you—I am sure they never heard of you, and I am here all the time and I never heard of you or any of these other members of the bar that were here this morning—should single you out, know all about you, and have you come here at this hearing. Go ahead, Mr. Nittle.

Mr. NITTLE. When and where were you born?

(Witness conferred with counsel.)

Mr. TENENBAUM. New York City, January 15, 1915.

Mr. NITTLE. Where do you presently reside?

Mr. TENENBAUM. 3085 Lincoln Boulevard, Cleveland Heights, Ohio.

Mr. NITTLE. What is your occupation?

(Witness conferred with counsel.)

Mr. TENENBAUM. The first amendment guarantees my rights of association, and I respectfully decline to answer that question on those grounds.

Mr. SCHERER. Mr. Chairman, I ask you to direct the witness to answer that question. For the purpose of identification we are entitled to know the occupation of this witness.

The CHAIRMAN. You are directed to answer the question.

Mr. TENENBAUM. I refuse to answer that question on the grounds previously stated and, in addition, under the rights guaranteed me by the fifth amendment of the Constitution.

Mr. SCHERER. Do you feel, Witness, to answer the question as to your occupation might lead to a criminal prosecution?

Mr. TENENBAUM. I refuse to answer that question under the rights granted me by the fifth amendment.

Mr. SCHERER. Mr. Chairman, I am merely testing whether he is using the fifth amendment in good faith; and if he does feel that it might lead to a criminal prosecution, he must so state. He can't invoke the fifth amendment to that question. I ask you to direct the witness to answer the question.

The CHAIRMAN. You are directed to answer the question as to your occupation.

(Witness conferred with counsel.)

Mr. TENENBAUM. I refuse to answer that question on the grounds that it might be incriminating and I do this under the fifth amendment.

The CHAIRMAN. Go ahead, Mr. Nittle.

Mr. NITTLE. Are you a paid functionary of the Communist Party?

Mr. TENENBAUM. I refuse to answer that question under the rights granted to me by the fifth amendment.

Mr. NITTLE. Are you as of this moment a member of the Communist Party?

Mr. TENENBAUM. I refuse to answer that question for the reasons already stated.

Mr. NITTLE. How long have you lived in Cleveland?

Mr. TENENBAUM. Approximately 15 years.

Mr. NITTLE. Prior to that where did you live?

Mr. TENENBAUM. In New York City.

Mr. NITTLE. In 1945 did you sign a Communist Party nominating petition on behalf of Benjamin J. Davis for the office of councilman of the city of New York in the Borough of Manhattan?

(Witness conferred with counsel.)

Mr. TENENBAUM. I refuse to answer that question under the first amendment and fifth amendment.

(At this point Mr. Bruce returned to the hearing room.)

Mr. NITTLE. Do you know Benjamin J. Davis, the national secretary of the Communist Party?

Mr. TENENBAUM. I refuse to answer that question for the reasons just given.

Mr. NITTLE. At the time you executed that petition on behalf of Ben Davis were you then a member of the Communist Party?

(Witness conferred with counsel.)

Mr. TENENBAUM. I refuse to answer that question for the reason this might be self-incriminating.

Mr. NITTLE. Why did you change your residence from the city of New York to the city of Cleveland?

Mr. TENENBAUM. I don't quite know what the pertinency of the question is. However, I moved because I took on a job in the city of Cleveland.

The CHAIRMAN. What was your occupation in New York before you went to Cleveland?

(Witness conferred with counsel.)

Mr. TENENBAUM. I refuse to answer that question under the rights granted to me by the first and the fifth amendments.

Mr. NITTLE. Were you directed on behalf of any person known to you to be a Communist to leave the New York area and to take up your abode in the Cleveland area?

Mr. TENENBAUM. Mr. Chairman, I have a statement that I would like to read to this committee. It is a short statement.

The CHAIRMAN. You leave the statement. We will look at it and decide whether or not it is responsive to any of the queries that we have made.

Mr. TENENBAUM. I think it might obviate the necessity for many of these inquiries.

The CHAIRMAN. We will decide whether or not it is necessary. Go ahead, Mr. Nittle.

Mr. NITTLE. I might also suggest, Mr. Chairman, that our rules provide that that any statement be submitted at least 48 hours before the witness appears before the committee.

The CHAIRMAN. We are not going to follow that. You just leave your statement, and I will look at it. If it is in reply to the questions that you have just refused to answer, we will be very happy to make that a part of the hearing.

Mr. JOHANSEN. I believe there is an outstanding question, Mr. Counsel.

Mr. TENENBAUM. May I hear the question, please?

Mr. NITTLE. Would you repeat the question to the witness, Mr. Reporter?

(Question read by reporter.)

Mr. TENENBAUM. I refuse to answer that question on the ground of the fifth amendment.

Mr. NITTLE. Were you sent to Cleveland, Ohio, for the purpose, among others, to organize the Progressive Party in that area?

(Witness conferred with counsel.)

Mr. SCHERER. You mean, Counsel, sent by the Communist Party to Cleveland?

Mr. NITTLE. Yes, sir, I would, and the question is amended to include what you have said, Mr. Scherer.

Mr. TENENBAUM. I refuse to answer that question under the first and fifth amendments.

Mr. NITTLE. As a matter of fact, Mr. Tenenbaum, you have been a fund raiser for the Progressive Party in the Cleveland area, have you not?

(Witness conferred with counsel.)

Mr. TENENBAUM. I refuse to answer that under the rights granted to me by the first amendment and that it might tend to incriminate me.

Mr. NITTLE. Our investigation discloses that at a meeting in the Music Hall, Cleveland, Ohio, on April 30, 1949, it was announced that you were among the largest contributors to the Progressive Party. Was that announcement correct?

Mr. TENENBAUM. I wouldn't remember it, but if I did I would refuse to answer on the same grounds.

