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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE
DAYTON, OHIO, AREA—Part 1

*U. S. Congress - House Committee on
Un-American Activities.*

HEARING
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES

EIGHTY-THIRD CONGRESS


SECOND SESSION

SEPTEMBER 13, 1954

Printed for the use of the 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], chapter 753, 2d session, 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.

RULES ADOPTED BY THE 83D CONGRESS

House Resolution 5, January 3, 1953

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees :

* * * * *

(q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time, investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) 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 (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE DAYTON, OHIO, AREA—Part 1

MONDAY, SEPTEMBER 13, 1954

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Dayton, Ohio.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to notice, at 9:05 a. m., in City Commission Room, Municipal Building, Dayton, Ohio, Hon. Gordon H. Scherer (chairman) presiding.

Committee members present: Representatives Gordon H. Scherer (chairman), Kit Clardy, and Francis E. Walter.

Staff members present: Frank S. Tavenner, Jr., counsel; Courtney E. Owens, chief investigator; W. Jackson Jones, investigator; and Thomas W. Beale, Sr., chief clerk.

Mr. SCHERER. The committee will be in session. Let the record show that the Honorable Harold H. Velde, chairman of the House Committee on Un-American Activities, has appointed a subcommittee for the purpose of conducting these hearings at Dayton, Ohio, consisting of the Honorable Kit Clardy, of Michigan, the Honorable Francis E. Walter, of Pennsylvania, and Gordon Scherer as chairman.

Present is one of counsel for the committee, appearing as counsel for this subcommittee, Mr. Frank S. Tavenner, Jr. Mr. W. Jackson Jones is an investigator on the staff of the committee.

As guest observers are Mr. Sidney Isaacs, the assistant attorney general, former counsel and director of the Ohio Commission on Un-American Activities; two of his staff, Mr. James F. Worster and Mr. John W. Preble.

At the outset, the committee wants to thank Mr. Isaacs and his staff for the cooperation it has given the staff of this committee in the preparation of these hearings.

Before proceeding with the hearing of testimony, it seems proper and might be helpful if we restated the purpose and duties of the House Committee on Un-American Activities, and make a few pertinent observations. The committee is charged by law with investigating the extent, character, and object of un-American activities in the United States. It is charged with investigating the diffusion in the United States of subversive and un-American propaganda that is instigated from foreign countries or is of a domestic origin, and

attacks the principles and form of government as guaranteed by our Constitution.

The reason such duties are placed upon the committee is to aid the Congress in determining whether or not remedial legislation is necessary with respect to these activities, and to help enlighten the American people with reference thereto.

Since the evidence is now conclusive that we are engaged in a cold war with Russia and Communist China, and that they stand as a clear and present danger to the safety and security of this Nation and the free world, the committee has been primarily devoting its time and energy to investigating and revealing the Communist conspiracy in this country.

There should be no doubt that the primary issue confronting the American people is the security of the Nation.

Congress in the last 3 years has authorized the staggering and almost unbelievable sum of \$160 billion for those programs which we hope will guarantee that security. We are daily drafting boys for service in 37 countries of the world. Almost every newspaper headline deals with some form of the Communist menace. Practically all of our efforts have been directed toward preventing further expansion of Communist domination. At times we have shrunk in terror of the Russian bear without; we have on too many occasions coddled and nursed its offspring within. One Communist agent within our borders is more dangerous to our security than 10,000 enemy troops poised on the other side of the Iron Curtain.

Sometimes we forget that the Kremlin has succeeded in taking 600 million people behind the Iron Curtain by a new method of warfare, that of boring from within.

This committee for many years has been revealing to the American people the nature of the Communist conspiracy, and how it cleverly and subtly operates. As a result, Mr. Average American now knows that the Communist conspiracy provides for the infiltration of every phase and field of American life. The Communist objectives are to create strife between labor and management, and within the labor group itself to cause people to be suspicious and distrustful of the Government and law-enforcement agencies thereof; to make them dissatisfied with the American way of life, particularly its economic system; to create doubts concerning their religious teachings; to set class against class, minorities against majorities, and even minorities against minorities when it suits their purpose.

Mr. Average American has learned that the Communist program is a process of attempting to soften and weaken the American people and its institutions so that when the time comes to move in the task will be so much easier to accomplish. This is not theory.

As I have said, the Soviet Union has taken behind the Iron Curtain 600 million people since 1933 by the use of these methods. Of course, such a conspiracy can act only through individuals. These individuals must promote the Communist program, however, in the various American institutions with which they are identified, since they cannot act in a vacuum. We find them active in the labor movement, in industry, in government, in educational institutions, in the entertainment field, and I am sorry to say in some instances in the field of religion. The committee is not investigating these institutions.

As an example, this committee as such has no interest in the labor movement or in labor's problems with management, or in labor's inner conflicts. It has no interest as such in the personnel that teach in our schools or our colleges, nor in the curriculum or type of textbooks used therein. These are matters that lie solely within the province of the administrators of these institutions and organizations.

We are engaged, however, in throwing light upon the nefarious and subtle activities of those individuals who are promoting the Communist conspiracy so that, as I have stated, the average American may know them and recognize the activities and propaganda of a foreign power when he comes in contact with it, either in the shop, in the school, in the church, or in any other phase of everyday life.

Now, some say we are exaggerating the communist danger. However, perhaps the highest authority, J. Edgar Hoover, the head of the Federal Bureau of Investigation, said when testifying under oath before the Appropriations Committee of this 83d Congress, that Communists are infiltrating every field of American activity, and espionage rings are working more intensely than ever before in the history of the United States. There are those who still argue, and no doubt you will hear it said by witnesses at this hearing, that communism is a political belief, and therefore we have no right to inquire into the Communist Party membership of any individual. For many years the Committee on Un-American Activities has maintained that the Communist Party is not a political party as we know political parties in the United States, but that it is a criminal conspiracy, and an agency of a foreign power. We are happy to say that just last month the present Congress has now found and stated as a matter of law that the Communist Party is and has been such a conspiracy. No witness or other person can now properly contend otherwise.

While we are talking about witnesses, perhaps our attention should be directed to those persons who have vital and extensive information concerning the operation of the Communist conspiracy, and who invoke the fifth amendment, those who refuse to testify on the grounds that to do so might incriminate them. The committee has always felt that in the great majority of cases witnesses have improperly and in bad faith hidden behind the fifth amendment.

The Committee on Un-American Activities has long recommended the passage of an immunity law, and we are more than pleased that this Congress shortly before it adjourned passed this law.

I might point out that my distinguished colleague, the gentlemen from Pennsylvania, Mr. Walter, who sits at my left, had an important part in the actual drafting of this legislation. This law provides, among other things, that an investigating committee of the Congress, with the approval of the court, may grant immunity to a witness who invokes the fifth amendment where it is apparent that the witness possesses valuable evidence of subversion, espionage, or treason.

This hearing here in Dayton is the first since this law became effective. It is possible that the committee may use it for the first time during these hearings.

Now, for some time there has been a rather intense controversy in the Yellow Springs area. At times there has been more heat than light shed on the issues which have divided the community. It must

be clearly understood that the Committee on Un-American Activities takes no side whatsoever in this controversy. It does, however, emphatically disapprove and deplore its being injected into that controversy by parties involved therein. At no time has anyone except the representatives of the press, when they have made inquiries, been authorized to make any statements concerning these hearings and the events leading up thereto. I might say that the press has been accurate and objective in its reporting of the committee's position.

The committee did not initially instigate the investigation which resulted in these hearings. Over a considerable period of time the committee received complaints and requests for an investigation from the Dayton-Yellow Springs area. The committee, in accordance with its rules attempted to check these complaints quietly. As a result of our staff's investigation and report, the full committee ordered these hearings. They are not being held because individuals or organizations requested them, but as I have stated, as a result of the investigations of the staff initiated by the complaints.

It should also be stated that the committee for one reason or another was unable to obtain a suitable room in which to hold these hearings. We finally requested the city commissioners of Dayton to make these chambers available for our use. As a result of our urgent request, and as a courtesy to the Congress of the United States, the commissioners authorized the use of this room. On behalf of the committee and the Congress, we wish to express our thanks and appreciation.

We understand there are some few persons in this community who have criticized the commissioners for allowing the committee to use this room. We are fairly certain the source of such criticism comes from those who for one reason or another fear the objectives of the investigations and the hearings.

Mr. WALTER, do you have a comment to make before we proceed with the hearing?

Mr. WALTER. None, except anybody who testifies before this committee will be accorded the full protection of all of the laws of the United States, and by all of the agencies of the Government.

Mr. SCHERER. Mr. Clardy?

Mr. CLARDY. I think we perhaps might add one thing. Mr. Chairman, and that is that if during the course of the investigation anyone is named by a witness as a member of the Communist Party, we will afford him an opportunity at a suitable time for him to appear and say what he may wish to say in his own behalf.

Mr. SCHERER. That is in accordance with the rules of the committee. You are referring to that rule which requires us to notify anybody who has been named adversely in such testimony, and then he is given, as you say, an opportunity to appear before the committee and explain or deny the adverse testimony.

If there is nothing further, we will proceed with the first witness.

Mr. Counsel, are you ready?

Mr. TAVENNER. Mr. Chairman, I would like to call as the first witness Mr. Arthur Paul Strunk.

Will you come forward, please, Mr. Strunk?

Mr. SCHERER. Will you just take the seat over there opposite the microphone? Before you sit down, will you raise your right hand and be sworn?

You do solemnly swear that the testimony that you are about to give at this hearing, shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. STRUNK. I do.

Mr. SCHERER. Will you be seated, please?

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF ARTHUR PAUL STRUNK

Mr. STRUNK. Arthur Paul Strunk.

Mr. TAVENNER. When and where were you born, Mr. Strunk?

Mr. STRUNK. Germany.

Mr. TAVENNER. On what date?

Mr. STRUNK. March 17, 1896.

Mr. TAVENNER. When did you come to this country?

Mr. STRUNK. December 1923.

Mr. TAVENNER. Are you now a naturalized American citizen?

Mr. STRUNK. I am.

Mr. TAVENNER. When were you naturalized?

Mr. STRUNK. I think in 1931.

Mr. TAVENNER. Will you give the committee, please, a brief statement of what your educational training has been?

Mr. STRUNK. Eight years public school, and 2 years business school, connected with my trade. I was learning.

Mr. TAVENNER. Was any part of that educational training in this country?

Mr. STRUNK. No.

Mr. TAVENNER. Will you tell the committee, please, briefly, what your record of employment has been?

Mr. STRUNK. My first place of employment was the Singer Sewing Machine in Elizabethport, N. J. The second place was a place in, a cutlery place, in Maplewood, N. J. The next one, Central Railroad of New Jersey.

Then the Kresge Department Store, New Jersey. Christie & Smith, a furniture store in Newark, N. J. That is all I remember.

Mr. TAVENNER. Where do you now reside?

Mr. STRUNK. Dayton, Ohio.

Mr. TAVENNER. How long have you lived in Dayton?

Mr. STRUNK. Since 1936.

Mr. TAVENNER. What is your present occupation?

Mr. STRUNK. I work in the service department for May & Co., furniture store, in Dayton.

Mr. TAVENNER. What year was it in which you came to Dayton?

Mr. STRUNK. 1936.

Mr. TAVENNER. Mr. Strunk, during the period that you have been in Dayton, have you had an opportunity to observe at first hand the workings of the Communist Party in this area?

Mr. STRUNK. I did.

Mr. TAVENNER. Will you explain to the committee how that opportunity was afforded you?

Mr. STRUNK. I was living at 1012½ Brown Street, and the FBI asked me to be an interpreter after Pearl Harbor. I was an interpreter for 3 years for the FBI. Before that time, I rented rooms out, and I found Communist Party literature in one room. I reported the

same to the FBI. The FBI told me to watch out and get close and try to become a member of the Communist Party.

In 1944, I had enough confidence, I was handed an application to become a member of the Communist Party.

Mr. TAVENNER. You became then a member of the Communist Party at the request of the Federal Bureau of Investigation?

Mr. STRUNK. At the request of the FBI.

Mr. TAVENNER. And not because of any conviction on your part?

Mr. STRUNK. Definitely not.

Mr. TAVENNER. Regarding the ideology of the Communist Party.

Mr. STRUNK. The FBI asked me if I would join the Communist Party during the time I was a translator. And in 1944 I became a member of the Communist Party by request of the FBI.

Mr. TAVENNER. How long did you remain a member of the Communist Party?

Mr. STRUNK. Until it was exposed at the Hupman trial in Dayton, Ohio.

Mr. TAVENNER. What was that date, approximately?

Mr. STRUNK. I think I got out of the party in 1952.

Mr. TAVENNER. Now, will you tell the committee, please, how you became a member of the Communist Party?

Mr. STRUNK. I became more friendly to this man who had a room in my house, and my way was to get more friendly to him and to get more trust and to become a member of the Communist Party.

Mr. TAVENNER. What was that man's name?

Mr. STRUNK. This man had two names, like every member of the Communist Political Association, we called it at that time. He had two names, his own name and a party name. His name was Moore and Murphy.

Mr. TAVENNER. Do you recall now which of those names was his party name?

Mr. STRUNK. I don't recall that.

Mr. TAVENNER. Now, after you became a representative of the Federal Bureau of Investigation in this undertaking, did you make reports to the Federal Bureau of Investigation of the knowledge which you acquired?

Mr. STRUNK. I did. That was my duty.

Mr. TAVENNER. Over how long a period of time did you do that?

Mr. STRUNK. Eight years.

Mr. TAVENNER. How frequently did you make reports?

Mr. STRUNK. Especially after every meeting.

Mr. TAVENNER. Now, let us go back to the time that you cultivated the acquaintanceship of Mr. Moore or Mr. Murphy, and will you tell the committee what resulted from that, please?

Mr. STRUNK. I became a good friend, and I got confidence, and finally I was handed a piece of paper, an application, to join the Communist Party. That was the beginning.

Mr. CLARDY. About when was that?

Mr. STRUNK. It could have been the end of 1943. I became a member in 1944.

Mr. TAVENNER. Now, I would like for you to tell us at this point, please, what you found to be the organizational setup of the Communist Party after you became a member.

Mr. STRUNK. In 1944, the Communist Party was called the Communist Political Association. During the time Browder was thrown out of the Communist Party, the Communist Party was again called the Communist Party of the United States.

Mr. TAVENNER. Well, did you find that the Communist Party in this locality was divided up into groups or cells, or branches, when you first became a member?

Mr. STRUNK. When I became a member, there was one Dayton section. After the change to Communist Party of Ohio, it still was one section. Later, I don't remember exactly what year, the Dayton Communist Party was divided into five groups.

city group. And after 1950, we had a Taft-Hartley group.

Mr. STRUNK. One group was the professional group; one group the Frigidaire group; one group the amalgamated group, one group the city group. And after 1950, we had a Taft-Hartley group.

Mr. TAVENNER. Now, in the course of your testimony, I will want to ask you particularly about the Taft-Hartley group, but we will not go into that at the moment.

Mr. CLARDY. We have run into that before, haven't we?

Mr. TAVENNER. I think we have heard of it.

Now, Mr. Strunk, will you tell us whether or not these five groups of the Communist Party here were responsible to some other higher authority in the Communist Party?

Mr. STRUNK. Cleveland, Ohio, the State office.

Mr. TAVENNER. They worked under the State office?

Mr. STRUNK. Correct.

Mr. TAVENNER. Would it be correct to say that these five groups of the Communist Party in Dayton constituted the Dayton section of the Communist Party?

Mr. STRUNK. Correct; Dayton section.

Mr. TAVENNER. Can you give us the names at this time of the leaders of the Communist Party, the State organization of the Communist Party, that you became acquainted with during your 7 or 8 years?

Mr. STRUNK. You mean the State, the Cleveland office?

Mr. TAVENNER. Yes. First of all, did it have its headquarters in Cleveland?

Mr. STRUNK. Correct.

Mr. TAVENNER. Will you give us the names of those that you found to be officials of the State organization of the Communist Party?

Mr. STRUNK. Arnold Johnson.

Mr. TAVENNER. Do you know what his exact position was?

Mr. STRUNK. I think he was State secretary when I became a Communist in 1944.

Mr. TAVENNER. Arnold Johnson.

Mr. STRUNK. Joe Brant.

Mr. TAVENNER. What was his position, if you recall?

Mr. STRUNK. I don't recall in the beginning, but the time during the strike in Dayton, he was secretary of the labor department from the Communist Party to organize labor.

Gus Hall. I know several more. Maybe I can think of them later.

Mr. TAVENNER. Did you become acquainted with Martin Chancey?

Mr. STRUNK. Yes.

Mr. TAVENNER. What position did he hold in the Communist Party organization?

Mr. STRUNK. He was, I think, up to 1948 or 1949, he was State secretary for the Communist Party in Cleveland.

Mr. CLARDY. These names you have given to us as persons who were Communists in the Communist Party organization, were you associated with them in some fashion or other, so that you knew at first hand that they were what you have represented them to be?

Mr. STRUNK. When they came from Cleveland to Dayton, they came for a purpose, for Communist Party business, and attended Communist Party meetings.

Mr. CLARDY. You attended such meetings with them?

Mr. STRUNK. I did, many.

Mr. CLARDY. Some of them were identified in the public press at about that time also, were they not, as being connected with the party? You mentioned Gus Hall, for instance.

Mr. STRUNK. Yes.

Mr. CLARDY. Some of them were identified in the press, they made no attempt to hide the fact they were Communist Party members, is that not true?

Mr. STRUNK. Correct.

Mr. CLARDY. As to the others, well, as to all of them, you actually sat in Communist Party meetings with them?

Mr. STRUNK. I did.

Mr. CLARDY. There isn't any question in your mind then, as to whether they are or are not Communists?

Mr. STRUNK. They definitely are.

Mr. CLARDY. You are not taking somebody else's word for that at all?

Mr. STRUNK. Any name I name, I know he is a Communist.

Mr. CLARDY. Thank you.

Mr. TAVENNER. During the period of your representation of the Federal Bureau of Investigation in this Communist work, did you gain an office of any character in the Communist Party?

Mr. STRUNK. I did.

Mr. TAVENNER. What was that office?

Mr. STRUNK. Dues collector of the Dayton section.

Mr. TAVENNER. When did you become the dues collector?

Mr. STRUNK. In 1945.

Mr. TAVENNER. How long did you remain dues collector?

Mr. STRUNK. Seven years.

Mr. TAVENNER. Will you describe to the committee, please, what your duties were as dues collector?

Mr. STRUNK. I had to collect the dues. We had fund drives; I collected that money and sent it in to Cleveland, to the State office, and paid literature bills and other bills, Daily Worker bills.

Mr. TAVENNER. Did you personally attend to the collection of dues?

Mr. STRUNK. Yes, I did. Dues were paid to me personally.

Mr. CLARDY. By the individual members?

Mr. STRUNK. Most of the time. Some time the latter part, when the party was divided into 4 or 5 persons in a group, the dues collector from the group handed me the money with the names as to who paid the dues. That was later.

Mr. TAVENNER. Did you keep a record of the list of membership? Did you make a list of the membership?

Mr. STRUNK. I have a list, but I don't need a list. I know them all by my mind.

Mr. TAVENNER. Yes, but at the time that you were charged with the responsibility of collecting the dues, did you maintain a list of names?

Mr. STRUNK. I did.

Mr. TAVENNER. Of members?

Mr. STRUNK. I did, kept a list.