Mr. NITTLE. Do you deny that you were in attendance at that meeting?

Mr. TENENBAUM. I refuse to answer that on the grounds of both the first and fifth amendments.

Mr. NITTLE. Did you not circulate a petition on behalf of the candidacy of Hugh DeLaey, who was a candidate for that party, seeking the office of State assemblyman?

Mr. TENENBAUM. Might I ask counsel if this is pertinent to this investigation? Is the Progressive Party a legal party?

Mr. NITTLE. Yes, it is pertinent because we have found—

The CHAIRMAN. Never mind arguing.

Mr. NITTLE. Do you deny that the Progressive Party was Communist dominated and controlled?

Mr. TENENBAUM. I refuse to answer that under the grounds of the first and fifth amendments.

Mr. NITTLE. You were also in attendance at a concert sponsored by the Progressive Party at Music Hall on March 20, 1950, which featured Paul Robeson, were you not?

(Witness conferred with counsel.)

Mr. TENENBAUM. I refuse to answer that under the rights granted to me by the first and fifth amendments.

Mr. NITTLE. I note you did not state you did not remember being in attendance at that meeting.

Mr. TENENBAUM. Mr. Counsel, I have attended many, many concerts and many, many places and I would not be able to identify the dates or the times of any of them unless they happened within the last week, as I am certain you wouldn't either.

Mr. NITTLE. Certainly you would never forget hearing the voice of Paul Robeson.

Mr. TENENBAUM. That is very true. I have heard him many, many times.

Mr. NITTLE. Perhaps you will remember making a contribution openly at that concert of \$25 toward the Progressive Party. Did you make such a contribution?

(Witness conferred with counsel.)

Mr. TENENBAUM. I refuse to answer that question by the rights granted to me under the first and fifth amendments of the Constitution.

Mr. NITTLE. You were also in attendance at another fund-raising affair for the Progressive Party at Paradise Hall in Cleveland on May 6, 1952, which likewise featured Paul Robeson, and this concert was sponsored by the Cleveland branch of the National Negro Labor Council, of which Mrs. Brown has told us in detail.

Did you not attend that concert likewise?

Mr. TENENBAUM. I refuse to answer on the same grounds.

Mr. SCHERER. It seems to me the question should be put to the witness as to whether he attended these Progressive Party functions as a functionary of the Communist Party.

Is that not so, Witness?

Mr. TENENBAUM. I refuse to answer that question on the same grounds.

Mr. NITTLE. Do you of your own knowledge know how the funds were distributed that were received at that concert?

Mr. TENENBAUM. I refuse to answer that question on the same grounds.

Mr. NITTLE. Were you also engaged in other activities on behalf of the Communist Party in the Cleveland area?

Mr. TENENBAUM. I decline to answer on the same grounds.

Mr. NITTLE. Were you a member in Cleveland, Ohio, of the Cleveland Council of the Arts, Sciences, and Professions?

Mr. TENENBAUM. Are you finished?

Mr. NITTLE. Yes.

Mr. TENENBAUM. I refuse to answer that question on the same grounds.

Mr. NITTLE. Did you hold any position of leadership in the Cleveland Council of the Arts, Sciences, and Professions?

(Witness conferred with counsel.)

Mr. TENENBAUM. That question abridges my rights to freedom of association, and I respectfully decline to answer on those grounds and that of my rights under the fifth amendment.

Mr. NITTLE. I state as a fact that the Cleveland Council of the Arts, Sciences, and Professions was an affiliate of the National Council of the Arts, Sciences, and Professions.

Do you have knowledge of that fact?

Mr. TENENBAUM. I refuse to answer that question on the same grounds.

Mr. NITTLE. This committee has cited the National Council of the Arts, Sciences, and Professions as a Communist front. Do you disagree with that finding?

(Witness conferred with counsel.)

Mr. TENENBAUM. I refuse to answer that question on the same grounds.

Mr. NITTLE. You were also active on behalf of the Ohio Committee To Secure Justice in the Rosenberg Case, were you not?



Mr. TENENBAUM. I refuse to answer that question under the rights granted to me by the first and fifth amendments of the United States Constitution.

Mr. NITTLE. You were also active in the Cleveland area on behalf of another Communist-front organization known as the Cleveland Council of American-Soviet Friendship?

(Witness conferred with counsel.)

Mr. TENENBAUM. I refuse to answer that question under the first and fifth amendments.

Mr. NITTLE. One of the events sponsored by that organization was the showing of two Soviet Russian films on March 14, 1952, at No. 14101 Kinsman Road. Our information indicates that you were in attendance at that event. Will you affirm or deny that statement?

(Witness conferred with counsel.)

Mr. TENENBAUM. Mr. Counsel, I have gone to see many movies in my life. I don't remember seeing this particular one, but if I did I would still refuse to answer under the first and fifth amendments.

Mr. NITTLE. We are not censoring movies, but we are interested in knowing what are the activities of the Communists in the Cleveland area on behalf of advancing the interests of a foreign power. Now, will you help us in this investigation?

Mr. TENENBAUM. Mr. Counsel, I would help you if I could, but I have nothing to help you with so I refuse to answer any of these questions under the first and fifth amendments.

Mr. NITTLE. You could help us if you would testify truthfully about your activities on behalf of the Communist Party.

Mr. TENENBAUM. That is a loaded question. I refuse to answer that under the grounds of the first and fifth amendments.

Mr. NITTLE. If you did not engage in these activities and told us truthfully that you did not, that would be an end of the inquiry.

Mr. TENENBAUM. I asked earlier that I be permitted to read a statement which would explain precisely this.

Mr. NITTLE. Let me ask, is it not a fact that the Cleveland Council of the Arts, Sciences, and Professions, the Ohio Committee To Secure Justice in the Rosenberg Case, and the Cleveland Council of American-Soviet Friendship are paper names covering the activities of the same Communists in the Cleveland area?

(Witness conferred with counsel.)

Mr. TENENBAUM. I will refuse to answer that question under the rights granted me by the first and fifth amendments of the Constitution.

Mr. NITTLE. I state as a fact that you know the answer to that question. Will you affirm or deny that statement?

Mr. TENENBAUM. I will refuse to answer that question under the rights granted to me by the fifth amendment.

(At this point Mr. Bruce left the hearing room.)

Mr. NITTLE. As a matter of fact, did not a meeting of the steering committee of the Ohio Committee To Secure Justice in the Rosenberg Case take place at your home on December 17, 1952?

(Witness conferred with counsel.)

Mr. TENENBAUM. That question abridges my rights of freedom of association and speech, and I decline to answer on those grounds and also under the rights granted to me under the fifth amendment.

Mr. NITTLE. I put it to you that on April 15, 1961, you participated in a "Walk For Peace" sponsored by the Cleveland Committee for a Sane Nuclear Policy. Did you or did you not participate in the "Walk For Peace" on April 15, 1961?

(Witness conferred with counsel.)

Mr. SCHERER. And did you not do that in connection with your duties as a functionary of the Communist Party?

Mr. TENENBAUM. I object to that question on the grounds that I can't see no pertinency here; further, that it abridges my rights of association; further, that it abridges my rights under the fifth amendment.

Mr. NITTLE. Did you engage in that "Walk For Peace" with the express purpose of advancing Communist policy and in support of the aggressions of Soviet foreign policy?

(Witness conferred with counsel.)

(At this point Mr. Johansen left the hearing room.)

Mr. TENENBAUM. Mr. Counsel, this question and many of the others designed to hold me up to public ridicule. I think this is not a legal question. I think that I have the right of free association under the first amendment and under the fifth amendment and I respectfully decline to answer on those grounds.

Mr. NITTLE. On January 16, 1962, did you entrust your automobile to Ruth Emmer for the purpose of conveying Helen Sobell to the picketing demonstration at the Federal Building and then to return her to your home?

Mr. TENENBAUM. I refuse to answer that question under the rights—

Mr. NITTLE. Do you know Ruth Emmer to be a member of the Communist Party?

(Witness conferred with counsel.)

Mr. TENENBAUM. I object to the pertinency of the question and I refuse to answer it under the rights granted me under the first and fifth amendments of the Constitution.

Mr. NITTLE. Mrs. Brown testified that she attended closed Communist Party meetings at your home. Will you affirm or deny her testimony?

(Witness conferred with counsel.)

Mr. TENENBAUM. Mrs. Brown evidently testified to this committee that every social, civic, religious meeting she ever attended was a Communist Party meeting.

Mr. SCHERER. That wasn't the question.

The CHAIRMAN. You are mistaken about that. Go ahead, Mr. Nittle.

Mr. NITTLE. Will you please answer the question?

Mr. TENENBAUM. I refuse to answer that question under the rights granted to me under the first and fifth amendments.

Mr. SCHERER. The question is, Did you hold closed Communist Party meetings at your home, irrespective of whether Mrs. Brown testified so or not?

Mr. TENENBAUM. I refuse to answer that question under the rights granted to me under the first and fifth amendments.

Mr. NITTLE. And at these closed Communist Party meetings were the following persons at one time or another meeting with you: Yetta Land, Jerome Land, Frieda Katz, and Sam Handelman?

(Witness conferred with counsel.)

Mr. TENENBAUM. I refuse to answer that question under the rights granted to me by the first and fifth amendments of the Constitution.

Mr. NITTLE. No further questions, Mr. Chairman.

The CHAIRMAN. All right. The witness is excused.

Mr. TENENBAUM. May I leave this statement with the committee?

The CHAIRMAN. Yes, please.

Call the next witness.

Mr. NITTLE. Regina Sokol.

Mr. DAY. Mr. Chairman, will it be all right if Mrs. Sokol sits to my right? She has a hearing difficulty.

The CHAIRMAN. Certainly. Raise your right hand, Mrs. Sokol.

Will you stand up and raise your right hand?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SOKOL. I do.

**TESTIMONY OF REGINA SOKOL, ACCOMPANIED BY COUNSEL,  
JACK G. DAY**

Mr. NITTLE. Would you state your name, please.

Mrs. SOKOL. Regina Sokol.

Mr. NITTLE. When were you born and where?

Mrs. SOKOL. May 26, 1917, Cleveland, Ohio.

Mr. NITTLE. Where do you presently reside?

Mrs. SOKOL. 3457 Westbury Road, Shaker Heights, Ohio.

Mr. NITTLE. How long have you resided in Cleveland?

Mrs. SOKOL. All my life.

Mr. NITTLE. Did you have a residence elsewhere for any period of time?

(Witness conferred with counsel.)

Mrs. SOKOL. I decline to answer that question on the basis of the first and fifth amendments to the Constitution of the United States.

Mr. NITTLE. You just said you lived in Cleveland all your life. Now when I asked you whether you lived elsewhere you now invoke the fifth amendment. Do you?

The CHAIRMAN. Ask another question.

Mr. NITTLE. Mrs. Sokol, are you a member of the Communist Party?

Mrs. SOKOL. I decline to answer on the basis of the first and fifth amendment to the United States Constitution.

Mr. NITTLE. I put it to you as a fact that you are at this moment a member of the Communist Party. Will you deny, affirm or explain that assertion?

(Witness conferred with counsel.)

Mrs. SOKOL. I decline to answer on the basis of the first and fifth amendment to the United States Constitution.

Mr. NITTLE. Do you know Mrs. Julia Brown?

Mrs. SOKOL. I decline to answer that question on the basis of the first and fifth amendments to the Constitution of the United States.