Mr. TAVENNER. What was the practice of the Communist Party at that time with regard to registration of its members?

Mr. STRUNK. Well, the secretary, and especially the dues collector, had to have a list, that he would keep a record of who paid dues, who was behind, and who didn't pay.

Mr. CLARDY. May I inquire?

Mr. SCHERER. Mr. Clardy.

Mr. CLARDY. Perhaps you can save me the trouble, go into some detail as to how many he collected, and on what occasions he collected, and what the total was.

Mr. WALTER. The purpose of the collections.

Mr. CLARDY. Yes.

Mr. TAVENNER. Will you tell the committee the whole story about the matter of dues? How were the dues assessed, and how you went about collecting them, what the money was used for, and all of the information that you have affecting the finances of the Communist Party?

Mr. CLARDY. I am primarily interested also in knowing the total so that we may see how much in the way of money was fed into the kitty, so to speak.

Mr. TAVENNER. Now, will you begin first by telling us what the dues were?

Mr. STRUNK. After the Communist Political Association was changed to the Communist Party, as far as I recall, the dues payments were 10 cents unemployed a month; 35 cents for a housewife; \$1 up to \$60 income—

Mr. CLARDY. Up to what income?

Mr. STRUNK. \$60. Over \$60, \$2. And I think over a hundred dollars, 5 bucks a month.

Mr. CLARDY. You are talking about a monthly pay of \$60?

Mr. STRUNK. Monthly dues payments.

Mr. CLARDY. A weekly salary of \$60, that cost a dollar a month?

Mr. STRUNK. Correct.

Mr. CLARDY. And above that \$2?

Mr. STRUNK. Correct.

Mr. CLARDY. Thank you.

Mr. TAVENNER. What disposition did you make of the dues that you collected?

Mr. STRUNK. One-third of the dues I collected were kept in the Dayton section. The other part was sent into Cleveland, Ohio, State office of the Communist Party.

Mr. TAVENNER. How did you make your settlement with the Communist Party headquarters in Cleveland?

Mr. STRUNK. You mean how I sent the money in?

Mr. TAVENNER. Yes.

Mr. STRUNK. Sometimes when State officials from Cleveland came in, I handed it over to them. Mostly it was sent in by money order.

Mr. TAVENNER. Do you recall the name of the Communist Party functionary in Cleveland to whom you sent the money?

Mr. STRUNK. The last years of my activities, I sent it to Martin Chancey, Cleveland, Ohio.

Mr. CLARDY. I didn't catch the name.

Mr. STRUNK. Martin Chancey.

Mr. TAVENNER. Do you know what disposition was made of the part of the dues which was received by the State headquarters?

Mr. STRUNK. I didn't understand you.

Mr. TAVENNER. Do you know what was done with the money that was received by the State headquarters when they sent part of it—whether they sent part of it to New York to the national headquarters, or how that money was handled?

Mr. STRUNK. I think a certain amount went to the national headquarters. I couldn't tell you exactly. I never sent any money in to the national headquarters, just Cleveland. What they did with the money, I don't know.

Mr. SCHERER. Pardon me.

Mr. TAVENNER. Yes.

Mr. SCHERER. You were sending this money, as you have indicated, as late as 1952?

Mr. STRUNK. That is correct; the beginning of 1952.

Mr. CLARDY. How much did you remit, on the average, in the fashion you have described?

Mr. STRUNK. Well, it was always a big variation. Some members paid the dues a whole year ahead; some were about 8 or 6 months behind, and some paid regularly. So it is hard to say an average.

Mr. CLARDY. Well, for instance, at the close of the period that you have described, about how frequently did you collect? Once a week or once a month?

Mr. STRUNK. Every meeting there was a possibility I had, I tried to collect dues.

Mr. CLARDY. As of the very end of the period that you served as collector, about how much would you pick up each week?

Mr. STRUNK. That is hard to tell by the week. I could tell about when I sent it in.

Mr. CLARDY. Put it in some other way so that we can get some idea.

Mr. STRUNK. I sent the dues in every month, if I had dues, but on the average I would say \$35, \$30. It was sometimes a little less, sometimes more. It could have been \$40 average.

Mr. CLARDY. Then you had a pretty fair membership since you were collecting in the main in small amounts?

Mr. STRUNK. There was a variation in the membership dues through different years.

Mr. TAVENNER. What was the variation in membership?

Mr. STRUNK. I would say 25 to about 85 in Dayton proper. That doesn't include Springfield.

Mr. TAVENNER. Was the membership at the time you left the party here near the lower limit of those figures?

Mr. STRUNK. To my estimation, the registration meetings to the end of the time I was active was always concentrated on not quantity but quality members, real Communist members. Any person that was

kind of weak, he was not registered in the last registration meeting I attended.

Mr. TAVENNER. You mean that emphasis was put upon the fact that they were not interested in quantity but they wanted quality of members?

Mr. STRUNK. Correct.

Mr. CLARDY. What do you mean by quality in the Communists?

Mr. STRUNK. It means a big party, a big membership. You don't want a big membership. You want it small but good.

Mr. CLARDY. Instead of quality you mean devoted, fanatic members?

Mr. STRUNK. You said it.

Mr. SCHERER. Commonly referred to as the "hard core"?

Mr. STRUNK. You are correct.

Mr. TAVENNER. Mr. Strunk, was the proportion of dues which you were permitted to keep in the local area sufficient to finance the needs of the local organizations of the Communist Party?

Mr. STRUNK. No, it was not enough.

Mr. TAVENNER. Well, what means were resorted to to supplement the dues?

Mr. STRUNK. Donations, fund drives, national fund drive, and then we had times when we had organizers. The Dayton Communist Party had to have an actual fund drive to support the organizer in this territory here. For that, some people had to donate money. Certain groups were supposed to raise that much money.

Mr. TAVENNER. Now, can you tell us more about those groups who were required to make these donations, or who did make them?

Mr. STRUNK. Well, it was the groups we had. The last couple of years of my activity we had only the Frigidaire group, the Amalgamated group was kind of weak. We had a city group, and then the members were all shifted around, when they went to different factories, like when you work in Frigidaire or another plant. He was put in another group. Then people were taken out of the other groups later to make the Taft-Hartley group. It was always a shifting around according to the need.

Mr. CLARDY. May I inquire?

Mr. SCHERER. Go ahead.

Mr. CLARDY. Did you have a special collection to take care of the Communist publications, the Daily Worker, every so often?

Mr. STRUNK. We had to pay, when we sold the Worker and the Daily Worker, we got money for that.

Mr. CLARDY. I understand.

Mr. STRUNK. That all went through my books. I paid the Worker bill most of the time.

Mr. CLARDY. We have heard testimony at many other places that every so often a cry of distress would come out from the publishers of the Daily Worker saying they needed so many thousand dollars in order to continue operating. Did you ever get sucked in on that out here?

Mr. STRUNK. Yes, we got material on that. But it is all we did and could do to sell the Worker. We had, for a long time, every Sunday morning a group went out, we called it the brigade, to sell the

Worker. Our duty was to raise the amount, bundle, we called it, every week to a higher number.

Mr. TAVENNER. I understood you to say that it was necessary to obtain donations to supplement the dues, to add to the dues, in order to have sufficient funds to operate. What was the amount of the donations that you received? I mean in what denominations were the donations usually made?

Mr. STRUNK. Well, you have to include, we had once a bond sale to support 11 Communists which were on trial in New York. We sold bonds, and I think we collected \$700.

Mr. TAVENNER. Just a moment. What was the purpose of the sale of those bonds?

Mr. STRUNK. To defend 11 Communists in New York.

Mr. TAVENNER. To defend the Communists on trial under the Smith Act?

Mr. STRUNK. Yes.

Mr. CLARDY. Would you go into that?

Mr. TAVENNER. What was the nature of these bonds?

Mr. STRUNK. It was a kind of fancy paper. It said a lot of stuff on it. It would be a bond and you would get the money back by request, and so on.

Mr. CLARDY. Issued in the name of the Communist Party of the United States?

Mr. STRUNK. Yes, correct.

Mr. CLARDY. Anybody ever get paid off?

Mr. STRUNK. I think it was the Communist Party. It could have been the International Labor Defense, too. I am not sure on that.

Mr. CLARDY. Did anybody ever get paid off on those bonds that you know of?

Mr. STRUNK. No.

Mr. TAVENNER. Do you have one of those bonds now that you could show us?

Mr. STRUNK. No, I haven't.

Mr. CLARDY. You turned that over to the FBI?

Mr. STRUNK. Federal Government, yes.

Mr. TAVENNER. What was the denomination of these bonds?

Mr. STRUNK. \$100, \$75, \$50.

Mr. TAVENNER. Did you sell those bonds to the membership of the Communist Party?

Mr. STRUNK. Yes.

Mr. TAVENNER. Can you give us the names of any of the persons who purchased those bonds?

Mr. STRUNK. There were 5 or 6. I don't remember every one. I know Russ Richardson bought one.

Mr. TAVENNER. That is Russell Richardson?

Mr. STRUNK. Russell.

Mr. TAVENNER. He was known by you to be a member of the Communist Party?

Mr. STRUNK. Correct. He paid me dues. He used to live on Garlin Street.

Pearl and Melvin Hupman.

Mr. TAVENNER. How do you spell it?

Mr. STRUNK. H-u-p-m-a-n.

O. C. Lantz. That is L-a-n-t-z. He is deceased now. He is dead.

Mr. CLARDY. May I ask a question?

Mr. SCHERER. Mr. Clardy.

Mr. CLARDY. Were those bonds paid for again, in full at the time they were sold, or were they sold on the installment plan?

Mr. STRUNK. As far as I remember, they were paid in cash.

Mr. CLARDY. You were collecting from the people with a pretty small income, weren't you?

Mr. STRUNK. Well, yes. If they had it, they gave it to me.

Mr. CLARDY. What pressure did you use to get them to take the bonds?

Mr. STRUNK. During meetings an official came from Cleveland and waited until the—it was necessary to defend the 11 Communists, and the party needed the money very badly. The trial cost thousands of dollars.

Mr. TAVENNER. Can you tell the committee of other efforts to raise funds for the Communist Party?

Mr. STRUNK. Every year we had a fund drive for the national office.

Mr. TAVENNER. How was that conducted?

Mr. STRUNK. There was a quota set for each section, according to the membership. Sometimes we had a quota of \$600, \$700, \$800 which we usually made, too.

Mr. TAVENNER. And that was an annual affair?

Mr. STRUNK. Yes, every year.

Mr. TAVENNER. Each year?

Mr. STRUNK. Each year for the national office in Cleveland.

Mr. TAVENNER. Now, were there campaigns also to raise money for the Daily Worker?

Mr. STRUNK. Yes. We collected the money for the Daily Worker, but mostly we raised the distribution of the Worker and the Daily Worker, to support the Daily Worker that way.

Mr. TAVENNER. Now, were there individuals who made monthly contributions beyond their dues to the expense of operating the Communist Party in this area?

Mr. STRUNK. I didn't hear that question.

Mr. TAVENNER. Were there persons who made contributions by the month in addition to the payment of their dues?

Mr. STRUNK. Yes.

Mr. TAVENNER. About how many such persons were there that you can now remember?

Mr. STRUNK. So far as I remember, I remember two.

Mr. TAVENNER. Will you tell us who they were, please?

Mr. STRUNK. That is Mr. Burd.

Mr. TAVENNER. Spell the last name.

Mr. STRUNK. B-u-r-d. He lives on Seneca Drive, Dayton, Ohio. And Morris Patterson.

Mr. TAVENNER. Morris Patterson?

Mr. STRUNK. Morris Patterson.

Mr. TAVENNER. Do you recall the first name of Mr. Burd?

Mr. STRUNK. Yes. No, that is his second name. I don't know the first name.

Mr. TAVENNER. You do not know?

Mr. STRUNK. I think it is B. Burd.

Mr. TAVENNER. What was the amount of the contributions that they made?

Mr. STRUNK. He sometimes gave \$5, \$10, \$15. A party member by the name of William Nelson; he also collected money.

Mr. CLARDY. Counsel, are we talking about persons who were not members of the party but nevertheless contributed?

Mr. TAVENNER. That is my next question.

Were these persons known to you to be members of the Communist Party?

Mr. STRUNK. Not Mr. Burd. He was not a member of the Communist Party.

Mr. TAVENNER. But the Mr. Patterson that you mentioned—

Mr. STRUNK. Morris Patterson was at sometime a member of the Communist Party, and he was once, I think, the secretary of the Progressive Party. He once donated several months, \$25 a month. That was the time when we had a full-time organizer in Dayton. His name was Lou Secundy.

Mr. CLARDY. Were these contributions collected by you so that you know this of your own knowledge?

Mr. STRUNK. I beg your pardon?

Mr. CLARDY. I say, are these contributions matters that came to you at firsthand because you made the collection, or is it something that someone else told you about, or you acquired the information in some other way?

Mr. STRUNK. Sometimes I collected it myself. I never collected from Mr. Burd. Mr. Nelson always collected his and handed it over to me.

Mr. CLARDY. How did you know that Mr. Burd had made—

Mr. STRUNK. He told me, he had so much money from so and so.

Mr. CLARDY. The person who did the actual collecting?

Mr. STRUNK. Correct.

Mr. CLARDY. You are acquainted with the man or woman who made the contribution?

Mr. STRUNK. I know the man, I know the place of business, but I never met the man so far as I know. But Morris Patterson used to be a member of the Communist Party, too.

Mr. SCHERER. When you say used to be a member of the party, do you mean he dropped out of the party?

Mr. STRUNK. In later years he was not so active any more.

Mr. SCHERER. I didn't hear what you said.

Mr. STRUNK. Later, during my connection with the Communist Party, Morris Patterson was not very active any more.

Mr. SCHERER. Did he terminate his membership or just ceased to be active?

Mr. STRUNK. Ceased to be active.

Mr. TAVENNER. Mr. Strunk, I would like for you to describe to the committee, please, as fully as you can, what the activities of the members of the Communist Party were, what did they do while you were a member?

Mr. STRUNK. Well, there are a lot of things that the Communist has to do. One thing is pay dues, to attend meetings, and to read the Worker and the Daily Worker.

Mr. TAVENNER. What was the importance of reading and studying the Daily Worker?

Mr. STRUNK. The Daily Worker carries all different kinds of things about what is going on in the country, especially where organized labor is connected and concerned in. And all different kinds of editorials, always in favor of organized labor; reports of what happened on strikes, and editorials about the strikes, and supporting the strikes.

Mr. TAVENNER. Isn't it true that the Daily Worker hands down to the Communist Party members the Communist Party viewpoint on subjects?

Mr. STRUNK. Yes.

Mr. TAVENNER. And outlines the line of the Communist Party?

Mr. STRUNK. Yes, the philosophy of communism, yes.

Mr. TAVENNER. Isn't that the reason that the Communist Party in every place puts such stress on the reading and studying of the Daily Worker?

Mr. STRUNK. That is every Communist's duty, to read the Worker or the Daily Worker.

Mr. CLARDY. They regard the Worker, to use the word, the expression that probably will sound improper, but they regarded it more or less as the Bible, as good Christians regard the real Bible, don't they?

Mr. STRUNK. Yes, correct.

Mr. TAVENNER. Of course, your activity within the Communist Party was obtaining of accurate information about meetings, and those who participated in those meetings?

Mr. STRUNK. Correct.

Mr. TAVENNER. Did you make a study yourself of the basic principles of communism? Did you attempt to master the subject of communism?

Mr. STRUNK. I read several books, but I was not interested. I was only interested in information, while I was working for the Federal Government.

Mr. TAVENNER. Will you tell the committee as far as you can what the Communist Party was seeking to accomplish in this community? What was their main objective?

Mr. STRUNK. The main objective was infiltration in organized labor; all different kinds of organizations, if possible; support strikes; build up strikes; and infiltrating unions; and get the power of the unions.

Mr. TAVENNER. Those are what you consider to be the principal objectives?

Mr. STRUNK. They distributed leaflets, the Daily Worker, leaflets and pamphlets, attended meetings, discuss national problems and local problems.

Mr. TAVENNER. Now, you told us earlier in your testimony that after a while the Communist Party members were divided into five groups?

Mr. STRUNK. Right.

Mr. TAVENNER. And you gave us the names of those groups. Why was it that the Communist Party was divided into those groups, do you know?

Mr. STRUNK. Some people who worked in shops and General Motors plants belonged to the Frigidaire group. The reason was that those groups could concentrate more in General Motors plants which was their motive, to organize General Motors into Communist cells, while a person who was in business didn't have any real interest in this direction. So it was up to that group to organize General Motors.

The same with the Amalgamated group, which supported, most of the members belonged to smaller shops. The city group was a group, all different kinds of people belonging. They couldn't use organized labor groups. The Taft-Hartley group was a group which everybody belonged to who signed the Taft-Hartley affidavit as a member of the Communist Party.

Mr. TAVENNER. I think this would be a good time to discuss the Taft-Hartley group. This committee has heard considerable evidence on that subject, and it has made quite a study of legislation on the subject of Taft-Hartley non-Communist affidavits.

You say there was a Taft-Hartley group. Will you tell the committee just what led up to the formation of a Taft-Hartley group in the Communist Party?

Mr. STRUNK. Every year, at the beginning of every year, we had a reregistration of the Communist Party. In 1950 we had a reregistration meeting at Melvin Hupman's house. Frank Hashmall, party organizer of the Dayton Communist Party in Cincinnati and Dayton, was the chairman of the reregistration meeting of the Dayton section. I belonged to the executive board and helped in reregistering the members. Those we did not find trustworthy and good Communists we didn't reregister.

Mr. TAVENNER. Frank Hashmall had what position in the Communist Party?

Mr. STRUNK. He was a part-time organizer of the Cincinnati-Dayton group. We couldn't afford a full-time organizer, so Hashmall took care of it.

Mr. TAVENNER. Do you recall his first name?

Mr. STRUNK. Frank. That is what we called him. I don't think it was his right name.

Mr. TAVENNER. At this meeting which you are describing, Frank Hashmall was the chairman?

Mr. STRUNK. Correct.

Mr. TAVENNER. Now, tell us, when was that meeting held, the one you are now referring to?

Mr. STRUNK. That was in the beginning of 1950.

Mr. TAVENNER. 1950. Will you tell the committee, please, what happened at that meeting?

Mr. STRUNK. We went over the whole membership list of the Dayton Communist Party and checked everything up, past activities. Those that were not so good we didn't reregister because we wanted quality and not quantity, and the Taft-Hartley group was formed.

Mr. TAVENNER. The Taft-Hartley group was formed?

Mr. STRUNK. Correct.

Mr. TAVENNER. Well, what instructions, what statement was made by the functionary, Frank Hashmall, regarding the formation of such a group?

Mr. STRUNK. At that meeting and other meetings before officials from the Cleveland State office came to Dayton and explained what the position was of those Communist Party members which signed the Taft-Hartley affidavit. The instruction was not to attend meetings, not to pay dues, but donate an amount of money a month, just meet with their own group which was in Dayton, which signed the Taft-Hartley affidavit, and have a talk together. He could read the

Worker and the Daily Worker; could attend open meetings, but not closed party meetings.

Mr. TAVENNER. Now, the Taft-Hartley Act required certain union officials to sign an affidavit that they were not members of the Communist Party?

Mr. STRUNK. That is correct.

Mr. TAVENNER. In order to entitle that union to the privileges of the National Labor Relations Act?

Mr. STRUNK. Correct.

Mr. TAVENNER. So what you find then is that your group of Communists were adopting a plan to get around that act; is that what you are meaning to say?

Mr. STRUNK. Well, the procedure was, after he signed the Taft-Hartley affidavit, he had to send in a letter of resignation to the State office in Cleveland, resign from the Communist Party.

Mr. TAVENNER. So that there would be a record, so there would be a record which on its face—

Mr. STRUNK. The next point was Cleveland, the State office, would send a letter back that they accepted the resignation of this member with regret.

Mr. TAVENNER. But all of the time the individual was still to carry on Communist Party activities?

Mr. STRUNK. Attend meetings, yes, some of them.

Mr. TAVENNER. Now, you have stated that at this meeting it was decided that those who had signed the non-Communist affidavit were to attend meetings among themselves but not with other Communist Party members?

Mr. STRUNK. I didn't see anybody attend a meeting in the special group, but I saw some after they signed the Taft-Hartley affidavit, so far as I know, attend open Communist Party meetings.

Melvin Hupman attended the reregistration meeting where the Communist Taft-Hartley group was formed.

Mr. TAVENNER. Yes. Now, can you recall any incident in addition to what you have already told us to indicate there was such a group of Taft-Hartley members? Did you have a discussion with any of the officials later about that subject, that is, the high functionaries of the party?

Mr. STRUNK. Yes. I remember one incident, Joe Brant, Cleveland party officials—

Mr. TAVENNER. Just a minute. What about Joe Brant?

Mr. STRUNK. Cleveland Communist Party official.

Mr. TAVENNER. Yes.

Mr. STRUNK. He was, I think, the secretary to the labor board between the Communist Party and organized labor in the Communist Party. He came to Dayton on a Sunday morning. I took him different places. We came to one place, Betty Nelson, on Edison Street, Dayton, Ohio. Joe Brant and myself were the only ones present. Betty Nelson explained she sent in a letter of resignation but never got the letter from Cleveland back that the resignation was accepted. Joe Brant explained what the whole setup was, that she should not attend Communist Party meetings, don't pay dues, donate a dollar a month or so, read the Worker and the Daily Worker, and only attend a group meeting with those that signed the Taft-Hartley.

Mr. TAVENNER. Had she signed the Taft-Hartley affidavit?

Mr. STRUNK. Yes. And he meant the group, the persons in that group where she should attend the meeting.

Mr. WALTER. Where did Betty Nelson work?

Mr. STRUNK. Delco.

Mr. WALTER. Did she occupy some sort of a position in the union at Delco?

Mr. STRUNK. She did at some time, I guess. I am not sure.

Mr. WALTER. What was the position she occupied?

Mr. STRUNK. I couldn't tell you.

Mr. WALTER. She was an official of the union and at the same time a member of the Communist Party?

Mr. STRUNK. All I know is, she signed a Taft-Hartley affidavit, and all I know, she was a Communist Party member.

Mr. CLARDY. Then the whole process of signing affidavits was a fraud upon the Government and the people of the country, wasn't it?

Mr. STRUNK. Correct.

Mr. CLARDY. It was intended merely as a device to appear to comply with the law and still be active as a Communist?

Mr. STRUNK. This procedure was mentioned many times by State officials in Cleveland, the way this whole situation should be handled, not only at one meeting, but several times.

Mr. TAVENNER. Now, you were telling us about the advice and direction that Joe Brant gave Betty Nelson. I would like for you to repeat that because that is very important, and I am not certain that we all understood it. What did he tell her must be done?

Mr. STRUNK. He told Betty Nelson that she belonged to the Taft-Hartley group now. She only should meet with that group, not with any other Communist Party members or group, and she should not pay official dues. She should donate every month, a dollar or so.

Mr. TAVENNER. Make donations instead of payment of dues?

Mr. STRUNK. Correct, yes.

Mr. TAVENNER. Yes.

Mr. STRUNK. Then she could read the Worker and the Daily Worker, and Joe Brant told her this is under us, this instruction, just to me, Joe Brant, Betty Nelson.

Mr. TAVENNER. No one was to know anything about this except you, Betty Nelson, and himself?

Mr. STRUNK. The next thing what comes was supposed to be only known by us three. This general procedure, Taft-Hartley affidavits was supposed to be in one group; that is a different story. It is connected with this.

Mr. CLARDY. The Taft-Hartley group was a collection of those who were merely going through the motion of complying with the law in order to deceive the Government and at the same time be active in union work and Communist work?

Mr. STRUNK. That was the rules and the procedure. If they ever met, I don't know.

Mr. CLARDY. That is precisely the evidence we have had before. That is the reason why this committee sponsored the present act outlawing the Communist Party. It is good to hear it again.

Mr. TAVENNER. Now, during the course of this conversation between Joe Brant and Betty Nelson, did not Brant state the names of the other members of the Taft-Hartley group with whom Betty Nelson should meet?

Mr. STRUNK. He did. He didn't name all of them. He named four.

Mr. TAVENNER. Will you give me the names of the four that he mentioned?

Mr. STRUNK. Betty Nelson, myself, Walter Newman, Melvin Hupman, Lem Markland.

Mr. TAVENNER. Lem Markland?

Mr. STRUNK. Markland, yes.

Mr. TAVENNER. Had you known any of those individuals prior to that time?

Mr. STRUNK. Yes; I did.

Mr. TAVENNER. Did you know them of your own personal knowledge to be members of the Communist Party?

Mr. STRUNK. I know for sure they paid me dues many times.

Mr. TAVENNER. That is true of each of the four persons, including Betty Nelson?

Mr. STRUNK. Correct.

Mr. TAVENNER. You stated that Joe Brant gave the names of some, but not all of the members of the Taft-Hartley group?

Mr. STRUNK. He probably mentioned a fifth one, but I don't think he did that date.

Mr. TAVENNER. You are uncertain about a fifth person?

Mr. STRUNK. Correct. I know the fifth—

Mr. TAVENNER. I don't want you to state anything you are uncertain about or make any reference.

Mr. STRUNK. I would not say anything I am not sure or is not true. I am under oath here.

Mr. TAVENNER. Now, do you know whether those people whose names you have mentioned made donations to the Communist Party in lieu of payment of dues after that date?

Mr. STRUNK. That I don't remember, to be truthful.

Mr. TAVENNER. Did you have any means of ascertaining the names of other members of that group, of the Taft-Hartley group, besides the names mentioned by Joe Brant?

Mr. STRUNK. I think there is one more.

Mr. TAVENNER. Is that the person you are uncertain about?

Mr. STRUNK. Correct.

Mr. TAVENNER. Well, I don't want you to mention it.

You stated it was the practice under this procedure to write a letter of resignation to which the functionary in Cleveland would reply, accepting the resignation with regret. That action was taken in 1950?

Mr. STRUNK. What action?

Mr. TAVENNER. Formation of the Taft-Hartley group.

Mr. STRUNK. The beginning of 1950.

Mr. TAVENNER. What security measures were taken by the Communist Party during the years 1950, or 1951, do you recall?

Mr. STRUNK. The groups of the Dayton section of the Communist Party were divided in small groups, 3, 4, not more than 5, possibly 3 people.

Mr. TAVENNER. And what was the purpose of that?

Mr. STRUNK. When the party went underground, it was all divided in small groups, and one group was not supposed to know what the other group was doing. Under the party secretary, he had connections with the different groups.

Mr. TAVENNER. Was that type of organization maintained from that time on until the time that you left the Communist Party?

Mr. STRUNK. Yes.

Mr. SCHERER. Mr. Tavenner, the witness has been on the stand an hour and 15 minutes. Do you think perhaps we ought to have a recess?

Mr. TAVENNER. This is a good point for a break.

Mr. SCHERER. The committee will stand in recess for 15 minutes.

(A recess was had from 10:15 a. m. to 10:30 a. m.)

Mr. SCHERER. The committee will reconvene.

Before we proceed, I just have one observation I would like to make. When I came into the hearing room this morning, I overheard somebody say that the Communist Party in the Dayton area was dead. That was the expression they used.

However, the mayor of the city of Dayton, Mr. Stout, this morning received a letter, postmarked Dayton, Ohio, September 11, 7:30 p. m., in which was a rather scurrilous bulletin directed against the committee, typical bulletin, similar to those that we have received from the Communist Party or that has been distributed by the Communist Party in the various cities in which we have held hearings.

This bulletin is signed "Communist Party of Montgomery County, Dayton, Ohio." There is no address nor is there any other name.

Of course, I can understand that since the passage of the recent legislation.

Did you want to say something?

Mr. CLARDY. Yes. I noted in reading it they had one paragraph, a short one, that I thought I ought to comment on since you and I were on the subcommittee that they are speaking about. They have a line here to the effect—this will interest you, Mr. Tavenner:

GM has already used the Un-American Activities Committee as a mask for their dirty work in Flint, with hoodlum violence and firing of some of the best and most respected union people from the GM shop.

Now, having been chairman of that subcommittee, and you having been counsel, you can bear out what I have to say when I make the point in the record that they are speaking of persons who were identified as active Communist Party members as of now, by several different people, and they were handled, if there was any handling done, by their fellow workmen in the shops and not by this committee in any way, shape, or form.

In other words, the good loyal American citizens in the union movement in the plants in Flint didn't want to be found working alongside men they knew to be Communists. This will interest you because you haven't heard it. Since then, Mr. Chairman, the principal organizer for the UAW-CIO in that area has made a public speech in my home town saying that he knew that these people that we identified were Communists and knew them to be such at the time they came into the union in Flint in 1949. I doubt that he did, but at least that is the statement that he made, and he is not defending them.

So when that paragraph is put in here, Mr. Chairman, I think it important to let the people of this city know that here is one item in which there can be no doubt about the fact that they are deliberately lying and falsifying in order to get across a point.

Mr. SCHERER. Do you have any comment?

Mr. WALTER. No.

Mr. SCHERER. If there is no objection, I am going to order to be received in evidence, the bulletin entitled "Challenge," signed by the Communist Party of Montgomery County, together with the envelope which the mayor received.¹

You may now proceed, Mr. Counsel.

Mr. TAVENNER. All right, sir.

Mr. STRUNK, will you make it plain to the committee, please, how it was that Joe Brant got into this discussion about the Taft-Hartley group, with Betty Nelson?

Mr. STRUNK. On a Sunday morning Joe Brant came from Cleveland. I picked him up at the railroad station. We went to see several people. The first party we met, we visited, was Betty Nelson on Oak Ridge Drive. Betty Nelson's complaint about it, she signed the Taft-Hartley affidavit and, according to the regulations, the Communist Party sent in her resignation from the party, but never got that letter back that the resignation was accepted with regret.

Joe Brant explained to her with who she should meet in the future.

Mr. TAVENNER. Yes. You told us—

Mr. STRUNK. As I explained before, with the Taft-Hartley group, and belonging to the Taft-Hartley group.

Then he told her she would make out a new resignation from the Communist Party, to send it to Cleveland, and back-date it.

Mr. TAVENNER. Back-date the resignation?

Mr. STRUNK. Back-date it. Then we went to visit Forrest Payne. He was another union Communist Party member, to visit him in the hospital. When we came back, Betty Nelson had the letter ready. Joe Brant took the letter. We went to another Communist Party member which was, what would you call it, a notary public, and was a Communist Party member, Rose Notz, living on Highland Avenue.

Mr. TAVENNER. Will you spell Notz, please?

Mr. STRUNK. N-o-t-z, R-o-s-e.

Mr. TAVENNER. And Rose Notz was known to you to be a member of the Communist Party?

Mr. STRUNK. She was a member of the Communist Party. She paid me dues many times. She was a notary public and this statement had to be notarized, this letter of resignation from the party, and Rose Notz hesitated because she knew that was back-dated. We told her, Joe Brant did. But she stamped it and notarized it anyway.

Mr. TAVENNER. Was Betty Nelson present?

Mr. STRUNK. You mean at the time—

Mr. TAVENNER. Was she present at the time the notary signed the affidavit?

Mr. STRUNK. No. Joe Brant and I took the letter from her, at her home, went to the notary public, Rose Notz, who was a Communist Party member for sure, and she notarized that letter.

Mr. TAVENNER. So there you have the situation where one Communist Party member took the oath of a person who was not even present, and back-dated a period of time in order to cover up and evade the provisions of the Taft-Hartley Act?

Mr. STRUNK. Right.

Mr. TAVENNER. Now, Mr. Strunk, I have asked you to prepare a list from your memory of all of the persons from whom you collected dues during the period that you were dues collector of the Communist

¹ See appendix, pp. 6883-6884.

Party, and the names of any other persons who were known to you personally to have been members of the Communist Party. Have you prepared such a list?

Mr. STRUNK. Yes.

Mr. TAVENNER. I would like you to give the committee the information which has resulted from your own recollection, and your work. I want it to be absolutely plain and certain that you are giving names of only persons known to you.

Mr. STRUNK. I will. I am under oath.

Mr. TAVENNER. To be members of the Communist Party.

Mr. STRUNK. I am under oath. I will tell the truth.

Mr. TAVENNER. Will you proceed then to give us those names and in giving them I would like for you to spell the names so that we may be very accurate about the names. I want you to give the address that they had at that time, if you can recall it, and any other descriptive information you can about the individual. In doing this, too, I wish you would advise the committee of the character of activities that the individual engaged in as a member of the Communist Party where you recall it.

If the person whose name you are mentioning has withdrawn from the Communist Party to your knowledge, I think you should tell the committee that also, where you have evidence to indicate that they have withdrawn from the party.

If it is a deceased person involved, don't mention the name at all. There is no value to that. Do you understand?

Mr. STRUNK. I do.

Mr. TAVENNER. All right, sir, if you will proceed.

Mr. STRUNK. Ruby Arnold, A-r-n-o-l-d.

Mr. TAVENNER. The first name is Ruby?

Mr. STRUNK. R-u-b-y, Ruby Arnold. She lives on Oak Ridge Drive, is a housewife. She belonged to the city group. We had several meetings at her residence, and her husband, Edward Arnold, was very much opposed, against her activities, and very much opposed to the Communist Party.

Mr. TAVENNER. All right, proceed.

Mr. STRUNK. Elmer O. Armstrong. Do you want me to spell them?

Mr. TAVENNER. Spell them for the record.

Mr. STRUNK. E-l-m-e-r A-r-m-s-t-r-o-n-g.

Mr. TAVENNER. Elmer is the first name?

Mr. STRUNK. A colored fellow. That is all I know about him. He was active in the unions. He paid dues, too.

I have to add, Ruby Arnold, she paid dues to me.

Lewis Booth—

Mr. TAVENNER. How do you spell the first name?

Mr. STRUNK. L-e-w-i-s B-o-o-t-h.

Mr. TAVENNER. Lewis Booth, B-o-o-t-h?

Mr. STRUNK. B-o-o-t-h, 505 Lexington Avenue. He used to belong to the professional group. He was not active as a Communist for several years, after I was exposed as a Federal agent working for the Federal Government in the Communist Party. Lewis Booth sent me a letter that he regretted that he ever was such a dope and belonged to the Communist Party. He congratulated me for the work I did

for the United States Government, to be an undercover agent for the FBI in the Communist Party. I turned the letter in to the FBI, too.

Mr. CLARDY. When was this?

Mr. STRUNK. Last year, in September or November.

Mr. CLARDY. He still resides in this area?

Mr. STRUNK. At the present time I don't think he is in Dayton. I think he is in California right now.

Mr. TAVENNER. All right. Proceed.

Mr. STRUNK. Arnold DeWolfe Braithwaite.

A-r-n-o-l-d D-e-W-o-l-f-e B-r-a-i-t-h-w-a-i-t-e. Colored. He belonged to the city branch. We had several meetings at the Summit Street place of the Communist Party. As far as I know, he is living in New York.

Joe Brant.

Mr. TAVENNER. You have already told us of Joe Brant, so it is not necessary to repeat that. I will have questions to ask you later about it, more questions about his activity.

Mr. STRUNK. Wilma Payne Bond, W-i-l-m-a P-a-y-n-e B-o-n-d. She was a Communist Party member under the name Wilma Payne. Her second husband was named Bond. She used to live in Greenmont Village and was, so far as I know, a factory worker, paid me dues, and attended meetings of the Communist Party, closed meetings.

Paul E. Dunman, P-a-u-l E. D-u-n-m-a-n, 28 Cambridge Avenue. He was an international representative of the UE. He attended many meetings and paid me dues.

Roger Dunham, R-o-g-e-r D-u-n-h-a-m. He was also an undercover operator for the FBI. He was exposed at the Hupman trial last year. He was the agent for the Dayton section, took care of the Worker and Daily Worker.

Mr. TAVENNER. Mr. Chairman, we have taken his testimony in executive session.

Mr. SCHERER. Yes; I recall that.

Mr. STRUNK. Herman Ensley, H-e-r-m-a-n E-n-s-l-e-y. He came into Dayton from Springfield, Ohio. It was in the beginning when I became a Communist Party member. He was in Dayton only a very short time, and he was elected at one meeting as the secretary of the party, but then he disappeared somewhere in the West. He paid dues to me and attended meetings with me.

Mr. TAVENNER. The name is E-n-s-l-e-y?

Mr. STRUNK. Ensley. Mrs. Ensley also, the same way.

Mr. TAVENNER. What was her first name?

Mr. STRUNK. Mamie, M-a-m-i-e.

Mr. TAVENNER. All right.

Mr. STRUNK. Clara Fiering, C-l-a-r-a F-i-e-r-i-n-g. She was the wife of Henry Fiering, very active Communist Party representative, union representative. She attended many meetings. She used to live in Greenmont Village and paid dues to me.

Mr. CLARDY. Spell that name again.

Mr. STRUNK. F-i-e-r-i-n-g.

Henry Fiering, H-e-n-r-y F-i-e-r-i-n-g, husband of Clara Fiering, international representative for the UE; lived in Greenmont Village, attended many meetings with me, and paid me dues.

Andrew T. Gad, A-n-d-r-e-w T. G-a-d. He worked for the UE, attended several meetings with him, and he paid me dues.

Arthur L. Garfield, A-r-t-h-u-r L. G-a-r-f-i-e-l-d, international representative for the UE. He used to live in Dayton. He attended several meetings with me and he paid me dues.

Ella Mae Garner, E-l-l-a M-a-e G-a-r-n-e-r. She was an office worker. I don't know which union it was. She paid me dues and attended meetings. She once was elected in the Biltmore Hotel in the general section party meetings, as the corresponding secretary for the Communist Party. I don't exactly know what year it was, but she was elected. She never performed her duty.

Joe Garner, husband of Ella Mae; J-o-e G-a-r-n-e-r. He is a milkman. He was a member of the Communist Party, attended meetings, and he is a milkman.

Mr. TAVENNER. Did you collect dues from him?

Mr. STRUNK. He paid me dues, I collected dues off of him.

Joseph V. Glatteman, schoolteacher. G-l-a-t-t-e-r-m-a-n. I don't know where he lives any more, in Dayton. I think he is a schoolteacher for some Jewish school. He attended many meetings with me, and he paid me dues.

James Hack, J-a-m-e-s H-a-c-k. He was a member in the beginning when I became a member of the Communist Party. He was not very active, and we tried several times to get him active. Once several years ago he distributed union leaflets. We made him. That is all the activity and that is all I know about him. His wife, Mary, the same thing.

Walter F. Hackmer, W-a-l-t-e-r F. H-a-c-k-m-e-r, 2101 Watervliet Avenue, in Greenmont Village. He was a salesman. He belonged to the professional group in the beginning. He is not in Dayton. He attended meetings with me and paid me dues.