The CHAIRMAN. All right. Mr. Nittle, it is obvious that this woman isn't going to testify.

Mr. NITTLE. Are you presently teaching school?

Mrs. SOKOL. I decline to answer that question on the basis of the first and fifth amendments to the Constitution of the United States.

Mr. NITTLE. You are a teacher at Westwood School in Cleveland, Ohio. Is that correct?

(Witness conferred with counsel.)

Mrs. SOKOL. I decline to answer that question on the basis of the first and fifth amendments to the Constitution of the United States.

The CHAIRMAN. I direct you to answer that question.

(Witness conferred with counsel.)

Mrs. SOKOL. I decline to answer that question on the basis of the first and fifth amendments to the United States Constitution.

The CHAIRMAN. Do you honestly feel that if you answer the question of whether or not you are teaching in a particular school you might be subjected to a criminal prosecution?

(Witness conferred with counsel.)

Mrs. SOKOL. I decline to answer that question on the basis of the fifth amendment.

The CHAIRMAN. All right.

Mr. NITTLE. Mrs. Sokol, I state as a fact that you were in your younger days the Ohio State administrative secretary of the Young Communist League and a member of the Communist Party.

Will you affirm or deny that fact?

Mrs. SOKOL. I decline to answer that question on the basis of the first and fifth amendments to the Constitution of the United States.

Mr. NITTLE. You have been known by various names, among others by the name of Rena Farrell. Have you not?

Mrs. SOKOL. I decline to answer that question under the first and fifth amendments to the Constitution.

(Mr. Johansen entered the hearing room.)

(Mr. Schadeberg left the hearing room.)

Mr. NITTLE. How long have you been a member of the Communist Party?

Mrs. SOKOL. I decline to answer that question on the basis of the first and fifth amendment to the United States Constitution.

Mr. NITTLE. No further questions.

It is quite obvious, Mr. Chairman, that this witness will not respond.

The CHAIRMAN. Yes. Did you identify her lawyer's name?

Mr. NITTLE. I don't think I did.

Mr. DAY. No, sir. I think you did not. My name is Jack G. Day. I am attorney in Cleveland, Ohio, with offices at 1748 Standard Building, Cleveland. Mr. Chairman, is the witness excused now?

The CHAIRMAN. Yes, the witness is excused.

Call the next witness.

Mr. NITTLE. Elsie Tarcai, would you please come forward.

The CHAIRMAN. Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss TARCAI. I do.

**TESTIMONY OF ELSIE R. TARCAI, ACCOMPANIED BY COUNSEL,  
JOSEPH FORER**

Mr. NITTLE. Will you state your name for the record, please.

Miss TARCAI. Elsie R. Tarcai.

Mr. NITTLE. I see you are represented by counsel. Will counsel identify himself for the record?

Mr. FORER. Joseph Forer, 711 14th Street NW., Washington, D.C.

Mr. NITTLE. Where were you born, Mrs. Tarcai?

Miss TARCAI. I am Miss Tarcai.

Mr. NITTLE. You are Miss Tarcai?

Miss TARCAI. Yes.

Mr. NITTLE. Where were you born and when?

Miss TARCAI. I was born in Budapest, Hungary, May 9, 1909.

Mr. NITTLE. Are you presently a citizen of the United States?

Miss TARCAI. Yes, I am.

Mr. NITTLE. What is your occupation?

Miss TARCAI. I am an attorney.

Mr. NITTLE. Are you as of this moment a member of the Communist Party of the United States?

Miss TARCAI. I do not think that question is pertinent. This committee does not have any right to inquire into my political beliefs under the first amendment, and I claim the privilege of the fifth amendment.

The CHAIRMAN. By that you mean that you decline to answer the question?

Miss TARCAI. Under the first and fifth amendments.

The CHAIRMAN. All right.

Miss TARCAI. Of the Constitution of the United States.

The CHAIRMAN. Go ahead.

(At this point Mr. Bruce entered the hearing room.)

Mr. NITTLE. Do you know Mrs. Julia Brown?

Miss TARCAI. To the best of my recollection, I do not.

Mr. NITTLE. I will ask Mrs. Brown to come forward, please.

Mrs. Julia Brown, would you come forward?

The CHAIRMAN. Just stand up. That is all right.

Do you know that lady?

Miss TARCAI. I do not say with certainty that I do.

The CHAIRMAN. All right.

Mr. NITTLE. You do not deny knowing her?

Miss TARCAI. I think I answered that question to the best of my ability.

Mr. NITTLE. Were you a member of the Communist Party in 1942?

Miss TARCAI. I think that is a loaded question. I have not admitted membership.

Mr. JOHANSEN. Mr. Chairman, I ask that the witness be directed to answer the question, whether it is loaded or not.

The CHAIRMAN. Yes. It is a very direct question.

Miss TARCAI. I refuse to answer under the first and fifth amendments.

The CHAIRMAN. All right. Mr. Nittle, it is obvious that this witness is not going to testify to anything. I suggest that you call another witness.

Mr. NITTLE. Violet Tarcai.

The CHAIRMAN. Will you raise your right hand?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss TARCAI. I do.

**TESTIMONY OF VIOLET J. TARCAI, ACCOMPANIED BY COUNSEL,  
JOSEPH FORER**

Mr. NITTLE. Would you state your name for the record, please?

Miss TARCAI. Violet J. Tarcai.

Mr. NITTLE. And you are represented by counsel?

Miss TARCAI. Yes, I am.

Mr. NITTLE. Would counsel identify himself for the record?

Mr. FORER. Joseph Forer.

Mr. NITTLE. Will you state the date and place of your birth, Miss Tarcai?

Miss TARCAI. I was born November 1, 1916, in Chicago, Ill.

Mr. NITTLE. Where do you presently reside?