Virginia B. Hackmer, Walter Hackmer's wife. V-i-r-g-i-n-i-a B. H-a-c-k-m-e-r, same address, 2101 Watervliet Avenue. She was a caseworker for the Children's Bureau of the City of Dayton in 1950. She was also a member of the professional group some time, when we had a professional group, and she paid me dues and attended several meetings with me.

Mr. SCHERER. Was this particular person that you have just mentioned a member of the party at the time you left the party in 1952?

Mr. STRUNK. She was not living in town any more. She moved, I don't know where, to Pittsburgh, I think.

Mr. SCHERER. And she was a member as late as 1950 to your knowledge?

Mr. STRUNK. I don't recall what year she left.

Mr. TAVENNER. Our investigation shows she is now living in Indiana.

Mr. SCHERER. When was the last date you knew her to be a member of the party?

Mr. STRUNK. Offhand I couldn't tell the exact year to be truthful, but I think it was at least 4 years ago.

Mr. SCHERER. Proceed.

Mr. STRUNK. Robert A. Harrison, R-o-b-e-r-t A. H-a-r-r-i-s-o-n, 54 Baltimore Avenue. He used to live in Greenwich Village, I think on Queens Avenue. He was an officer of 768, CIO. I attended many meetings with him. We had meetings at his house. Gus Hall, the secretary of the Ohio Communist Party, was present.

Mr. TAVENNER. Did you identify him as a member of the UE?

Mr. STRUNK. Yes.

Mr. TAVENNER. That was not the IUE; it was the UE, is that correct?

Mr. STRUNK. UE, the old UE.

Mr. TAVENNER. That is Robert A. Harrison, right?

Mr. STRUNK. Right.

Mr. SCHERER. You said he was an officer of that local, did you?

Mr. STRUNK. He was an officer, and a bartender. He was an officer of that union, correct.

Mr. SCHERER. Go ahead, Mr. Strunk.

Mr. STRUNK. To be correct, he was an officer of the CIO union. I never could keep them apart. He was an officer in the CIO union. During the Univis Lens strike he was at 768 and supported the strike as a union officer. I think he was on the strike board.

Gus Hall, State secretary in Cleveland, Ohio. He was the chairman of the party in Cleveland, Ohio.

Melvin Hupman, M-e-l-v-i-n, H-u-p-m-a-n, works for General Motors, Frigidaire; lives in Clarksville. I think he used to belong to local 801, CIO. He attended many meetings, many executive board meetings with myself. He paid me dues personally.

Anne Hill, A-n-n-e H-i-l-l, 315 East Lincoln, Dayton, Ohio. She is secretary of the CIO office, I think it is 754. She came in from Cleveland with this assumed name. This is not her name, but that is all the name we know. She was a very active Communist Party worker and organizer since she came to Dayton. She is very active in organized labor, and very very active and sincere in the Communist Party movement.

Mr. TAVENNER. Was she active in the degree that you have mentioned at the time you left the Communist Party?

Mr. STRUNK. She was very active.

Mr. TAVENNER. 1952?

Mr. STRUNK. Correct.

Herbert Hirschberg, he was an international representative, CIO. I attended several meetings with him and he paid dues to myself.

Mr. TAVENNER. Spell Hirschberg.

Mr. STRUNK. H-i-r-s-c-h-b-e-r-g.

Mr. TAVENNER. The first name is Herbert?

Mr. STRUNK. H-e-r-b-e-r-t, Herbert Hirschberg, international representative.

Virginia Hipple, she used to be employed at Masters when she was a member of the Communist Party, Dayton, Ohio. Now she is president of 754 UE, and was a member of the party when I left the Communist Party.

Mr. SCHERER. What year was that?

Mr. STRUNK. 1952, at the beginning of 1952.

Mr. WALTER. You say she is at the present time the president of the local of UE?

Mr. STRUNK. 754. She is a woman.

Mr. CLARDY. How long has she been president?

Mr. STRUNK. I don't know.

Mr. CLARDY. How long?

Mr. STRUNK. You mean the time she is president of that union?

Mr. CLARDY. Yes.

Mr. STRUNK. I couldn't tell the time when she became president.

Mr. CLARDY. Some little time, though?

Mr. STRUNK. Yes, some little time.

Mr. SCHERER. She is under subpoena to appear before us?

Mr. TAVENNER. Yes.

Proceed.

Mr. STRUNK. Frank Hashmall, F-r-a-n-k H-a-s-h-m-a-l-l. He was part organizer, part secretary, for the Cincinnati Communist Party and the Dayton section. He attended many meetings with me, and many executive board meetings. But I think he paid his dues in Cincinnati. He was many times in Dayton as the main speaker and organizer for the Communist Party which I attended.

Mr. SCHERER. He is now in the Ohio Penitentiary.

Mr. STRUNK. Correct, for false car registration.

Mr. SCHERER. In connection with Communist Party activities.

Mr. STRUNK. Several people came into town, to Dayton, when the Communist Party tried to go underground. Frank Hashmall came to my house, wanted to get rid of his car, change his license plate and his appearance. We went to Morris Patterson, he is a used-car dealer, to trade in his car. Morris Patterson advised us there were many cars that color, gray Chevy; he should go and sell the car to a trusted person, and he did sell the car to me, and I sold it back to him under an assumed name. He got a different license plate and a different registration card with a different name on it.

Mr. SCHERER. He went through that illegal procedure in order to hide his identity; did he not?

Mr. STRUNK. Correct, yes.

Mr. SCHERER. Hide his identity because of his activities in connection with the Communist Party; is that correct?

Mr. STRUNK. Very correct, yes.

Mr. SCHERER. And it is for that offense, illegal registration, that he is now serving time in the Ohio Penitentiary, is that right?

Mr. STRUNK. Correct.

Mr. TAVENNER. Was Morris Patterson involved in the prosecution in any way?

Mr. STRUNK. No. We only went there to try to trade the car in, and he advised us, he would give, trade it in gladly, a good deal, and he said there are a lot of gray cars; the license number would be different, and the registration card would be different. We took his advice and worked it that way.

Mr. TAVENNER. Why did you go to Morris Patterson?

Mr. STRUNK. Morris Patterson was for some time a member of the Communist Party and for some time he donated money, several months, \$25 a month. That was the time when we had a full-time secretary, Louis Secundy, in Dayton, Ohio. To support him we had to take money from donations.

Mr. TAVENNER. I think I will ask you other questions at this time relating to this matter of going underground by the use of various devices. Were you approached to enter into the same kind of a transaction involving an automobile for other leading Communist Party members in this area?

Mr. STRUNK. Yes.

Mr. TAVENNER. How many times altogether?

Mr. STRUNK. The next person that came in was Rappaport from Columbus. We went through the same procedure.

Mr. TAVENNER. What was Rappaport's first name?

Mr. STRUNK. I don't recall his first name. He was a very active Communist in the Columbus area.

Mr. TAVENNER. About what age man was he?

Mr. STRUNK. I beg your pardon?

Mr. TAVENNER. About what age man was he?

Mr. STRUNK. I would say not more than 28.

Mr. TAVENNER. All right. Tell the committee what happened.

Mr. STRUNK. We went through the same procedure. We went to the Car Registration Bureau.

Mr. TAVENNER. Did you go to the same man, Patterson?

Mr. STRUNK. No. At that time we did not go to Patterson. We went through the same procedure as we did with Frank Hashmall. We went to the license bureau. He sold me the car; I sold it back to him. Then he got the plates and the registration card, and then he disappeared. I never saw him since.

Mr. SCHERER. That procedure was followed again for the purpose of hiding that individual's identity as a member of the Communist Party?

Mr. STRUNK. Very correct.

Mr. CLARDY. And was that so he could take part in some strike activities, did you say?

Mr. STRUNK. That I wouldn't recall.

Mr. CLARDY. I thought you said something about a strike in connection with the first one. I wasn't sure I understood you. Why was this done in addition to just the general idea of concealing his identity? Was there something specific in mind at the time?

Mr. STRUNK. Because the United States Government tried to close in on the Communist Party. The first ones were already indicted or in jail. All different people got scared, and one by one disappeared. Some came to Dayton here to live undercover, and some dyed their hair. Frank Hashmall once disappeared for a long time. He came back. I didn't recognize him, so skinny, wore glasses, a different appearance altogether.

Mr. CLARDY. He did not dye his hair?

Mr. STRUNK. Just Hall did that.

Mr. TAVENNER. Was there any other occasion where your services were obtained in this sort of a guise?

Mr. STRUNK. One day Joe Brant came into town.

Mr. TAVENNER. Who?

Mr. STRUNK. Joe Brant. The labor official of the Communist Party in Cleveland. He was asking me the same thing, but then he went to a different person and I don't know exactly—I think I know, but I am not sure. I will not say who he went to. He went through the same procedure with the car registration as the other two went through with me. But Joe Brant after that had a different car license too.

Mr. SCHERER. These procedures for hiding identity took place as late as what year?

Mr. STRUNK. I couldn't tell the exact year. It could have been—

Mr. SCHERER. You got out of the party in 1952?

Mr. STRUNK. Yes.

Mr. SCHERER. How long before you got out of the party did these take place?

Mr. STRUNK. I would say 3 or 4 years, 1948, 1949. I am not very correct on that year. It could have been around that time.

Mr. SCHERER. Go ahead, Mr. Counsel.

Mr. TAVENNER. All right, proceed. Frank Hashmall was the last one you told us about.

Mr. STRUNK. Julie Jacobs, J-u-l-i-e J-a-c-o-b-s, 1718 West Riverview Avenue, Dayton, Ohio. When she was a party member in Dayton she was an office worker at 768.

Mr. CLARDY. May I inquire, Mr. Chairman?

Mr. SCHERER. Yes. Mr. Clardy.

Mr. CLARDY. This Julie Jacobs, according to the information I have, now lives in Michigan, Bay City, and is engaged at the moment in helping foment trouble that is going on at one of the companies engaged in guided missile work for the defense of our country, the Square D strike in Detroit I am referring to.

Do you have any idea as to whether she left this part of the country and moved into Michigan?

Mr. STRUNK. Well, she, after the Univis strike, Julie was transferred somewhere to Pennsylvania. I don't know exactly where.

Mr. SCHERER. Pardon me. You say transferred—

Mr. STRUNK. By the union, as a union worker.

Mr. SCHERER. By the party or by the union?

Mr. STRUNK. Well, it could have been because the union was controlled by the party then, the union she works for.

Mr. SCHERER. What union was it that was controlled by the party at that time?

Mr. STRUNK. It was the UE, and not the IUE, the UE.

Mr. CLARDY. There is a UE strike that I referred to in Detroit. She is, according to my information, taking an active part in it.

Mr. STRUNK. From Pennsylvania I think she went to Kentucky. She might be in Michigan.

Mr. TAVENNER. Let me ask you more about her. What position did she hold in the union; do you know?

Mr. STRUNK. She was an office worker, paid by the union, as far as I understand. And one meeting—

Mr. TAVENNER. Just a moment. Who was her superior?

Mr. STRUNK. Mr. Kirkendall. He was, I think, the secretary of 768 at that time.

Mr. TAVENNER. What was Mr. Kirkendall's first name?

Mr. STRUNK. K. M. Kirkendall.

Mr. TAVENNER. She worked in his office?

Mr. STRUNK. Correct.

Mr. TAVENNER. While he was secretary of the union?

Mr. STRUNK. He was her boss.

Mr. TAVENNER. Well, she was a member of the Communist Party?

Mr. STRUNK. Yes.

Mr. TAVENNER. Was he known to you to be a member of the Communist Party also, that is, Mr. K. M. Kirkendall?

Mr. STRUNK. Yes.

Mr. TAVENNER. Had both of them paid dues to you?

Mr. STRUNK. Correct.

Mr. TAVENNER. Was there any time when any special services of Julie Jacobs were sought by the Communists?

Mr. STRUNK. Julie Jacobs was very active in the Communist Party, in the whole Dayton section. One meeting I remember; it was in Hupman's residence. Mr. K. M. Kirkendall was present and Julie Jacobs was present. Kirkendall was advised to let Julie Jacobs do party work and to be paid by the union, her salary to be paid by the union.

Mr. SCHERER. You mentioned Kirkendall. Is he the former State senator?

Mr. STRUNK. Former State senator.

Mr. SCHERER. We have issued a subpoena for Kirkendall, haven't we?

Mr. TAVENNER. Yes.

Mr. SCHERER. Have you found him?

Mr. TAVENNER. Our investigation discloses he is in another State.

Mr. SCHERER. Did your investigation disclose when he left the State?

Mr. TAVENNER. I don't believe I should make a public statement about that.

Mr. SCHERER. All right.

Mr. CLARDY. Mr. Chairman, may I pursue this line right at this point for a second?

Mr. SCHERER. Yes.

Mr. CLARDY. Witness, having seen the list that you have there, and because of the fact that the Square D strike in Detroit has been fostered and carried on and directed by the Communist Party, as a matter of fact, Mr. Chairman, Philip Saba, who has been identified by this committee as a member of the Communist Party, has been sent out from the East to direct the thing, and we have the identity in Michigan so far of quite a number of others. Look forward on your list, you have the name of a Forrest Payne, P-a-y-n-e.

Mr. STRUNK. I have.

Mr. CLARDY. He also at the moment is, according to my information, engaged in carrying on the work of the party in the Square D strike at Detroit.

Now, if you don't mind, let's explore his activities when he was here. I would like to tie those two together, the Jacobs and Payne names.

Mr. STRUNK. As far as I know, Payne was very active during the Univis strike, Univis Lens strike. While active in the strike, any time he was in Dayton here he was on the Communist Party dues list. He paid me dues.

Mr. CLARDY. Regularly?

Mr. STRUNK. Regularly, yes.

Mr. CLARDY. Then did he occupy any position in the union that you know of while he was here?

Mr. STRUNK. I think he was an organizer. I remember once when the party went underground we couldn't meet more than 3 or 4 people, Pearl Hupman, Forrest Payne, and myself, we had a secret meeting, and Hupman then was sitting in a car.

Mr. CLARDY. Mr. Chairman, I tied that in there now because about a week ago Thursday or Friday I wrote the Attorney General, calling his attention to some of the facts that we have thus far accumulated in connection with the Square D strike and the fact that it is being directed by a man that we have identified as a Communist. I called

his attention to the fact that several others were Communists, and asked him to invoke the new Anti-Communist Act that is now on the books.

In other words, I think this will give him the first and best opportunity to test out some of the questions that are bound to be raised in connection with it. There is no doubt about the fact that that strike is started by the Communist Party, carried on and directed by Communists, and is being done so for the purpose of interrupting the program of arming the Nation against Communist threat.

Mr. SCHERER. What did you say the company manufactures?

Mr. CLARDY. Among other things it is engaged in making guided missiles, one of the most important items on our defense program. Incidentally, the only issue that is present in the strike at the moment, it is not a question of wages, working hours, working conditions, anything else, but there have been over 99 working stoppages within a short period, and the company is insisting on a no-strike provision during the term of the contract. That is down the Communist alley. They will not go for it. It has been tied up over 3 months.

Mr. WALTER. May I ask a question?

Mr. SCHERER. Yes.

Mr. WALTER. In your experience as an undercover agent for the FBI, did you know of any case where there was an organizer, a high official of the UE, who was not a member of the Communist Party of this community?

Mr. STRUNK. Well, do you have reference to any particular time?

Mr. WALTER. During the period of your work for the FBI.

Mr. STRUNK. Well, that is a broad question. It is many years. I know for certain that during the Univis Lens strike there was the whole strike board, it was all Communist Party members, except one man. He had a hell of a time there. His name was Oakie Wornstaff.

Mr. SCHERER. How many were on that board?

Mr. STRUNK. I think Oakie Wornstaff could tell you more about this. I can identify—

Mr. TAVENNER. I expect to go into that.

Mr. SCHERER. Before we go any further, I want to go back to K. M. Kirkendall, the man you said was a former State senator, and this committee tried to serve him with a subpoena. He was also an official of the union, wasn't he?

Mr. STRUNK. Yes, 768.

Mr. SCHERER. What was his official—

Mr. STRUNK. I think he was the president.

Mr. SCHERER. And for how many years, do you know?

Mr. STRUNK. I don't know; many years.

Mr. SCHERER. He is presently engaged in the real estate business here in Dayton, isn't he?

Mr. STRUNK. Yes.

Mr. SCHERER. That is the man you have been unable to serve, is that right?

Mr. JONES. Yes.

Mr. SCHERER. Mr. Counsel, I understand that in addition to the identification today by Mr. Strunk, Kermit Kirkendall has also been identified by two other individuals who appeared before our committee in executive session.

Mr. TAVENNER. That is correct.

Mr. SCHERER. You may proceed.

Mr. TAVENNER. Now, we were talking about this meeting at which Mr. Kirkendall was asked if his secretary, Julie Jacobs, could engage in Communist Party work and be paid by the union?

Mr. STRUNK. Yes.

Mr. TAVENNER. Now, what was done about that? What did Mr. Kirkendall say, if anything?

Mr. STRUNK. This came up, open, in the meeting at Hupman's residence, Pinnacle Road. Kirkendall was criticized, that he should let Julie Jacobs do party work and pay her through the union's money; let her do party work, keep her in the office, and pay her just like you pay the union secretary.

Mr. TAVENNER. Well, did she work that way for the Communist Party or not?

Mr. STRUNK. She did a lot of work for the Communist Party that time.

Mr. TAVENNER. And was she paid by the union for that work?

Mr. STRUNK. She did not work full time, but she worked a lot of hours for the Communist Party and was paid by the union.

Mr. TAVENNER. Now, what union was that, do you know?

Mr. STRUNK. It must have been 768. That is Kirkendall's union. It used to be on East Fifth Street.

Mr. TAVENNER. Did the rank and file membership of that union know its funds were being used directly to pay for Communist Party work?

Mr. STRUNK. Not the rank and file. Only a few knew that, those that were present at the Communist Party meeting.

Mr. CLARDY. Mr. Counsel, you said Mr. Kirkendall's union. You mean the UE?

Mr. TAVENNER. Yes, the local of which Mr. Kirkendall was an official.

What was the character of work that Julie Jacobs was doing for the Communist Party while being paid by the union?

Mr. STRUNK. Mimeographing leaflets, setting up the leaflets, and taking care of the work, pamphlets and stuff.

Mr. TAVENNER. Do you know what kind of leaflets these were that she worked on?

Mr. STRUNK. Definitely Communist Party leaflets.

Mr. CLARDY. Did you say several?

Mr. STRUNK. Definitely Communist Party leaflets, prepared in the office, on a union mimeographing machine; used union mimeograph paper and ink, paid by the union, used for Communist Party purposes.

Mr. TAVENNER. So that the local union was furnishing the Communist Party not only the services of Julie Jacobs, but a mimeograph machine, and with ink and paper?

Mr. STRUNK. Correct. The rank and file didn't know.

Mr. TAVENNER. Over how long a period of time do you think the Communist Party got the use of these facilities of the union?

Mr. STRUNK. I would say several years.

Mr. TAVENNER. Several years. All right.

Now, let us return to the question of names. Julie Jacobs you have described.

Mr. STRUNK. At the time Julie Jacobs was in Dayton, she was always a very active Communist Party member. She attended many

meetings with me, went many times with me on the Worker brigade to sell Sunday and Daily Workers. She attended many meetings. She paid me dues very regularly.

Mr. TAVENNER. Proceed.