Miss TARCAI. 2929 East Overlook Road, Cleveland Heights 18, Ohio.

Mr. NITTLE. What is your occupation?

Miss TARCAI. I am an attorney.

Mr. NITTLE. To what bars are you admitted to practice?

Miss TARCAI. I am admitted to practice with the Cleveland Bar Association; the Cuyahoga Bar Association. I am sorry.

Mr. NITTLE. Where do you maintain your offices?

Miss TARCAI. I operate through my home.

Mr. NITTLE. Are you a member of the National Lawyers Guild?

Miss TARCAI. Yes, I am a member of the National Lawyers Guild.

Mr. NITTLE. Do you know Mrs. Julia Brown?

Miss TARCAI. To the best of my recollection, I have never seen Mrs. Brown up until yesterday in the committee room. I believe that I did not ever meet her.

Mr. NITTLE. I will ask Mrs. Brown to stand.

Do you recognize the lady who has just stood, whom we identified as Mrs. Julia Brown?

Miss TARCAI. I do not know her.

The CHAIRMAN. Are you a member of the Communist Party?

Miss TARCAI. I refuse to answer that question.

I believe my political beliefs are my own business and this committee has no right to interrogate me on such matters.

The CHAIRMAN. For what reason do you decline to answer?

Miss TARCAI. I refuse to answer on the ground of the first amendment. My political beliefs are my own business and I refuse to answer on the grounds of the fifth amendment.

The CHAIRMAN. Have you ever been a Communist?

Miss TARCAI. I would refuse to answer that question on the same grounds.

The CHAIRMAN. This witness is excused.

The CHAIRMAN. Call another witness, Mr. Nittle.

Mr. NITTLE. Eugene Bayer.

Mr. FORER. He is the one for this afternoon.

Mr. NITTLE. What time will you have him here?

Mr. FORER. What time do you want him?

The CHAIRMAN. Is he the last witness?

Mr. NITTLE. He is the last witness.

The CHAIRMAN. Mr. Forer, you and I have an understanding about this. You have him at the committee room this afternoon. Is there only one more witness?

Mr. NITTLE. Yes.

The CHAIRMAN. I thought there were two more.

Mr. NITTLE. No, sir; he is the last one for public session.

The CHAIRMAN. You have your witness at the committee room when he gets in.

Mr. FORER. I am pretty sure he is in already. He was due in. What time did you want him there?

The CHAIRMAN. I would say 2 o'clock.

Mr. FORER. 2 o'clock?

The CHAIRMAN. Yes.

Mr. FORER. Fine. At the committee room.

The CHAIRMAN. Yes.

This public session is recessed.

(Whereupon, at 12:05 p.m., Thursday, June 7, 1962, the hearing was recessed to reconvene at 2 p.m. the same day.)

#### AFTERNOON SESSION—THURSDAY, JUNE 7, 1962

The subcommittee reconvened at 2 p.m., in Room 226, Old House Office Building, Hon. Clyde Doyle, of California, presiding.

Subcommittee members present: Representatives Doyle, Johansen, and Bruce.

Committee members also present: Representative Schadeberg.

Staff members present: Francis J. McNamara, director; Alfred M. Nittle, counsel; and Neil E. Wetterman, investigator.

Mr. DOYLE. Are you ready to be sworn?

Mr. BAYER. Yes, sir.

Mr. DOYLE. Will you raise your right hand, please.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BAYER. I do.

Mr. DOYLE. Let the record show a quorum of the subcommittee is present and, while this is theoretically in executive session, it was really called in this manner, as you probably know, Counsel, as an accommodation to both the committee and the witness and his counsel.

Mr. REIN. Mr. Forer told me that.

Mr. JOHANSEN. This is, in fact, an extension of the public hearings.

Mr. DOYLE. It is an extension of the public hearings because Mr. Bayer wasn't here yet, so we were glad to accommodate him and his counsel in this manner.

Proceed, Counsel.

**TESTIMONY OF EUGENE BAYER, ACCOMPANIED BY COUNSEL,  
DAVID REIN**

Mr. NITTLE. Would you state your full name for the record?

Mr. BAYER. Yes, sir. Eugene Bayer.

Mr. NITTLE. Are you represented by counsel?

Mr. BAYER. Yes, sir.

Mr. NITTLE. Will counsel kindly identify himself?

Mr. REIN. David Rein, R-e-i-n, 711 14th Street N.W., Washington, D.C.

Mr. NITTLE. Where and when were you born, Mr. Bayer?

Mr. BAYER. June 16, 1918, Cleveland, Ohio.

Mr. NITTLE. Have you resided in Cleveland, Ohio, since your birth there to the present time?

Mr. BAYER. Yes, sir.

Mr. NITTLE. What is the extent of your formal education?

Mr. BAYER. I am just now completing my formal education at college.

Mr. NITTLE. Will you state the schools you have attended in the course of your life to the present time?

Mr. BAYER. Well, I graduated from the public schools of Cleveland, Ohio.

Mr. NITTLE. What year?

Mr. BAYER. In 1934, graduated from high school. I attended Western Reserve University for a year in 1934 and I attended Ohio State University.

Mr. NITTLE. During what time?

Mr. BAYER. 1935.

Mr. NITTLE. When did you attend Ohio State University?

Mr. BAYER. 1935. Then I didn't go to college for a while and then I entered Cleveland College of Western Reserve University, probably in the late thirties, which was broken by my entering into the service, and I just resumed education about a year ago when I felt I wanted to get my degree and I now attend Western Reserve University, Cleveland, Ohio.

Mr. NITTLE. When did you enter the service?

Mr. BAYER. June of 1943.

Mr. NITTLE. And how long did you remain in the service?

Mr. BAYER. Approximately 30 months.

Mr. NITTLE. What is your present employment or occupation?

Mr. BAYER. I am a tobacco distributor, sell tobacco wholesale.