Mr. STRUNK. Irene Jacobs, sister of Julie Jacobs, J-a-c-o-b-s, same place 1718 West Riverview Avenue. She used to be the dues collector for the City Club.

Mr. CLARDY. What?

Mr. STRUNK. Dues collector for the City Club. Each group had a separate dues collector besides me. I was the dues collector of the whole Dayton section.

Mr. CLARDY. They were your assistants more or less?

Mr. STRUNK. Correct.

Mr. CLARDY. By the way, did you get paid for any of this work?

Mr. STRUNK. Yes.

Mr. CLARDY. Any considerable amount?

Mr. STRUNK. No.

Mr. CLARDY. What kind of wage does the Communist Party pay to their workers?

Mr. STRUNK. You mean the Communist Party? I had to give them money.

Mr. CLARDY. That is what I thought. When they talk about a living wage for the worker, they don't mean people working for the Communist Party, do they?

Mr. STRUNK. I thought you were asking for the FBI payments.

Mr. TAVENNER. All right. You may proceed, please.

Mr. STRUNK. Arnold Johnson. He was the State secretary of the Communist Party in Dayton. When I became an undercover agent for the FBI, and became a member of the Communist Party, Arnold Johnson was the State secretary for the Communist Party of Ohio. I attended many meetings with him, had a lot of discussions about communism.

Louis L. Kaplan.

Mr. TAVENNER. How do you spell Louis?

Mr. STRUNK. L-o-u-i-s K-a-p-l-a-n. He was an international representative for the UE; very active during the Univis Lens strike. He was a member when he was in Dayton; paid me dues.

Mr. TAVENNER. Do you know from what part of the country he came when he first moved into Dayton?

Mr. STRUNK. I think from New York, more strictly from Cleveland.

Mr. TAVENNER. All right, let's proceed.

Mr. STRUNK. Richard (Dick) Kent, R-i-c-h-a-r-d K-e-n-t. He was active during the Univis strike. He was for some time the secretary of the progressive party in Dayton, and he was a member of the professional group, when we had a professional group, in the Communist Party.

Mr. TAVENNER. All right, proceed.

Mr. STRUNK. K. M. Kirkendall, K-i-r-k-e-n-d-a-l-l.

Mr. TAVENNER. I do not think it is necessary to make further mention of him. You described him a few moments ago.

Mr. STRUNK. I beg your pardon?

Mr. TAVENNER. I say, you have already talked about Mr. Kirkendall.

Mr. STRUNK. There is something I forgot about Kirkendall.

Mr. TAVENNER. All right.

Mr. STRUNK. Kirkendall attended very many meetings with me in the Communist Party. He paid me dues. He paid me dues and he was a Communist Party member while he was a State senator.

Mr. TAVENNER. Was he a member of the Communist Party before he became a State senator?

Mr. STRUNK. He was in the Communist Party before he became a State senator, and while, and after he was defeated again. He was a member of the Communist Party when he was the president of—

Mr. TAVENNER. Did the Communist Party itself play any particular part in his election to the senate?

Mr. STRUNK. During his election?

Mr. TAVENNER. Yes.

Mr. STRUNK. Very much. We worked hard to get Kirkendall elected.

Mr. TAVENNER. All right; proceed.

Mr. STRUNK. Anton Kirchmerek, A-n-t-o-n K-i-r-c-h-m-e-r-e-k. He came from Cleveland, Ohio, from the State party office, and attended several meetings with me. He never paid me dues. He was from Cleveland.

Sak Levin, S-a-k L-e-v-i-n. He came from somewhere out of town. He was put into the Dayton Communist Party section to be an organizer in the Dayton Communist Party. When he came to Dayton, he was an organizer for the Communist Party in Dayton. Then he moved from Cleveland to Akron. He tried to organize the Veterans Housing Administration in Dayton, which was defeated. Sak Levin didn't get to third base there, to infiltrate in the Veterans' Housing Administration.

Mr. TAVENNER. I am not certain that I understand you. Do you say they were or were not successful in infiltrating?

Mr. STRUNK. The Communist Party was not successful to infiltrate any veterans housing.

Mr. TAVENNER. Do you know why that was?

Mr. STRUNK. That I don't know.

At the time he was living in Dayton, he paid me dues. The same with his wife—I don't have the first name—was a member of the Communist Party and paid me dues.

Mr. TAVENNER. Who?

Mr. STRUNK. Sak Levin's wife. I haven't got it marked on my paper. She was a Communist Party member, too.

Louis Ladman.

Mr. TAVENNER. Spell it, please.

Mr. STRUNK. L-o-u-i-s L-a-d-m-a-n. He was an out-of-town Communist Party member, coming into Dayton to be under cover. His mail came to my own door, under a different name, and I handed him the mail.

Mr. TAVENNER. What was the reason for keeping his identity secret?

Mr. STRUNK. Because he was from somewhere out of town, I think from Cleveland, and he was living in Dayton here; not to be known he was that person.

Mr. TAVENNER. Well, was he a person of any prominence in the Communist Party?

Mr. STRUNK. He must have been. He never would say anything, you know, about his background, but he was under cover. He told me himself he was hiding.

Mr. TAVENNER. At the time you left the Communist Party, was he still active in Dayton?

Mr. STRUNK. Yes, still active.

Mr. TAVENNER. Was he considered one of the leaders in Dayton at that time?

Mr. STRUNK. Very correct. He was born in Russia. We couldn't find his name until the FBI showed me all different kinds of pictures, and I identified the name. Then he had about half a dozen different names. His name in Dayton was Louis Ladman.

Mr. TAVENNER. All right, proceed, please.

Mr. STRUNK. He attended very many Communist Party meetings with me, and he always was in the leadership, and advising.

James Lockwood, J-a-m-e-s L-o-c-k-w-o-o-d. He used to live on Wyoming Street. He became a member of the Communist Party in 1948, I would say. He was a very active member, paid me dues, and attended many meetings with me.

Alice Pearl Lockwood, same name, James' wife. She joined the Communist Party in later years, maybe in 1950.

Walter Lohman, W-a-l-t-e-r L-o-h-m-a-n. I attended several meetings with Walter Lohman. He paid me dues. He was very active in the Communist Party, especially his wife. He is one of those that signed the Taft-Hartley affidavit.

Mr. SCHERER. Where is Lohman now?

Mr. STRUNK. He is living in Dayton, Wayne Avenue.

Mr. SCHERER. What does he do?

Mr. STRUNK. Working at Yellow Springs, Vernay Laboratories.

Mr. SCHERER. What kind of laboratory is that?

Mr. STRUNK. I couldn't tell you exactly. It is a well-known place there.

Mr. SCHERER. You knew him to be a member of the Communist Party as late as what date?

Mr. STRUNK. Until I was exposed during the Hupman trial.

Mr. SCHERER. Will you repeat the date again?

Mr. STRUNK. That was the Federal trial against Melvin Hupman, in Federal court, when I was exposed as an FBI undercover agent.

Mr. SCHERER. Was he working for the Vernay Laboratories at that time?

Mr. STRUNK. I think so. He is still working there.

Mr. SCHERER. How many years has he been connected with the Vernay Laboratories?

Mr. STRUNK. Several years. I don't know exactly how many.

Mr. SCHERER. What is his profession or occupation?

Mr. STRUNK. I am not sure yet if he is a toolmaker or something.

Mr. TAVENNER. All right, proceed, please.

Mr. STRUNK. Hy Lumer, H-y L-u-m-e-r. He was educational director, coming from Cleveland, in schools in Dayton here, Communist Party educational schools.

Mr. TAVENNER. Describe the educational schools that were held here. Did you attend one of them?

Mr. STRUNK. Yes; I attended a couple of times, schools, talked over certain things or of Political Affairs, which was a Communist Party monthly pamphlet.

I attended once a meeting where Hy Lumer was the leader and the teacher. I couldn't tell you what I was supposed to learn there.

I don't know. We talked about Communist teachings, Communist philosophy, but I couldn't tell you exactly what the item was we discussed.

Mr. TAVENNER. Were many of the members of the party compelled to attend lectures and courses under Hy Lumer?

Mr. STRUNK. I would say in that school there were about 10 to 15 people.

Mr. TAVENNER. Ten to fifteen?

Mr. STRUNK. Ten to fifteen.

Mr. TAVENNER. All right. Proceed, please.

Mr. STRUNK. Harry McGill, colored. Harry M-c-G-i-l-l. He works at General Motors. He was for some time the dues collector for the Frigidaire group. He was a member of the Frigidaire group of the Communist Party. He handed me and paid his own dues to me. I attended many meetings, Communist Party meetings, with Harry McGill. Harry McGill was the secretary of the Dayton council, and as long as I have known Harry McGill, he was a dues-paying member of the Communist Party.

Lem E. Markland.

Mr. TAVENNER. Will you spell his last name, please?

Mr. STRUNK. M-a-r-k-l-a-n-d.

Mr. TAVENNER. Markland. Do you recall his first name?

Mr. STRUNK. Lem, L-e-m.

Mr. TAVENNER. Is that the same person as Lemuel Markland, do you know?

Mr. STRUNK. This person was always known to me as just Lem Markland. He worked for the, in the labor movement, at the UE, I think. He was always in the union, always in the executive board, leadership. He was very active during the Univis Lens strike. He got knocked over the head, too. He was for many years a Communist Party member. He paid me dues.

Mr. TAVENNER. Did he ever attend a Communist Party meeting in your home?

Mr. STRUNK. Yes. He attended Communist Party meetings in my home. I remember one meeting where when the so-called brutal Dayton police knocked all the Communists over the head, all the Communists had a meeting in my own home. They still had their bloody shirts on for propaganda purposes. Lem Markland was one of those present. That was strictly a Communist Party meeting.

Johnny Mitchell, M-i-t-c-h-e-l-l. He was very active during the Univis Lens strike. He was, as long as I have known Johnny, until he dropped out of the labor movement, several years ago, he was always a dues-paying member, so far as I know, until several years ago.

Mr. TAVENNER. Mr. Chairman, I think the record should show at this place that this person, Johnny Mitchell, has testified before the committee and fully cooperated with it.

Mr. SCHERER. The record will so indicate.

Mr. TAVENNER. Proceed.

Mr. STRUNK. Johnny Mitchell was for some time organizer in the Steubenville-Wheeling area.

Moore-Murphy; M-o-o-r-e-M-u-r-p-h-y. He is the first person I contacted, and found Communist literature in my own home, in a room I rented to him. He was the secretary of the Dayton Com-

munist Party at that time. Then later he moved away from Dayton. I don't know what happened to him.

Charles H. Marcum, C-h-a-r-l-e-s H. M-a-r-c-u-m. Charles Marcum, as far as I know him, was always active in organized labor, UE-CIO, and for several years he was a member of the Communist Party, paid me dues.

Charlene McIntosh, C-h-a-r-l-e-n-e M-c-I-n-t-o-s-h, Negro. As far as I know him, he was on my dues list, and he paid dues.

William A. Nelson, 1419 West Third Street, Dayton, Ohio. W-i-l-l-i-a-m A. N-e-l-s-o-n. William Nelson is the person that handed me the application in 1944 to become a Communist Party member. He gave me the membership card after several days, and I signed the application. He always was very active in the Communist Party movement. He was very active in Communist Party meetings with me. He always paid me dues, and many times he handed me money. He collected from people who were not Communist Party members.

Betty (Elizabeth) Nelson, B-e-t-t-y E-l-i-z-a-b-e-t-h N-e-l-s-o-n. She lived on Edison Street. She was the former financial secretary of Local 755, UE. I knew Betty for many years to be a Communist Party member. Betty paid me due for many times. Betty Nelson once was sick. The Communist Party gave her \$25 to help her over her bad times she had. She was sick and lost a lot of pay. Betty Nelson is the one that signed the Taft-Hartley affidavit. Betty Nelson is the one who Joe Brant and I agreed with to change the date and renew the resignation from the Communist Party.

William C. Notz, W-i-l-l-i-a-m C. N-o-t-z, 1023 Highland Avenue, Dayton Ohio. I know Notz, we will say, from the beginning when I became a so-called Communist Party member. Bill Notz was many years, several years, a member of the Communist Party. He paid me dues. Bill Notz got out of the Communist Party. He had once an argument and didn't agree with the Communist Party policy, and he dropped out altogether. Bill Notz was nominated in 1945 as dues collector for the Communist Party. That meeting was held on Hoagland and Steward Street. I, myself, Art Strunk, was nominated for dues collector, and William Notz. During the election, William Notz declined, and I got the job for the second year as dues collector for the Communist Party.

William Notz was very active in the Progressive Party. I think he was once the financial secretary, took care of some money.

Mr. TAVENNER. Can you tell the committee about when it was that William Notz dropped out of the Communist Party, about how long ago it was?

Mr. STRUNK. How long ago I couldn't say exactly, but it was several years ago that he didn't pay dues to me.

Mr. TAVENNER. All right.

Mr. STRUNK. Rose Notz, wife of William Notz; R-o-s-e N-o-t-z, 1023 Highland Avenue, Dayton, Ohio. Rose Notz paid me dues many times. She attended many party meetings. I urged her many times to attend meetings with me. Rose Notz, the last time I knew about her, she worked for the United Church Federation in Dayton as a secretary, I think.

Mr. TAVENNER. What relation, if any, is she to William Notz?

Mr. STRUNK. Wife, I mentioned she is the wife to William Notz.

Mr. TAVENNER. You did. Is she the same person that you told the committee about a little while ago as the notary public?

Mr. STRUNK. I will come to that.

Mr. TAVENNER. Who back-dated the affidavit?

Mr. STRUNK. Yes.

Mr. TAVENNER. Even in the absence of the affiant.

Mr. STRUNK. Rose Notz was the same person as the notary public which signed and notarized, and back-dated a statement from Betty Nelson to get away from the Communist Party, resign from the Communist Party.

Bebe Ober, B-e-b-e O-b-e-r. She used to live in Greenmont Village. She was, after—as far as I know, a secretary in the 768 union. She was very active during the Univis Lens strike.

Mr. TAVENNER. Just a moment. Will you give us the name again, please? I don't know that we understood the name. Give the name of the person.

Mr. STRUNK. You mean Bebe Ober?

Mr. TAVENNER. Bebe Ober.

Mr. STRUNK. I spelled it, too.

Mr. TAVENNER. We didn't understand it. O-b-e-r, isn't it?

Mr. STRUNK. O-b-e-r.

Mr. TAVENNER. All right.

Mr. STRUNK. She was very active during the strike. She paid dues to me. I had a lot of trouble collecting it. I have the feeling that Bebe at heart never meant to join with the Communist Party. She was criticized many times in the Communist Party for not being active enough while she was working in the UE, 768 local office there. She was very active in the Progressive Party movement, in elections. After the Univis Lens strike, she moved out of town.

Mr. TAVENNER. She became an organizer of the UE, did she not?

Mr. STRUNK. I couldn't tell you. She was always at the 768 office. Whatever the individual work was, I don't know.

John Ober, husband of Bebe Ober. J-o-h-n O-b-e-r. John Ober was on my dues list. He paid me dues. During the war, John Ober attended several meetings, while I was present, Communist Party meetings. John was present in his officer's uniform of the United States Army or Air Force. I don't know that any more. He attended discussions and meetings at that time.

Mr. SCHERER. What rank did he hold?

Mr. STRUNK. I couldn't tell you. He was an officer, either of the Air Force or the Army.

Mr. WALTER. He was in the Air Force Intelligence, wasn't he?

Mr. STRUNK. That I don't know. He attended Communist Party meetings, that I know.

Mr. TAVENNER. Proceed.

Mr. STRUNK. Forrest Payne, F-o-r-r-e-s-t P-a-y-n-e. Forrest Payne was a representative or field organizer of the UE-CIO. He attended many party meetings, many executive board meetings with me. He paid me dues many times. He was on my dues list. He was very active during the Univis Lens strike. At the time when he was in Dayton, he paid me dues and was a member of the Communist Party, according to my dues record.

Wilma (Forrest Payne) Bond, former wife of Forrest Payne. The new name is Wilma Bond. She attended—

Mr. TAVENNER. Would you spell the name, please?

Mr. STRUNK. B-o-n-d. She attended several meetings with me, not too many, not too active. And she was on my list as a dues-paying Communist Party member, and she paid dues.

Morris Robert Patterson, M-o-r-r-i-s R-o-b-e-r-t P-a-t-t-e-r-s-o-n, 718 Lexington Avenue, Dayton, Ohio. Patterson was a member in the beginning, when I became the dues collector, and he paid dues. Several times I went to him to get collections when he didn't pay his dues. We put it on his dues account anyway.

Several times I tried to make collections, and Morris Patterson sneaked out the back door. He didn't want to see me.

Morris Patterson is the one that advised Frank Hashmall to sell his car to me and change his license plates, for the reason to go underground.

Herman Pfuhl, H-e-r-m-a-n P-f-u-h-l. He used to live on Fairview Avenue. He was very active in the Progressive Party. We had, a couple of times, affairs during the war for the United Nations. That included Russia. Herman Pfuhl paid dues to me, but in later years he disappeared from Dayton. That is all about him.

Mr. SCHERER. Pardon me, Mr. Witness, for just a moment. It is 12 o'clock. The witness has been on the stand all morning. I understand, Mr. Counsel, we will give Mr. Strunk a rest this afternoon, and call some other witnesses, is that right?

Mr. TAVENNER. We would like to finish with him this afternoon. We do want to interrupt his testimony for a little while with another witness.

Mr. WALTER. Let him stand by.

Mr. TAVENNER. Stand aside and we will call you back.

Mr. SCHERER. At this time, the committee will be in recess until 1:30 this afternoon.

(Whereupon, at 12 noon, the hearing was recessed until 1:30 p. m., same day.)

AFTERNOON SESSION

(The hearing was resumed at 1:35 p. m., pursuant to recess, Representatives Gordon H. Scherer (chairman), Kit Clardy, and Francis E. Walter being present.)

Mr. SCHERER. The committee will be in session.

Mr. TAVENNER. Mr. Strunk, the last name with which you dealt was Mr. Herman Pfuhl. Will you proceed, please, with your statement of persons known to you to be, to have been, a member of the Communist Party from your own experience in the party?

Mr. STRUNK. Helen Pope, she was married to Arthur Garfield, international representative, a Communist Party member.

Mr. CLARDY. Who?

Mr. STRUNK. Arthur Garfield.

Mr. TAVENNER. He was an international representative of the UE.

Mr. STRUNK. After she was married to Arthur Garfield, she became a member of the Communist Party. I attended several meetings with her and she paid dues to me.

Norton Anthony Russell. He lives on President Street, Yellow Springs, Ohio. During the time when Anthony Russell used to live in Greenmont Village, we had several meetings in his house, and he

was a member of the Communist Party, belonged to the professional group, as far as I remember.

Mr. TAVENNER. When you say that you had several meetings in his house, what kind of meetings were you referring to?

Mr. STRUNK. Communist Party meetings in his house.

Mr. WALTER. Approximately when was that, Mr. Strunk?

Mr. STRUNK. This is several years ago.

Mr. WALTER. Was it after the attack that was made on South Korea?

Mr. STRUNK. Before.

Mr. WALTER. Before.

Mr. STRUNK. It was before.

Mr. WALTER. Before June 1950?

Mr. STRUNK. Yes, it was before.

Anthony Russell moved to Yellow Springs, working for Vernay Laboratories in Yellow Springs. He wasn't very active since he moved over to Yellow Springs. He attended once a Communist Party picnic in Bryan State Park. That is the last time I heard about Anthony Russell. He did pay me dues years before when he was a member of the Communist Party.

Mr. TAVENNER. Did you receive any dues from him after he moved to Yellow Springs?

Mr. STRUNK. Not personally.

Gene Rinehart, 46 Medina Court, Dayton, Ohio. G-e-n-e R-i-n-e-h-a-r-t, 46 Medina Court, Dayton, Ohio. When I joined the Communist Party, he was very active, but later I had a hard time to get dues of him. But finally he dropped out of activity altogether.

His wife, Bess Rinehart, same address, also was a member of the party, like Gene Rinehart, for several years. She paid me dues at the same time as Gene Rinehart did.

Russ Richeson, R-u-s-s R-i-c-h-e-s-o-n. He used to live on Oakland Avenue and Stewart Street. When I became a member of the Communist Party, Russ Richeson was the chairman of the Dayton section of the Communist Party. The next year, in 1945, at a meeting at Russ Richeson's residence, same address, I was elected dues collector for the whole Dayton section.

Russ Richeson bought a bond of \$100 to defend 11 Communists in New York. He paid his dues usually a year in advance, and he worked at Frigidaire as a tool maker. Russ Richeson has moved to California now.

Herbert Reed, H-e-r-b-e-r-t R-e-e-d. He used to be in Dayton, in the beginning, when I joined the Communist Party. He was an officer in the Communist Party.

The time, I don't know exactly what year. He left later, and when I became a Communist, he was not in Dayton any more, but I knew him.

John Romer, J-o-h-n R-o-m-e-r. He used—he still lives in Yellow Springs. He attended a few meetings, and for a very short time he was on my dues list as a member of the Dayton section. We had, once, a party in his house, just for entertainment.

I met him twice at a picnic of the Communist Party at Bryan State Park, Yellow Springs.

Several years ago, Gus Hall, secretary of the Ohio State Communist Party, came to Dayton. He was living with me for 2 weeks. One of the purposes, he came to reorganize a branch of the Communist Party

at Yellow Springs, which I heard him many, many times mention a branch used to exist there from 1938 to 1944. We contacted John Romer's wife. He explained to her if there was a possibility to revive the Communist Party in Yellow Springs. She explained to him that it was impossible, everybody was scared, so he didn't get any results there.

On the way back, Gus Hall mentioned this whole visit, that the people in Yellow Springs were believing in defeatism, didn't have any courage.

Mr. CLARDY. Will you repeat that? I wasn't sure of what you said.

Mr. STRUNK. Defeatism, you know.

Louis Secundy, L-o-u-i-s S-e-c-u-n-d-y. He was a paid organizer of the Dayton section of the Communist Party. He came from New York. He was sent in from Cleveland, from the State Communist Party, to be a full-time organizer of the Communist Party, Dayton section. He later, he wanted to get his wife and family over here. We couldn't furnish him the housing, and Louis Secundy went back to New York. He was in Dayton especially during the Univis Lens strike, and had a big hand in the strategy of the Univis Lens strike.

Charlie E. Sims, C-h-a-r-l-i-e E. S-i-m-s, 56 McGee Street. Charlie sometimes was on my list as a Communist Party member. He paid dues to me. He was a member of the Communist Party when he was running for city commissioner here in Dayton, and was defeated. I saw Charlie Sims in several meetings of the Communist Party. Charlie Sims was definitely on my membership list and paid dues to me, to the Communist Party section, Dayton, Ohio.

Ed Stone (Arthur Garfield)——

Mr. TAVENNER. Do you know how Sims was employed?

Mr. STRUNK. He was always very active in the CIO and the union. Which union he belonged to, I couldn't say, but he was, most of the time, very active in decisive union decisions. He must have had some kind of a position in the union.

Ed Stone, Arthur Garfield was his name. He lived in Dayton. Arthur Garfield, A-r-t-h-u-r G-a-r-f-i-e-l-d. His other name was Ed Stone, S-t-o-n-e. He was sent in during the Univis Lens strike, and was on the executive board, leading executive board of the 768, which was involved in a strike with the Univis Lens.

Arthur Garfield, as long as he was in Dayton, he paid me dues and he was on my list as a Communist Party member. I attended several meetings where Arthur Garfield was present.

Mr. TAVENNER. Do you mean Communist Party meetings?

Mr. STRUNK. Strictly Communist Party meetings, not open meetings where everybody could attend.

Mr. TAVENNER. All right.

Mr. STRUNK. Waldo Stager, Waldo S-t-a-g-e-r. He was something like an organizer in Dayton. He paid dues to me. He was on my membership list of the Communist Party. He was connected with the union. That is the reason he was in Dayton.

George Siskind, G-e-o-r-g-e S-i-s-k-i-n-d. He was a school instructor. He was several times in Dayton, and instructed Communist Party meetings and in the teachings of communism. He was the leader and the instructor. He came, I think, from Cleveland.

William Thamel, W-i-l-l-i-a-m T-h-a-m-e-l. He was an officer in the UE, 754. He was very active in the Communist Party, and several things that the party brought out. I saw him many times in executive board meetings of the Communist Party and other party meetings. He was on my dues list and he paid dues to me for the Communist Party.

His wife, Irene, was a member of the Communist Party, paid dues to me, and was on my dues list. She was very active as a Communist, too.

Dwight Williamson, D-w-i-g-h-t W-i-l-l-i-a-m-s-o-n, 1151 Phillips Avenue, Dayton, Ohio. Dwight Williamson was active in the Communist Party when the FBI hired me to be an agent in the Communist Party. He was a member then already. Then for some time he was not active any more. Suddenly he got active again. During that time, he attended many meetings, in his own house also, a couple of meetings. He was on my dues list and he paid me as the dues collector for the Communist Party. He paid me dues.

Martin Chancey, C-h-a-n-c-e-y. He was the secretary of the State Communist Party of Ohio. He came many, many times into Dayton for meetings. He came in several times during the Univis Lens strike, into Dayton, to help on the strategy to run the Univis Lens strike. I turned, many times, dues over to Martin Chancey, as the State secretary, dues collections from Communist Party members in Dayton. I sent my dues by money order to his address also.

Asbury Turner, A-s-b-u-r-y T-u-r-n-e-r, Negro. For all I know, he also was very active in UE activities. Just a few Communist Party meetings I met with him. He was on my dues list, and he paid me dues.

Mr. TAVENNER. I should state for the record, Mr. Chairman, that Asbury Turner has testified in executive session, cooperating with the committee. He is no longer a member of the Communist Party according to his statement.

Mr. STRUNK. MORRIS. I don't know his first name. He operates a shoe repair shop on West Fifth Street. That is between Ludlow and Williams, or Perry.

Mr. CLARDY. Did operate or does now operate?

Mr. STRUNK. Does now operate. He dropped out of activity several years ago. He was not active as a Communist for several years. He was during that time a member of the Communist Party. He paid me dues, and sometimes donated a couple of dollars, \$5.

Mr. CLARDY. But for the last several years, he has not been active?

Mr. STRUNK. No.

James Metcalf, J-a-m-e-s M-e-t-c-a-l-f. I have seen him attending several meetings, maybe three. He was living in Yellow Springs. He paid dues. He was on my membership list. He distributed the Daily Workers, some of them, in Yellow Springs. That was his assignment sometimes.

Ed Lavins, L-a-v-i-n-s. He owns a curtain-stretching business.

Mr. WALTER. This list of people that were paying dues to you were paying dues up to the time it became known you were an agent of the FBI?

Mr. STRUNK. Not exactly up to that time, no.

Mr. WALTER. Up to about when? When did you stop collecting dues?

Mr. STRUNK. At the beginning of 1952.

Mr. WALTER. But up to that time, all of these people had been paying dues through you to the Communist Party?

Mr. STRUNK. That is correct.

Mr. WALTER. So that for a period of nearly 2 years after the attack was made on South Korea these people were supporting the Communist Party?

Mr. STRUNK. Yes; before Korea, yes.

Mr. CLARDY. They were supporting it down to 1952, and that would be, as the Congressman said, 2 years after the war?

Mr. STRUNK. No, not 2 years after the war.

Mr. WALTER. The attack on South Korea was made in June 1950. Sometime up in 1952, after that attack had been made, these people were paying dues to the Communist Party through you?

Mr. STRUNK. The majority. I couldn't say exactly up to what year a person paid dues and then dropped out of the picture altogether.

Mr. CLARDY. As you went along, have you not indicated those who dropped out or had ceased to be active?

Mr. STRUNK. No, I did not. I only said those people were on my dues list during my activity as an FBI undercover agent for the Communist Party.

Mr. CLARDY. Would it be possible for you, at the recess or some other time, to go over the list and pick out those who, to your knowledge, ceased to pay dues prior to 1952? In other words, could you refresh your memory by taking your time and going over it?

Mr. STRUNK. I will try and see what I can do. I will.

Mr. CLARDY. I would like to see that done so that we may be sure that we have a complete and accurate record. Those who are named by you are going to be given an opportunity by this committee to appear at some suitable time, if they desire. We would like to have it accurate, an honest and complete story as to all of them.

Mr. STRUNK. I couldn't give you an accurate list here. It is impossible out of my mind.

Mr. CLARDY. That is why I say to take your time.

Mr. STRUNK. I can tell you very close today who is still active, an active Communist or not.

Mr. WALTER. My purpose in developing this is quite obvious. There are certain people who have contended that Russia was our friend and all of that business. But anybody that takes that position after the attack was made on South Korea is either a Communist or ought to be advised of the facts of life.

Mr. SCHERER. Proceed.

Mr. TAVENNER. Does that complete the list?

Mr. STRUNK. Ed Lavins. He owns a curtain stretcher and dry cleaning business. He attended several meetings, especially at Jacobs' residence on Riverview Avenue. He was a member of the city group at that time. He paid dues to me. The last several years he was not active.

Mr. TAVENNER. Now, during the course of your testimony, you have indicated that a number of the persons named by you held positions of prominence in the Progressive Party. Did the Communist Party take any special interest in the Progressive Party?

Mr. STRUNK. Definitely it did.

Mr. TAVENNER. In what way did it show that interest?

Mr. STRUNK. The Communist Party, the majority of the membership, the Progressive Party in Dayton, were members of the Dayton section of the Communist Party.

Mr. TAVENNER. Was any advice or suggestion given in Communist Party meetings as to whether or not Communist Party members should be active in the Progressive Party?

Mr. STRUNK. Definitely everybody was urged to join the Progressive Party.

Mr. TAVENNER. Do you know to what extent any member of the Communist Party endeavored to control the election of the officials of the Progressive Party?

Mr. STRUNK. The officials of the Progressive Party, as far as I know, never attended a meeting where there were officers elected, but I know several Communist Party members who were officers in the Progressive Party.

Mr. TAVENNER. Was that matter, the matter of the election of officers in the Progressive Party, discussed in Communist Party meetings?

Mr. STRUNK. Yes.

Mr. TAVENNER. Mr. Strunk, what would you say was the most important activity that the Communist Party engaged in, or the most outstanding activity, during the period that you were a member?

Mr. STRUNK. The most decisive, you mean?

Mr. TAVENNER. Yes.

Mr. STRUNK. The Univis Lens strike.

Mr. TAVENNER. The Univis Lens strike?

Mr. STRUNK. Correct.

Mr. TAVENNER. Mr. Chairman, I want to question this witness about the part that the Communist Party played in the Univis Lens strike. But, in order to give a clear picture of it, I suggest that we let this witness step down for the present, and let me put on another witness who will give background information, which should make his testimony more intelligible.

That would be with a view of recalling him for further testimony on the subject.

Mr. SCHERER. Just a second. Before the witness is temporarily excused, Mr. Clardy, do you have any questions?

Mr. CLARDY. Well, I will withhold mine for the present.

Mr. WALTER. No questions.

Mr. SCHERER. The witness is temporarily excused, and we will have a 2-minute recess.

(A short recess was had.)

Mr. SCHERER. The committee will be in session. Call the next witness.

Mr. TAVENNER. I would like to call Mr. Leothar Wornstaff. Will you come forward, please?

Mr. SCHERER. Raise your right hand, please.

In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WORNSTAFF. I do.

Mr. SCHERER. Be seated.

Mr. TAVENNER. What is your name, please?

TESTIMONY OF LEOTHAR WORNSTAFF

Mr. WORNSTAFF. Leothar Wornstaff, L-e-o-t-h-a-r W-o-r-n-s-t-a-f-f.

Mr. TAVENNER. Are you familiarly known as Oakie?

Mr. WORNSTAFF. That is right.

Mr. TAVENNER. When and where were you born, Mr. Wornstaff?

Mr. WORNSTAFF. Springfield, Ohio, February 1, 1906.

Mr. TAVENNER. And—

Mr. CLARDY. They call you Oakie?

Mr. TAVENNER. That is right. Do you now reside in Dayton?

Mr. WORNSTAFF. That is right.

Mr. TAVENNER. How long have you lived in Dayton?

Mr. WORNSTAFF. Since 1932.

Mr. TAVENNER. What is your occupation?

Mr. WORNSTAFF. I am president of Local 768, IUE-CIO.

Mr. TAVENNER. How long have you been president of that local?

Mr. WORNSTAFF. Since 1948.

Mr. TAVENNER. And—

Mr. CLARDY. May I suggest, counsel, that we have him make the distinction between the several unions so there will be no false impression in anybody's mind?

Mr. WORNSTAFF. I was elected president of local 768 under UE-CIO, and in November, 1949, the UE was thrown out of the CIO, and then I retained my position as president of Local 768, IUE-CIO.

Mr. TAVENNER. I believe you engaged in a fight within your union to oust Communist influence and control of your union when it was in the UE?

Mr. WORNSTAFF. We did.

Mr. TAVENNER. Isn't that true?

Mr. WORNSTAFF. That is correct.

Mr. TAVENNER. In calling this witness, I want to make it plain there has been no intimation of any character that this witness was at any time sympathetic to communism. In fact, it is just for the contrary reason that we are calling him.

Mr. SCHERER. The record will so indicate.

Mr. CLARDY. That is why I interrupted and suggested what I did so as to make it abundantly clear that you are at the opposite pole from the Communist Party controlled union.

Mr. WORNSTAFF. Thanks for the distinction.

Mr. TAVENNER. Mr. Wornstaff, I want to make it clear also that the committee desires to avoid in any way interfering with the internal affairs of a labor union, or of interfering in any way in disputes or differences between labor and management. That is not the function or the field of this committee. But—

Mr. CLARDY. With the exception, counsel, of helping them rid themselves of the Communist influence.

Mr. TAVENNER. I said the word "but" and expected to follow it.

But this committee does feel that it has the responsibility of following Communist Party activities wherever they may be found, and it is only in that respect that I wanted to call you with reference to

certain activities that took place during the strike in which your union, the UE, was engaged in 1948. That is the Univis Lens strike.

Now, at that time, you were president of that local, I believe?

Mr. WORNSTAFF. Not during the Univis Lens strike; no, sir.

Mr. TAVENNER. You were not. What position did you hold prior to the Univis Lens strike?

Mr. WORNSTAFF. I was chief steward at Univis Lens at the time of the strike.

Mr. TAVENNER. Yes. When did that strike occur?

Mr. WORNSTAFF. May 5, 1948.

Mr. TAVENNER. How long did it last?

Mr. WORNSTAFF. Until some time in August 1948.

Mr. TAVENNER. You were at no time a member of the Communist Party; were you?

Mr. WORNSTAFF. No, sir; definitely not.

Mr. TAVENNER. You have come here pursuant to a subpoena to answer such questions as we may desire to ask?

Mr. WORNSTAFF. That is right.

Mr. TAVENNER. Did you observe, at the time of the institution of that strike, that the Communist Party was wielding any special influence or control at the initiation of that strike in your local union?

Mr. WORNSTAFF. I believe the first 6 weeks of the strike it was handled pretty much by the Univis people, at which time it was then taken out of our hands.

Mr. TAVENNER. You say by the Univis people. You mean the members of your local union, the rank-and-file members?

Mr. WORNSTAFF. That is right; who worked directly for the Univis Lens Co.

Mr. CLARDY. You mean by that the Communists moved in, after the strike started, they moved in and took over?

Mr. WORNSTAFF. That is not in wholesale lots. We had one or two of them who were helping us through negotiations.

Mr. CLARDY. But they really took over command at some stage of the proceedings?

Mr. WORNSTAFF. That is correct.

Mr. TAVENNER. You say for how many weeks was it that the strike was managed chiefly by—

Mr. WORNSTAFF. Approximately 6 weeks.

Mr. TAVENNER. What occurred at the end of the 6-weeks' period of significance?

Mr. WORNSTAFF. If I remember my dates correctly, on June 15, 1948, just prior to that time, the company started a back-to-work movement. We found out about it, and through the influence of the UE organizers, who were then assigned to the Univis Lens strike, they found out about it, and they organized some other shops to help us on the picket line the morning of June 15, 1948.

Mr. CLARDY. May I interrupt? Off the record.

(Discussion off the record.)

Mr. TAVENNER. You say that organizers of the UE were brought in here?

Mr. WORNSTAFF. That is correct.

Mr. TAVENNER. Can you give us some of the names of the organizers who were brought in?

Mr. WORNSTAFF. The people who were handling the strike at the beginning of it was Louis Kaplan and Forrest Payne. After June 15, there was Lem Markland, Herbert Hirschberg, Paul Dunman, and Arthur Garfield. That many people I know were brought in to assist on the strike.

Mr. WALTER. When you say were brought in, what do you mean by brought in?

Mr. WORNSTAFF. Ordinarily they weren't stationed in Dayton. They were stationed throughout the State, and they came to Dayton to assist in the Univis Lens strike.

Mr. WALTER. Don't you mean they were sent in by somebody?

Mr. WORNSTAFF. Well, I don't know whether the request came from Kaplan or how it was determined for them to be brought into Dayton. I don't know whether a request was made from inside Dayton or whether they were sent in from outside Dayton.

Mr. CLARDY. Were these all men occupying official union positions at other places in the State?

Mr. WORNSTAFF. That is right.

Mr. TAVENNER. I am not going to ask you any questions regarding the possible Communist Party membership of those individuals. I will, however, ask that question of Mr. Strunk when he returns to the stand.

Now, will you give me again the names of those who were brought in or who came in as organizers of the UE?

Mr. WORNSTAFF. Mr. Arthur Garfield.

Mr. TAVENNER. Garfield.

Mr. WORNSTAFF. Herbert Hirschberg. One I missed was John Thomas, who is now deceased. Paul Dunman. I don't know. There were several of them. Their names have slipped my mind.

Mr. WALTER. At that time you say there was a back-to-work movement?

Mr. WORNSTAFF. That is right.

Mr. WALTER. Do you mean by that that the rank and file of the workers were anxious to go back to work again?

Mr. WORNSTAFF. No. We had two factions out there. We had the UE-CIO and we also had an independent union. The independent union were trying to get a decertification election at that time, and the company went to our civil courts here and got a temporary injunction, not against mass picketing, but against any violence on the picket line. That injunction was handed down and immediately after the injunction was handed down, then the company notified the people who were then active in the independent union to return to work as of June 10, and to meet in the parking lot, the company's parking lot, and they would be led in to work by the foreman of the Univis Lens Co.

Mr. TAVENNER. Now, when these various people were brought in, organizers of UE, was there any group established which controlled the strategy or the policy of the strikers?

Mr. WORNSTAFF. We had a strategy committee.