Mr. NITTLE. Are you the proprietor and sole owner of the Bayer Candy & Tobacco Co., 13912 Union Street, Cleveland?

Mr. BAYER. My wife and I.

Mr. NITTLE. Mr. Bayer, are you at the present time a member of the Communist Party?

Mr. BAYER. Sir, on the basis of the privilege granted to all citizens by the Constitution and its Bill of Rights, which guarantees against any intrusion into a man's beliefs and guarantees to each person the privilege of not being forced to testify against himself, I must decline to answer that question.

Mr. NITTLE. Mrs. Julia Brown, who was a witness before this committee, testified that she knew you as a member of the Communist



Party during the time she was active in that organization between the 1950's and 1960, and until the time she left the party.

Do you care to affirm or deny her testimony or to offer any explanation?

Mr. BAYER. No, sir; for the reasons I stated I must refuse to answer.

Mr. JOHANSEN. Mr. Chairman, just to clarify the record, the witness says he must refuse to. You are not under any compulsion to do it. Do I understand you mean that you do elect to decline to answer?

Mr. BAYER. Well, sir, you must understand I have given this much thought. When I say "I must," it is a form of the word "elect." I do this with what I consider my necessary interpretation of the Constitution and the Bill of Rights. I elect.

Mr. JOHANSEN. You are deciding to do it, not under compulsion?

Mr. BAYER. No outside compulsion. This is my own decision.

Mr. DOYLE. That is the way I interpreted your answer.

Mr. BAYER. That is what I am telling myself I must do; not an outside force, no, sir.

Mr. NITTLE. Were you a member of the Communist Party during the year 1936?

Mr. BAYER. I decline to answer that question based on the privilege I enjoy given in the fifth amendment to the United States Constitution of not being forced to testify against myself.

Mr. NITTLE. Do you know David Katz, who has been identified by Mrs. Brown as a member of the Communist Party and a very active functionary during the period she was within that organization?

Mr. BAYER. I decline to answer for the same reason.

Mr. NITTLE. Have you met in any closed Communist Party meetings with David Katz at any time during your residence in Cleveland?

Mr. BAYER. I decline for the reason stated to answer the question.

Mr. NITTLE. Do you know Don Rothenberg to be a member of the Communist Party?

Mr. BAYER. I decline to answer that question on the ground I previously stated.

Mr. NITTLE. Do you know Martin Chancey as a member of the Communist Party?

Mr. BAYER. I decline to answer for the reasons previously stated.

Mr. NITTLE. I assert as a fact that you have been active with Martin Chancey and associated with him in Communist Party activities in the Cleveland, Ohio, area. Do you affirm or deny that assertion?

Mr. BAYER. I decline to answer based on my rights under the fifth amendment.

Mr. DOYLE. Do I understand, Counsel, that you asked the witness about 1936, something about the year 1936?

Mr. NITTLE. Yes, sir. I inquired whether the witness was a member of the Communist Party during the year 1936 at a time when he would appear to be 18 years old.

Mr. DOYLE. I thought I heard those years and if you were in the Communist Party when you were 18 years old, it is terrible, a young American like you to get in at that age. I am not going to lecture you. Have you any other business?

Mr. NITTLE. Counsel has no further questions, Mr. Chairman.

Mr. DOYLE. Committee members?

Mr. BRUCE. Yes, I would like to ask a question.

Mr. BAYER, is your business being utilized as a front for the Communist Party?

Mr. BAYER. No, sir.

Mr. BRUCE. Does the Communist Party have any direction over the affairs or operation of your business?

Mr. BAYER. No, sir.

Mr. BRUCE. There is no connection between your business enterprise and the Communist Party?

Mr. BAYER. No, sir.

Mr. DOYLE. Mr. Schadeberg, do you have any questions?

Mr. SCHADEBERG. No questions.

Mr. DOYLE. Mr. Johansen?

Mr. JOHANSEN. No questions.

Mr. NITTLE. May I ask two more questions as a result of the inquiry of the committee member?

Mr. DOYLE. Yes.

Mr. BAYER. May I be excused for a moment?

Mr. DOYLE. Yes.

(Witness conferred with counsel.)

Mr. JOHANSEN. Is there a pending question?

Mr. BRUCE. The counsel has a question.

Mr. NITTLE. I withdraw my request.

Mr. JOHANSEN. To refresh my memory, are you presently a member of the Communist Party?

Mr. BAYER. I decline to answer that, sir, because of the constitutional provision which makes such an inquiry an intrusion and the constitutional protection which does not require me to give testimony on that.

Mr. JOHANSEN. I have no further questions.

Mr. DOYLE. Any other questions, Counsel?

Mr. NITTLE. No, sir.

Mr. DOYLE. You are excused, Witness, and Mr. Rein.

Mr. BAYER. Thank you.

Mr. NITTLE. Mr. Wetterman will be the next witness.

Mr. DOYLE. Do you solemnly swear you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WETTERMAN. I do.

#### TESTIMONY OF NEIL E. WETTERMAN

Mr. NITTLE. Would you state your name for the record, please?

Mr. WETTERMAN. Neil E. Wetterman.

Mr. NITTLE. And what is your occupation?

Mr. WETTERMAN. I am an investigator with the Committee on Un-American Activities.

Mr. NITTLE. And you have been employed in that capacity for what period of time?

Mr. WETTERMAN. Since December 5, 1960.

Mr. NITTLE. You were in the Caucus Room on Monday, June 4, 1962, at which time a person named William Henry Cooper was called to testify?

Mr. WETTERMAN. That is correct.

Mr. NITTLE. Did you have occasion to identify him prior to his appearance in the Caucus Room on that day?

Mr. WETTERMAN. Yes. We had testimony from Mrs. Julia Brown, and also statements to me personally from Mr. Cooper during a trip to Cleveland, the week of April 2, 1962.