Mr. TAVENNER. When was that committee formed? Was it at the beginning of the strike or at about the date of June 15, or when?

Mr. WORNSTAFF. Thereabouts, the date of June 15.

Mr. SCHERER. Was that called a board or a committee?

Mr. WORNSTAFF. They called that a strike committee, strategy committee.

Mr. TAVENNER. Strategy committee.

Mr. WORNSTAFF. That is right.

Mr. TAVENNER. Was the membership of Univis Lens, that is the rank-and-file membership, fully represented in that strategy group or not?

Mr. WORNSTAFF. Well, if you call me full representation, I would say I was the only one from the Univis Lens Co. that was allowed to sit on the strategy committee.

Mr. TAVENNER. I am sure it had able representation.

Mr. WORNSTAFF. Thank you.

Mr. TAVENNER. About how many were on this committee?

Mr. WORNSTAFF. Well, it ranged from, I would say, 10 people to 15 people.

Mr. CLARDY. All the rest were brought in from outside?

Mr. WORNSTAFF. Well, there were some people that worked in the office, in local 768. Bebe Ober, Kirkendall, Charlie Sims, who worked directly for us, who were on the strategy committee.

Mr. TAVENNER. Now, I wish you would give us the names of all of the persons that you can now recall who were on this strategy committee.

Mr. WORNSTAFF. Kermit Kirkendall, Charles Sims, Bebe Ober—

Mr. CLARDY. What was the last?

Mr. WORNSTAFF. Ober.

Mr. SCHERER. She was a woman?

Mr. WORNSTAFF. That is right. Walter Lohman.

Mr. TAVENNER. What is that name?

Mr. WORNSTAFF. L-o-h-m-a-n.

Mr. TAVENNER. L-o-h-m-a-n?

Mr. WORNSTAFF. That is right. Herbert Hirschberg, Lem Markland, Paul Dunman, Forrest Payne. How many is that?

Mr. TAVENNER. That is right in number.

Mr. WORNSTAFF. There are many more than that. John Thomas was in on a couple of the meetings.

Mr. TAVENNER. You have not named Garfield.

Mr. WORNSTAFF. No. He was in on those meetings. Louis Kaplan.

Mr. TAVENNER. That is 12 with yourself. Was Henry Fiering in the group?

Mr. WORNSTAFF. No, he wasn't.

Mr. TAVENNER. Was Melvin Hupman on the list?

Mr. WORNSTAFF. Yes.

Mr. TAVENNER. He was?

Mr. WORNSTAFF. Yes, and Pearl.

Mr. TAVENNER. That makes 14.

Mr. WORNSTAFF. That is probably the extent of it.

Mr. TAVENNER. Now, we have had testimony this morning from Mr. Strunk that every one of those persons other than yourself was a member of the Communist Party. Did you observe during the course of the formation of the strategy of that strike anything to indicate that the influence of the Communist Party was being used for its own purposes as distinguished from the best interests of the rank-and-file members of your local?

Mr. WORNSTAFF. Well, I do know that we used to hold these strategy meetings in the evenings. Sometimes we would get out of these meetings as late as midnight or 1 o'clock in the morning, at which time

I would take Mr. Kaplan home. He then lived out on Fairview Avenue. I would pick him up at 5 o'clock in the morning to go to the picket line. He would tell me on the way to the picket line that all of the strategy that was planned last evening is called off. So I would question him about who called off the particular strategy that we had set up the night before. He said, "Well, we had a meeting at so and so time this morning."

I asked him where. He said at somebody's restaurant or some other place about the city.

I asked him who was there in attendance, and he was always very evasive about his answers.

I could never pin him down as to who was changing the strategy that had been set down the night before.

Mr. SCHERER. That strategy was changed from the time they left you off at your home around midnight—

Mr. WORNSTAFF. I left him off around midnight until 1 o'clock, and the strategy was changed from that time until 5 o'clock in the morning, at which time we went to the picket line.

Mr. WALTER. There was actually a change in the strategy?

Mr. WORNSTAFF. Yes, very much so.

Mr. SCHERER. How often did that happen?

Mr. WORNSTAFF. That happened on three or four different occasions.

Mr. CLARDY. Did he then outline to you what the new strategy was to be?

Mr. WORNSTAFF. No, he didn't.

Mr. CLARDY. Merely junked what you had agreed on the night before?

Mr. WORNSTAFF. That is correct.

Mr. CLARDY. How did you proceed from there on them?

Mr. WORNSTAFF. Well, ordinarily there were teams set up with somebody heading a particular team to take care of some activity away from the picket line, on either end of the picket line, or over in the parking lot, over in the bowling alley, which is approximately a city block from the Univis Lens Co.

Mr. SCHERRER. Did this change in strategy you are telling about take place prior to the time the National Guard was called or after?

Mr. WORNSTAFF. Prior to the time that the National Guard was called.

Mr. TAVENNER. Did you remonstrate against that interference?

Mr. WORNSTAFF. Yes, sir.

Mr. TAVENNER. Did you discover during the course of your experience in that strike whether there was any small group within this larger group who were actually running and controlling the strategy of that strike?

Mr. WORNSTAFF. I questioned them about that, and I personally felt there was, but I couldn't lay my finger on anything because I wasn't around evidently when the strategy was planned.

Mr. TAVENNER. Did you conclude that that was being hidden from you, concealed from you?

Mr. WORNSTAFF. That is correct.

Mr. CLARDY. Who gave the orders from that time on?

Mr. WORNSTAFF. I would say Mr. Arthur Garfield and Mr. Herbert Hirschberg were giving the orders to the strategy committee.

Mr. CLARDY. And who, in turn, passed it on to you?

Mr. WORNSTAFF. Mr. Kaplan.

Mr. CLARDY. You protested, as I understand, but to no avail?

Mr. WORNSTAFF. That is correct.

Mr. SCHERRER. Both Hirschberg and Garfield were nonresidents of Dayton prior to the strike?

Mr. WORNSTAFF. That is right.

Mr. SCHERRER. Do you know where they came from?

Mr. WORNSTAFF. Mr. Hirschberg was stationed at Cleveland, Ohio, and Mr. Garfield, he was an international representative, but I think there was a certain district assigned to him. I think he manipulated throughout this district.

Mr. SCHERRER. When, if you did, did you learn that the other members of this strategy committee were members of the Communist Party?

Mr. WORNSTAFF. I always had a feeling they were right along, because the judge that we had on our injunction case at that time called me to his home and told me that he felt that I was into something that I ought to be checking and ought to get out of it right quick.

Mr. SCHERRER. When did you actually learn these men were members of the Communist Party? You had the suspicion they were. When did you learn?

Mr. WORNSTAFF. In the trial of Melvin Hupman, I guess, when Mr. Strunk testified.

Mr. SCHERRER. Through the testimony of Mr. Strunk?

Mr. WORNSTAFF. That is right, outside of one person. I did see one person's Communist card.

Mr. SCHERRER. Which one was that?

Mr. WORNSTAFF. Robert Harrison. I think you might add him to that committee.

Mr. CLARDY. How did you happen to see that?

Mr. WORNSTAFF. He used to run the bar. After he got two or three drinks in him he was pretty free with his conversation. He was pretty bold. He would throw it out on the bar for most anybody to look at that wanted to see it. I saw it on many occasions. I had several arguments with him, Mr. Payne, Mr. Kaplan, and Johnny Mitchell in what is now my office. They all four told me, "You cannot work for the international union of UE unless you belong to the Communist Party."

Mr. SCHERER. It was no surprise to you then when Mr. Strunk identified these other gentlemen of the strategy committee as members of the Communist Party?

Mr. WORNSTAFF. It was no surprise to me, with the exception of Mr. Sims and Mr. Kirkendall. I had never actually heard of anyone that had tried to hang the name Communist on them, even though I felt that they were Communists. I had never heard anybody come out and testify to the fact until Mr. Strunk made such testimony.

Mr. SCHERER. When was the last time you saw Kirkendall in and around Dayton?

Mr. WORNSTAFF. I saw Mr. Kirkendall about a year ago.

Mr. SCHERER. Do you know whether or not he has been in Dayton since that time?

Mr. WORNSTAFF. I couldn't say "Yes" and I couldn't say "No."

Mr. TAVENNER. Are you familiar with the action that was taken

by the strategy committee when the National Guard was brought in? Do you know what action did the strategy committee take with regard to the National Guard?

Mr. WORNSTAFF. They weren't taking too much action of any kind. We were limited, the colonel called me over, the colonel of the National Guard called me over to Kaiser High School, and said, "We will allow you 4 people on the gate every 4 hours." He says, "We will escort the people to the plant gates, and those who are leaving we will escort them from the plant gates."

The colonel and I worked very closely during the Univis strike. They were in here, I think, around 5 or 6 days.

Mr. SCHERER. Was there any violence during the time the guard was in?

Mr. WORNSTAFF. Not on the picket line; no.

Mr. SCHERER. There was violence in connection with the strike?

Mr. WORNSTAFF. I wouldn't say there was violence. There were a couple of boys from Frigidaire, and a couple of the guards walked up and stopped them, and they got too close with the bayonets, and there was blood running down their shirts.

Mr. SCHERER. The guard was called because there was violence prior to its being called?

Mr. WORNSTAFF. That is true; yes, sir. We were threatened with the guards at a meeting held with the Governor of the State of Ohio, which meeting I attended, and he threatened us with the guards if we didn't get the strike settled within a day or two, and it wasn't settled.

Mr. SCHERER. Were these individuals who attended that meeting with the then governor members of the strategy committee?

Mr. WORNSTAFF. There were only 3 of us who attended that meeting. Mr. Garfield, Mr. Kirkendall, and myself for the union. Of course, the company officials were there also.

Mr. TAVENNER. Did anything occur at that meeting which indicated to you that this group that you now know to have been members of the Communist Party were endeavoring to play off the workers for the benefit of the Communist Party?

Mr. WORNSTAFF. That is very true. The meeting was held in this building, at which time Mr. Garfield and Mr. Kirkendall agreed to the discharge of 39 Univis people, and signed such an agreement with the Governor of the State, and I walked out of the meeting.

Mr. TAVENNER. In other words, 39 members of the Univis Lens membership were to be expelled?

Mr. WORNSTAFF. That is true.

Mr. TAVENNER. As the price of settling the strike?

Mr. WORNSTAFF. That is right.

Mr. TAVENNER. You wouldn't agree to that?

Mr. WORNSTAFF. No, sir.

Mr. TAVENNER. You wouldn't agree. Why wouldn't you agree to it?

Mr. WORNSTAFF. I felt that the workers at Univis Lens, none of them belonged to the Communist Party to my knowledge. We all came out fighting a principle, and I felt we should all go back fighting the same principle.

Mr. TAVENNER. But you have then the strange picture of the Communist Party members trying to end the strike, is that what you say?

Mr. WORNSTAFF. That is true. On this particular Friday night, after we met with the Governor, we had a Univis Lens membership meeting, at which time I got up. The meeting was called for 8 o'clock in the evening. I got to the hall around 7:15 that evening. I walked to the back room, and the people who I have mentioned were in this room in a meeting. I wasn't allowed in this room. So at 8 o'clock, about a quarter of 8—

Mr. TAVENNER. You mean you were not allowed to attend the strategy meeting?

Mr. WORNSTAFF. I was not. About a quarter of 8 they came out of the room and came upstairs, and at 8 o'clock we started the meeting. I chaired the meeting, at which time Mr. Kirkendall and Mr. Garfield got up and recommended to the membership that they accept what they had agreed to with the Governor of the State, for the discharge of 39 people.

I let all of them have their say. After Mr. Garfield and Mr. Kirkendall got up and made the recommendation, then each one of the other people on the strategy committee got up and recommended to the membership that they follow along with what Mr. Kirkendall and Mr. Garfield had agreed to with the Governor of the State.

I let all of them get down, and then I tore into them, and immediately after I got through Mr. James Devine, who was then president—

Mr. TAVENNER. Spell that name.

Mr. WORNSTAFF. D-e-v-i-n-e. He asked for the floor and got up and ripped into them, and told the Univis Lens people that these people were trying to sell them down the river. His recommendation would be that we reject what Mr. Garfield and Mr. Kirkendall had agreed to with the Governor of the State of Ohio.

Mr. TAVENNER. In other words, this special group that had been sent in and had taken control of this strike, whom you now know to have been Communists, were in your judgment selling your local union down the river?

Mr. WORNSTAFF. The people in it; yes.

Mr. TAVENNER. The people in your union?

Mr. WORNSTAFF. That is right.

Mr. CLARDY. They were at least selling the 39 down the river.

Mr. WORNSTAFF. That is true.

Mr. CLARDY. What was the reason for the differentiation between those 39 and the balance?

Mr. WORNSTAFF. Activity on the picket line.

Mr. TAVENNER. Let me ask you this: Did you come to any conclusion as to why it was the Communist Party members of this strike committee wanted, other than yourself and others than the rank and file of your union, wanted to settle this strike by a discharge of the 39 members?

Mr. WORNSTAFF. I have a feeling, which is just a matter of opinion, through the newspapers—

Mr. TAVENNER. Wait just a minute. Rather than express an opinion about it, tell the committee facts as to what was occurring at that time and let them draw their own opinions and conclusions.

Mr. CLARDY. When he finishes, I will be interested in his opinion. He was an expert on this. Anybody is entitled to express an opinion. He is in much better shape than we are.

Mr. WORNSTAFF. The [Dayton] Journal-Herald of this city, which is a daily newspaper, came out one morning and they had several people's names so connecting them with the Communist Party, what their background was, where they went to school, and all about them. If I remember right, the Dayton Daily News ran something along the same lines. It was my feeling, it was my feeling they were beginning to get the organizers backed up against a wall, and they were ready to get out of this thing any way, shape, or form in order to save their own necks. That was my feeling.

Mr. TAVENNER. Now I have before me, for instance, just to bear out what you have to say—I don't have the paper that you refer to—but I have the Labor Union before me of August 6. The headlines are "Red Infiltration Behind Univis Trouble," which bears out the same thing you were speaking of.

Now, it is also true that a special subcommittee of the Committee on Labor and Education in the 80th Congress of the United States conducted a hearing here along about August 3 or 4; did it not?

Mr. WORNSTAFF. That is true.

Mr. TAVENNER. Some of these individuals such as Garfield and others were called as witnesses before that committee and took the fifth amendment when asked about their Communist Party affiliations. That was true; wasn't it?

Mr. WORNSTAFF. Yes, sir.

Mr. TAVENNER. So that the hand of the Communist Party was beginning to show in the organization and strategy of this strike. That was pretty plainly shown; wasn't it?

Mr. WORNSTAFF. That is right.

Mr. TAVENNER. Then, if I understand your conclusions, your opinion is that for those reasons they were trying to get out of this thing.

Mr. WORNSTAFF. That is correct.

Mr. TAVENNER. Regardless of the effect that it would have on the rank-and-file members of your union.

Mr. WORNSTAFF. That is right.

Mr. CLARDY. Would you go as far as to say they were attempting to pass the buck to you and those on your side in it so that you would be blamed for whatever happened during the whole proceeding?

Mr. WORNSTAFF. Well, I don't know whether they passed the buck to us. The thing is, they were agreeing, they were agreeing for us to be discharged in order to get the strike settled.

Mr. CLARDY. What do you mean, "us"? Were you on the list of the 39?

Mr. WORNSTAFF. Yes, sir.

Mr. CLARDY. I don't blame you. Well, then, I am not so sure but what there was an even deeper and more sinister motive there, and that was to use that as a method of cleaning out the decent leadership in your union so as to leave the pro-Communist element in charge. Doesn't it appear that way to you on reflection now?

Mr. WORNSTAFF. I don't know. We hadn't started too much of a fight against them at that time.

Mr. CLARDY. No, but you were going to be cleaned out if a settlement was agreed to.

Mr. WORNSTAFF. We would have certainly been cleaned out at Univis Lens; yes.

Mr. CLARDY. Your influence in the union would have been nil from there on?

Mr. WORNSTAFF. That is right.

Mr. CLARDY. My conclusion would be—I knew nothing about this strike until we came into this—maybe the plot was a little bit deeper than you may have suspected. It seems to me like a darn good way of getting rid of good leadership.

Mr. WORNSTAFF. Can I go a little further and let you know exactly what the settlement of the strike was?

Mr. TAVENNER. Yes.

Mr. WORNSTAFF. The following day, after we had our membership meeting, we again met with the Governor of the State of Ohio, and he talked to me on the telephone the night before, after the membership meeting, and asked me if I would attend the meeting on a Saturday morning. I told him under the same conditions, no. So he says—

Mr. TAVENNER. What do you mean by “the same conditions”?

Mr. WORNSTAFF. Agreeing to the discharge of 39 people. So he says, “Well, you come down tomorrow morning and we will see what we can work out.”

We did attend a meeting the following morning, at which time we settled the strike, with 11 of us discharged, subject to taking our cases to arbitration.

And the following Monday, the workers went back to work with the exception of 11 of us—

Mr. CLARDY. With the exception of who?

Mr. WORNSTAFF. Eleven of the original 39; at which time then there was an arbitrator appointed by the American Arbitration Board, who happened to be Dr. Paul Lehoczky, Ohio State University. This arbitration was held, I think something like 100-some witnesses, and possibly 40 of them testified against me. Dr. Lehoczky in his determination of the cases decided to put 6 of us back to work with full back pay, back to August, and 5 people were discharged through acts of aggression on the picket line.

Mr. CLARDY. Were you among the six?

Mr. WORNSTAFF. I was among the 6 that went back, so actually 5 people lost their job out of the Univis Lens strike.

Mr. CLARDY. Did these outsiders move on, evaporate, disappear after the settlement?

Mr. WORNSTAFF. Two or three stayed here, the ones assigned to the Dayton area, like Louis Kaplan, Forrest Payne, and I don't know whether there were any others or not.

Mr. CLARDY. The rest of them moved on?

Mr. WORNSTAFF. Yes. Well, Lem Markland—at the time, I think, the division office was on North Main Street, Dayton, Ohio. He was in and out of here. He had the whole district to cover, which was at that time Ohio and Kentucky, if I remember right.

Mr. TAVENNER. Well, by that time they realized fully the part that the Communist Party played in forming the strategy of that strike?

Mr. WORNSTAFF. Certainly.

Mr. TAVENNER. What did you do about it?

Mr. WORNSTAFF. What did we do about it?

Mr. TAVENNER. Yes.

Mr. WORNSTAFF. We got hold of maybe 3 to 5 people out of each one of our shops. Our local 768 was composed of 20 factories in Dayton at that time, and out of each factory we got 2 or 3 people who we knew were what we might refer to as right-wing people. And we immediately began to organize to rid ourselves of the Communists in the fall elections of 1948. And we organized from August 1 until the election was held around December 1. And the thing snowballed so fast that when our election was held I think I myself won around 5 to 1, and the gentleman who beat Mr. Kirkendall won by 15 votes, if I remember right.

I might say that in order to throw these people out, we had five write-ins on our ballot. The people had to be schooled as to where to write these people's names in and put the X before the name after they had written it in. Practically all of these people I have named here were carrying membership in Local 768, UE, at the time.

After we won the election we threw those people out of the membership, and the ones that Mr. Strunk read this morning, I think only two people who are still left in our local, and we do not allow them to hold membership in our local.

Mr. TAVENNER. So as a result of what occurred at this strike, the eyes of the rank and file members of your union, of your local, were opened?

Mr. WORNSTAFF. That is true.

Mr. TAVENNER. And the rank and file members with able leadership, they just took it away from the Communists?