Mr. NITTLE. Prior to April 2, 1962, did you know William Henry Cooper?

Mr. WETTERMAN. No, I did not.

Mr. NITTLE. Will you tell us when you first met him and what were the circumstances?

Mr. WETTERMAN. It was during the week of April 2, 1962. I was in Cleveland, Ohio, on routine business for the committee and had decided to call on the William Cooper family, basing the call on information that Mr. Cooper might possibly be a cooperative witness for the committee. That afternoon I spoke with Mrs. Cooper and questioned her with regard to Communist activities in the Cleveland area.

Mr. NITTLE. Was her husband at home?

Mr. WETTERMAN. No, he was not at home. He was at work during the day. Mrs. Cooper stated that she had been a member of the Progressive Party. On further questioning with regard to Communist Party activities, she appeared rather hazy and sort of reluctant to make any comments. I returned later that evening when Mr. Cooper was home and asked him similar questions of his party activities, which he initially denied. On the presentation of various evidence and following with questions on pertinent points of activity he had been engaged in, he finally admitted that he had been a member of the Communist Party from 1944 until the mid-1950's.

Mr. NITTLE. When you say he "finally admitted" Communist Party membership, will you state for the record what the conversation was as accurately as you can state it?

Mr. WETTERMAN. Well, I had a number of confidential reports of Mr. Cooper's activities, and I informed him the committee had received testimony that he had been a member of the Communist Party. Upon presenting him with that information he finally admitted that he became a member in 1944, had a party membership card in the late forties, and that he had gotten out of the party around 1955 or 1956 at the time of the Smith Act trials in Cleveland. I also asked Mr. Cooper at that time if he had knowledge of Joe Hill and Albert Young and if he had been active in Young's political campaign. He stated that he had never heard of them before.

Upon his admission of party membership, he did state that Frieda Katz had come to his home in the middle fifties when he was attempting to get out of the party and had told him that he should remain in the party because it was an organization fighting for the civil rights

of Negroes and it was important he remain a member. He stated to me that he began to realize he was being used by the Communist Party and that it was not for the civil rights of the Negro people and, hence, his gradual disassociation. I told Mr. Cooper that it might be necessary for him to come to Washington and so testify and he finally agreed to do so, though rather reluctantly.

My next contact with Mr. Cooper was on May 7, 1962, when I called at the Cooper residence, again in the afternoon, and Mr. Cooper was not there. I talked to some extent with Mrs. Cooper in a general way, and it so happened that her daughter, Winnie Cruise, was there. I asked Mrs. Cooper if I could talk with Winnie Cruise and would she leave us alone. I asked Winnie Cruise how long it had been since she left the Communist Party. She said that she had left the party in the latter forties or early fifties; she didn't recall.

Mr. JOHANSEN. That is she herself, the daughter?

Mr. WETTERMAN. She, Winnie Cruise, the daughter. I asked her if it was not a fact that she attended a Communist Party school in New York City and she said yes, she had, but it had been so long ago she didn't have too much recollection. She said that she had been quite ill of health and, as a result, was never a functionary of the party. Those are her exact words. She stated that the party only wanted people who were healthy and could work day and night for the cause and, therefore, she was not accepted as a functionary of the party and gradually withdrew from it.

I returned that evening, and Mr. Cooper was there. I told him that we would like to have him in Washington to testify and all that was necessary for him to do was to tell the complete truth the way he had told it to me. He agreed to do so and then he volunteered the information to me that he had campaigned for Joe Hill and Albert Young. I said to him, "Well, Mr. Cooper, the last time I was at your home you denied that you even knew them," and he said, "Oh, yes, I campaigned for them," and he also told me that he knew them to be members of the Communist Party. He stated he knew Dave Katz, Frieda Katz, the Krchmareks, and other lesser leaders of the Communist Party and that he would cooperate with our committee in giving such information. I told Mr. Cooper I would arrange for his transportation and would meet him at the airport on Sunday, June 3. Arrangements were made. I was at the airport on June 3. He did not arrive on the flight as scheduled.

Checking with the airlines I discovered he had canceled his reservation and arrived on a 9:30 flight the day prior. I did not see Mr. Cooper until he entered the hearing room on Monday, June 4.

Mr. NITTLE. Did you make an effort to determine his presence or the reason why he had not appeared?

Mr. WETTERMAN. Yes. I called a number of hotels, taking a chance of locating him. I was unable to do so, so I phoned him on a person-to-person basis in Cleveland. I got the answer that he was in Washington, D.C.

Mr. NITTLE. To whom did you speak?

Mr. WETTERMAN. The operator was speaking with Mrs. Cooper, and this is a conversation I heard. She said he was in Washington, D.C., and since we were not able to get a definite address from her I asked

to speak with Mrs. Cooper. I said to Mrs. Cooper, "What has happened? I did not meet Mr. Cooper at the plane."

She said, "Oh, he was very anxious not to be late and he decided to come up one day earlier and he was going to get in touch with you the minute he got in Washington." Of course, I never did hear from Mr. Cooper at any time on Saturday or any time Sunday.

Mr. NITTLE. When was the first time you saw or heard from him?

Mr. WETTERMAN. You mean after my meeting with him on May 7?

Mr. NITTLE. Yes.

Mr. WETTERMAN. Well, the first time following that date, I saw him when he entered the hearing room on Monday morning, June 4, in company with his attorney.

Mr. JOHANSEN. In other words, the third time you saw him thereafter was when he entered the hearing room in the company of counsel?

Mr. WETTERMAN. That is correct.

Mr. NITTLE. To the committee?

Mr. WETTERMAN. That is correct. I would just like to add this on the record. I came to know the Cooper family pretty well and, based on the conversations with Mr. Cooper and his attitude with regard to the subject at hand, I had every confidence in the world that Mr. Cooper was going to be a cooperative witness, and certainly nothing could have changed that other than fear or intimidation. I still feel that Mr. Cooper is going to reconsider and that he will come before this committee at some later date and be willing to cooperate. I have that confidence in him.

Mr. SCHADEBERG. Is it your opinion that Mr. Cooper was contacted by some one up in Cleveland, or after he got to Washington?

Mr. WETTERMAN. It is my definite opinion that Mr. Cooper was contacted by some member of the Communist Party following the appearance of his name in the *Cleveland Press*. We know for a fact that another party whose name appeared in the newspaper article was contacted by Dave and Frieda Katz and urged to appear with counsel.

Mr. JOHANSEN. And would you feel that his arrival in Washington ahead of the time that he had scheduled with you was the result of that contact?

Mr. WETTERMAN. I would certainly think so because Mr. Cooper would never have arranged that day-early arrival on his own. I am quite sure of that.

Mr. SCHADEBERG. You feel that there was some matter of threat?

Mr. WETTERMAN. I think there was either fear or intimidation.

Mr. NITTLE. Did you have any discussions with Mr. Cooper relating to his financial ability to appear here as a witness when you talked to him?

Mr. WETTERMAN. Yes, I did. I asked him if he had sufficient money until such time as he would be reimbursed. He said no, that he had very little money, and I asked him if he could raise about \$20, which would cover him for his hotel one night and meals, and I would see that he had his transportation in advance. Of course, when he came a night earlier that meant a couple of nights here, and I don't know how he financed it unless he was given money from another source.

Mr. DOYLE. Mr. Speiser stated, did he not, that he was there for the American Civil Liberties Union?

Mr. WETTERMAN. Yes.

Mr. DOYLE. And did not Mr. Scherer ask if he had any offices other than the office he related, the American Civil Liberties Union, and didn't Speiser answer no?

Mr. NITTLE. That is in the record, Mr. Doyle.

Mr. DOYLE. Is it not a fact that these other witnesses from Cleveland, with certain exceptions all had attorneys from the American Civil Liberties Union.

Mr. WETTERMAN. That is correct.

Mr. DOYLE. So that they made the arrangement either at Cleveland or in some way so that the Civil Liberties Union office in Washington provided volunteer attorneys for all these other Cleveland witnesses excepting, I think, those represented by Mr. Forer, the attorney for the Communist Party. Is that not true?

Mr. McNAMARA. Mr. Forer was counsel for a good many of them. I have forgotten the exact count now.

Mr. DOYLE. Have you any other questions, Counsel, or committee members?

Mr. JOHANSEN. Mr. Wetterman, am I correct in the impression that the problem which was encountered with respect to Mr. Cooper gives validity to the feeling that the work of this committee is impeded when, as was evidently the situation in this case, there is a leak and disclosure of the identity of witnesses who have been or are to be subpoenaed before the committee?

Mr. WETTERMAN. That is most definitely a true statement. Without a doubt the leaking of the names to the press by someone outside the committee prevented us from having a witness to corroborate the testimony of Mrs. Julia Brown. The loss of this witness, I would say, did irrevocable damage to this particular investigation.

Mr. JOHANSEN. And yet these disclosures have been twisted and distorted by witnesses before the committee and cast in the light of being an effort on the part of this committee to injure and violate the rights of the subpoenaed witnesses? Isn't it true that the exact opposite is true, that the work of the committee itself is hampered and that it would be self-defeating for this sort of thing to be engineered or planned by the committee?

Mr. DOYLE. It also was apparently a deliberate interference with the procedure of the committee.

Mr. WETTERMAN. Such a leak would benefit the Communist Party, because they can contact these witnesses in advance and use the fact of the names being released as a propaganda move against the committee.

Mr. SCHADEBERG. Is there some prospect that if any of the Communist group had received a subpoena he would report back naturally and contact all of their membership or the contacts they have and ask them?

Mr. WETTERMAN. I would think that all of the members of the party who did not intend to come up and cooperate with the committee would, in one way or another, get in touch with one another following the release of names, but with respect to any cooperative witness, it would be the last move that person would make.

Mr. SCHLADEBERG. The party may not know who is going to be cooperative or not.

Mr. BRUCE. They find out about it.

Mr. WETTERMAN. They find out in a hurry.

Mr. JOHANSEN. Did not Mr. Frank Wilkinson, in an interview that was recorded and included in the House document on the film "Operation Abolition," make a statement that one of his assigned duties was to contact persons who were being subpoenaed by the committee?

Mr. WETTERMAN. That is correct, and Frank Wilkinson was also in Cleveland, Ohio, on May 18 for that very purpose and held a meeting with individuals who were subpoenaed.

Mr. JOHANSEN. And also I might say, according to the information that came to me, he appeared for an interview on a television station in Cleveland because the newsman for that station called me and asked me to comment on Mr. Wilkinson's statement.

Mr. BRUCE. I was also called for a comment.

Mr. JOHANSEN. Which I might say I declined to do.

(At this point Mr. Bruce left the hearing room.)

Mr. DOYLE. I think the evidence here today clearly shows the pertinence and propriety of Mr. Walter, as chairman of our committee, having promptly sent to the Attorney General of the United States a letter asking their immediate and full investigation and prosecution, if the person or persons who made the leak were ascertained, on the grounds that it clearly is an interference and tampering with the witness under subpoena from this committee and a definite hindrance to our committee functioning, as stated by the witness today. Any other questions?

Mr. NITTLE. No, sir.

Mr. DOYLE. If not, the committee will stand in adjournment.

(Whereupon, at 3:20 p.m., Thursday, June 7, 1962, the committee was recessed subject to call of the Chair.)





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<sup>1</sup> Used interchangeably with Ohio Bill of Rights Conference in some instances.

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