Mr. WORNSTAFF. That is true.

Mr. TAVENNER. The answer to this whole problem lies right with the rank and file members?

Mr. WORNSTAFF. That is right.

Mr. TAVENNER. What means were used to get them to be aware of the situation that existed? It is not an easy matter to impart the facts to the rank and file members because sometimes of disinterest, sometimes of their just being tired of hearing the subject discussed.

Mr. WORNSTAFF. Well, in 1948, if I remember right, there was a right-wing meeting held at the Delco Local Hall 755, at which time we were setting up the machinery to try to overthrow the leadership in UE at the 1948 convention. And so through that the people were aware of it because we sent many delegates from our local, and they in turn would go back in their unit meetings and explain what kind of movement was on in order to try to rid ourselves of these Communists that we had in our union.

And through numerous people talking from the outside, helping us along, we were successful in our December elections in kicking these people out bodily.

Mr. CLARDY. How many were in the local altogether at that time?

Mr. WORNSTAFF. Around fifty-two to fifty-five hundred dues-paying members.

Mr. SCHERER. Are there any local UE unions in Dayton today?

Mr. WORNSTAFF. Two.

Mr. TAVENNER. I would like to have the names of the manufacturing plants in which your local was organized back at that time, in 1948.

Mr. WORNSTAFF. You want the names of all of the plants that are represented by UE now?

Mr. TAVENNER. All you represented in 1948, when the question of this strike arose. Can you give us that?

Mr. WORNSTAFF. There would be 20 of them.

Mr. TAVENNER. Give us those that you recall.

Mr. WORNSTAFF. Air Temperature Division of the Chrysler Corp.; Buckeye Iron & Brass; Gondert-Linesch Co.; Berger Iron Co.; Ohio Box & Lumber Co.; Dayton Forge & Manufacturing Co.; Standard Register Co.; Vernay Laboratories, Yellow Springs, Ohio; National Foundry Co.

Mr. SCHERER. Pardon? Just a minute. What union do they have now?

Mr. WORNSTAFF. IUE-CIO.

Mr. SCHERER. When did UE lose out in Vernay?

Mr. WORNSTAFF. That was one of our first shops in 1950, the early part of 1950.

There is a little story back of that. I don't know whether it would be fitting or not, but I would like to relate it for the matter of the record.

Mr. SCHERER. Go ahead.

Mr. WORNSTAFF. We thought because Mr. Walter Lohman, who I understand is under indictment, he was then chief steward at that shop. When we were seceding from the UE we felt we didn't have a chance in that shop, so we ignored the laboratory because we felt it was a lost cause. I was sitting at my desk one evening, at which time Mr. Vernay called me long distance and asked me what we were going to do about his shop. I said, well, we felt the shop was lost, and we had all we could do to try to get the other 19 shops to get out of UE. We hadn't spent any time over there. He said, "I want you to know that our employees are not Communists," and he says "We don't want any part of UE." He says, "I would like to have you people come over and meet a committee of our workers and get them in IUE also." He says, "Could you come over this evening?"

I had a meeting that particular evening. I told him I would be there in an hour's time. So when we went over there Mr. Vernay had five of his workers at his home, and he and the plant superintendent and the secretary-treasurer of the company were there also.

So after he introduced us around, he says, "Now, I am going to leave." He says, "You people can use my home. If you want anything to eat or drink, there is the icebox. When you get done with my residence, call me and I will return back."

So through his efforts, the following weekend—I think at that time Mr. Vernay had around 48 employees. There were 47 signed cards out of the 48 employees that came back to our office the following evening, at which time then we started proceedings to get his factory into the IUE. We felt it was a lost cause until he told us that his employees did not want any part of UE, and would we come over and start a drive over there the same as we had in our other 19 factories.

Mr. SCHERER. Is Lohman still with Vernay Laboratories?

Mr. WORNSTAFF. Yes, he is.

Mr. SCHERER. Does he belong to IUE?

Mr. WORNSTAFF. No, sir.

Mr. SCHERER. What is his capacity over there?

Mr. WORNSTAFF. He is a toolmaker or a machinist, one of the two.

Mr. TAVENNER. There is another person identified by Mr. Strunk, his name was Russell, Tony Russell. You may have heard that this morning.

Mr. WORNSTAFF. I know him very well.

Mr. TAVENNER. Is he a member of your local?

Mr. WORNSTAFF. No, Mr. Russell is in a supervisory capacity at Vernay Laboratories.

Mr. CLARDY. He didn't finish the list.

Mr. TAVENNER. That is right. Will you return now and give us the names of any additional manufacturing plants that you can recall with which your local had contracts in 1948?

Mr. WORNSTAFF. In 1948?

Mr. TAVENNER. Yes.

Mr. WORNSTAFF. Well, at that time we had the G. H. & R. Foundry. We had the Dayton Malleable Iron Co. We had the Univis Lens Co., up until which time, the end of the strike.

We had the Brown & Blackmar Co.

Mr. SCHERER. It may be difficult for the witness to remember all of them. Can't he give them to the staff at a later time and we can insert them in the record?

Mr. TAVENNER. I am amazed he can call them off that rapidly. I wanted to lay the foundation for the next question.

Mr. CLARDY. Has he gone as far as he can?

Mr. WORNSTAFF. There are 5 or 6 more.

Mr. CLARDY. You remember all you can at the moment?

Mr. WORNSTAFF. I would say yes.

Mr. TAVENNER. During the period of the war, I assume that many of those manufacturing plants were engaged in the performance of war contracts?

Mr. WORNSTAFF. I couldn't answer that specifically because during the war I was not an officer of Local 768. I was an employee of the Univis Lens Co.

Mr. TAVENNER. Did you become aware during the period of the strike that in addition to those Communist Party members who were officials of the international organization of the UE, and were sent in here, that persons having a purely functionary status in the Communist Party were sent in to aid and direct these other members? Do you know anything about that?

Mr. WORNSTAFF. No, I don't.

Mr. TAVENNER. I think that is all.

Mr. CLARDY. Maybe he doesn't quite understand your question.

Mr. TAVENNER. My question was involved. Do you know whether any functionaries of the Communist Party who were not in any sense connected with labor organizations, such as Martin Chancey, for instance, Joe Brant, or Gus Hall, came into this area during the period of that strike and endeavored to exert an influence over it?

Mr. WORNSTAFF. There were many people that came in. They were named this morning. And it seems like they always made their headquarters in our local because even the Progressive Party moved into our local. We had to bodily throw them out. We were paying their telephone bills, advertising bills, and everything else.

So three of us laid off from work one day and bodily threw them out of our local union.

Mr. CLARDY. Did you have any trouble?

Mr. WORNSTAFF. We had them outnumbered that particular day.

Mr. TAVENNER. I learned with a great deal of interest, too, this morning that your local union was defraying the expenses of the Communist Party by furnishing the ink and stationery, and mimeograph machine, and paying for the time of the operator for a period of years.

Mr. WALTER. It seemed to me that the two things were synonymous, your union and the Communist Party.

Mr. WORNSTAFF. That is right. I will say it was a hotbed for Dayton, Ohio.

Mr. TAVENNER. Do you think the rank and file of your membership at that time would have stood for that if they had known it?

Mr. WORNSTAFF. No; I don't think they would have.

Mr. TAVENNER. You are convinced they wouldn't stand for it now if they knew?

Mr. WORNSTAFF. I am positive.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. SCHERER. Mr. Clardy?

Mr. CLARDY. Just continuing that last subject, didn't they—by "they" I mean the members of your union—didn't they pretty effectively demonstrate what they thought of the Communist influence when they voted 5 to 1, with the other ratio you mentioned, to throw the Communists out and elect some of the rest of you?

Mr. WORNSTAFF. We had a more impressive vote than that.

Mr. CLARDY. What was that?

Mr. WORNSTAFF. The votes when we decided to leave UE and to go along with IUE; we had in the neighborhood of 1,400 members present at that meeting that evening. I think there were only around 3 or 4 people that voted against the resolution affiliating with IUE.

Mr. CLARDY. Wouldn't you say it would be fair for the committee to assume that in at least that percentage the rank and file of your union were anti-Communists and good loyal American citizens?

Mr. WORNSTAFF. Yes, sir.

Mr. TAVENNER. Who was your opponent in the election?

Mr. WORNSTAFF. Walter Lohman.

Mr. TAVENNER. I have no further questions.

Mr. SCHERER. Mr. Walter?

Mr. WALTER. I want to take this opportunity to tell you that you have rendered a great service to your Republic, and it is indeed fortunate that the vast majority of the workers of America are made of the same stuff you are. I want to congratulate you on the work that you have done, and the help you have given this committee.

Mr. WORNSTAFF. Thank you.

Mr. SCHERER. Mr. Walter has expressed the feeling of the chairman and the other member of the committee, and, therefore, you are discharged with our thanks.

(Witness was excused.)

Mr. TAVENNER. I would like to recall Mr. Strunk at this time.

Mr. SCHERER. We will take a 10-minute recess.

(A recess was taken from 3 p. m. until 3:15 p. m.)

(Whereupon, at 3:15 p. m. the subcommittee reconvened, pursuant to recess, Representatives Gordon H. Scherer (chairman), Kit Clardy, and Francis E. Walter being present.)

Mr. SCHERER. You may proceed, Mr. Tavenner.

TESTIMONY OF ARTHUR PAUL STRUNK—Resumed

Mr. TAVENNER. Mr. Strunk, it has been testified here by the witness who just preceded you, Mr. Wornstaff, that various individuals constituted the strike committee during the Univis Lens strike. He has identified those persons, and you have identified them, with the exception of John Thomas, I believe, as all having been members of the Communist Party.

During the period that that strike progressed, did you observe any special activity in Communist Party circles in matters that would affect those individuals in the formation of the strike policies and strategy?

Mr. STRUNK. As far as I recall, the Univis Lens strike started the beginning of May. In the middle of June, the UE International sent several fellows into Dayton to help in the strategy of this strike.

Mr. TAVENNER. Excuse me. Who sent them in?

Mr. STRUNK. The International.

Mr. TAVENNER. Yes.

Mr. STRUNK. Should I mention the members which were present and worked during the Univis Lens strike?

Mr. TAVENNER. Just describe the whole thing in any way that it occurs to you.

Mr. STRUNK. Active during the Univis Lens strike was Kirkendall, Garfield, Hirschberg, Payne, Mitchell, Pearl Hupman, Melvin Hupman, Bebe Ober, Lohman, Louis Kaplan, Lem Markland, Andy Caulder, secretary, 768, Julie Jacobs, Irene Jacobs, Paul Dunman, Joe Brant, Martin Chancey, Robert Harrison, Richard Kent.

These people were all on my list, Communist Party membership list, for the purpose of collecting dues from them.

Mr. TAVENNER. I see. The people whose names you have given now are those that members of the committee requested that you prepare?

Mr. STRUNK. Those people were all very active during the Univis Lens strike. During the strike the Communist Party in Cleveland, Ohio, sent in Joe Brant and Martin Chancey.

Once or twice a week they contacted me—

Mr. TAVENNER. Who contacted you once or twice a week?

Mr. STRUNK. Those 2 men sent in from the Communist State office in Cleveland.

Mr. TAVENNER. Yes.

Mr. STRUNK. Which were Joe Brant and Martin Chancey.

Mr. TAVENNER. Yes.

Mr. STRUNK. Joe Brant was the labor relations secretary for the Communist Party to organized labor in the State of Ohio.

Martin Chancey was the secretary of the Cleveland Communist Party for the State of Ohio. Once or twice a week either Joe Brant or Martin Chancey came in. I was a trusted person, contacted me, and I had to pull strings and get contact with other union officials

like Garfield and Hirschberg. The same met secretly in my home, or in cars, and discussed strategy of the Univis Lens strike.

Mr. TAVENNER. In other words, the two individuals you mentioned, Hirschberg and Hashmall were serving—

Mr. STRUNK. Martin Chancey.

Mr. TAVENNER. Who were the two people working on this staff, strategy staff, who were being contacted by Brant and Martin Chancey?

Mr. STRUNK. Arthur Garfield and Hirschberg.

Mr. TAVENNER. In other words, those—

Mr. STRUNK. And Louis Kaplan.

Mr. TAVENNER. They were receiving their directions from Communist Party headquarters in Cleveland, is that what you mean to say?

Mr. STRUNK. Right direct. Another person that had a lot of influence, Lou Secundy, who was the full paid organizer for the Dayton Communist Party, for the Dayton section. He was sitting in a lot of times in meetings when Joe Brant or Martin Chancey contacted Garfield and Hirschberg.

Mr. TAVENNER. You say when Martin Chancey and Joe Brant wanted to get in touch with Garfield and Hirschberg—

Mr. STRUNK. He called on me to make arrangements for the meeting, that is right.

Mr. TAVENNER. How often do you think that occurred?

Mr. STRUNK. At least once a week, sometimes twice a week, during the strike when the International sent the staff in, after June 15, 1948.

Mr. TAVENNER. On up until the first of August?

Mr. STRUNK. The end of the strike.

Mr. TAVENNER. The end of the strike?

Mr. STRUNK. Correct.

Mr. TAVENNER. And some of those secret meetings were held in your home?

Mr. STRUNK. That is right.

Mr. TAVENNER. Did you overhear what took place in those meetings?

Mr. STRUNK. I don't remember exactly what the conversation was, but the main purpose, they talked about to keep the strike going, and win the strike, no matter what happened. The rules were from the Communist Party to oppose all pressure from the company to end the strike and stop the picket lines, and prevent the so-called brutal Dayton police, should pay no attention, should fight the police, no matter what happened, and keep the picket line going.

Mr. TAVENNER. Now, is there anything else you can tell the committee regarding the part that the Communist Party itself played in forming the strategy?

Mr. STRUNK. Pardon me? I didn't listen to that.

Mr. TAVENNER. I say, Is there anything else you can tell the committee regarding the part that the Communist Party played in effecting the strategy of the strike or in executing the strategy? Do you know of anything else you have not told us?

Mr. STRUNK. One, what I said before, I think it was eight strike leaders, those I mentioned here, were knocked over the head by the

police, met in my house, and then definitely it was decided on, still to keep the picket line going and oppose the Dayton police which naturally resulted later that the National Guard had to move in.

And after this list here, which were very active in the strike, Lou Secundy, Harry McGill, Charlie Marcum, and Charlie Sims.

Mr. TAVENNER. Will you tell the committee, please, what the attitude of the Communist Party was toward the IUE after it was formed?

Mr. STRUNK. After the IUE was formed, and many Communist Party meetings, especially I remember one when Martin Chancey, the State secretary of the Communist Party of Ohio, from Cleveland, was in Dayton at a meeting at my house, and he urged all organized labor unions, Communists, to infiltrate into the IUE, to get back into the new IUE, to infiltrate, to definitely become a member again.

Mr. TAVENNER. To make the same effort to infiltrate the new organization that had been so successful in the old organization?

Mr. STRUNK. That is correct.

Mr. TAVENNER. Do you have any personal knowledge of the Communist Party meeting with any success, any measurable success in infiltrating the IUE?

Mr. STRUNK. Not that I know of.

Mr. TAVENNER. Now, you were asked to take the names of those that you had identified this morning and advise the committee as to which of those were members of the Communist Party in active standing at the time you left the party in 1952. Have you prepared that list?

Mr. STRUNK. I did.

Mr. TAVENNER. Will you read it rapidly into the record, please?

Mr. STRUNK. This list is not too correct as to the date, but when I was exposed as an undercover agent and had to get—or couldn't belong to the Communist Party any more, these following people were still members of the Dayton Communist Party, and people out of town which I knew through conversation with high party officials were still in the party:

Joe Brant, Paul Dunman, Roger Dunham, Arthur Garfield, Joe Glatteman, Gus Hall, Melvin Hupman, Pearl Hupman, Anne Hill, Virginia Hipple, Frank Hashmall, Irene Jacobs, Julie Jacobs, Arnold Johnson, Lou Kaplan, Anton Kirschmerek, Lou Secundy, Louis Ladman, Jim Lockwood, Alice Pearl Lockwood, Walter Lohman, Hy Lumer, Harry McGill, William Nelson, Betty Nelson, Forrest Payne, Lou Secundy, Arthur Garfield, George Siskind, William Thamel, Irene Thamel, Dwight Williamson, Martin Chancey.

Mr. TAVENNER. Mr. Chairman, I have no further questions.

Mr. SCHERER. Mr. Clardy?

Mr. CLARDY. No questions.

Mr. WALTER. No questions.

Mr. SCHERER. Mr. Strunk, you testified that one Rose Notz, N-o-t-z, was a member of the party; did you not?

Mr. STRUNK. For some time; yes.

Mr. SCHERER. When did you first know Rose Notz, approximately?

Mr. STRUNK. It could have been 1946, 1945, somewhere around there.

Mr. SCHERER. When did you first know her as a member of the Communist Party?

Mr. STRUNK. It was in the beginning, maybe in 1946, when I received dues of Rose Notz.

Mr. SCHERER. And over how long a period did you receive dues from Rose Notz?

Mr. STRUNK. I couldn't tell you exactly, but it could be 1949, it could be 1950.

Mr. SCHERER. And what did she do when you first met her?

Mr. STRUNK. You mean occupation?

Mr. SCHERER. What was her occupation?

Mr. STRUNK. For all I know, she worked for the United Church Federation in Dayton, as a secretary.

Mr. SCHERER. And over how long a period was it that she worked for the Church Federation of Dayton?

Mr. STRUNK. As far as I understand, a couple of years. I am not sure on the time. It was a long time.

Mr. SCHERER. It was a long time?

Mr. STRUNK. More than a year.

Mr. SCHERER. More than a year. And when was the last time that you saw Rose Notz?

Mr. STRUNK. The last time I saw Rose Notz was when Joe Brant and myself went to Rose Notz to have this resignation from Betty Nelson notarized, and back-dated, to send in to the Communist Party in Cleveland.

Mr. SCHERER. And about what date was that?

Mr. STRUNK. I don't know the date.

Mr. SCHERER. Approximately what year?

Mr. STRUNK. It could have been in 1950, 1951.

Mr. SCHERER. And where did you see her at that time?

Mr. STRUNK. At her own residence.

Mr. SCHERER. And for whom was she working when she notarized this paper?

Mr. STRUNK. As far as I know, for the same organization.

Mr. SCHERER. What organization was that?

Mr. STRUNK. United Church organization.

Mr. CLARDY. What?

Mr. STRUNK. United Church Federation.

Mr. SCHERER. In what capacity was she working?

Mr. STRUNK. As far as I know, as a secretary, office secretary.

Mr. SCHERER. The executive secretary, or just the office secretary?

Mr. STRUNK. I couldn't tell you, just the office work or the secretary. I don't know.

Mr. CLARDY. Did you know where she had her office, where she worked?

Mr. STRUNK. At the time, the office, I think, was on West Monument Avenue.

Mr. SCHERER. Let the record show the staff has checked today and found that she was employed by the Dayton Church Federation from September 1948 until sometime in 1951.

Well, that is all, Mr. Strunk. Of course, the committee wants to thank you for your excellent testimony. You have rendered a valuable contribution.

Mr. TAVENNER. I should ask the witness one further question.

What was your street address in 1948?

Mr. STRUNK. I am not sure. It was either 1012½ Brown Street or 903 Wayne Avenue.

Mr. TAVENNER. How long did you live at 903 Wayne Avenue?

Mr. STRUNK. In 1948 I moved to Wayne Avenue.

Mr. TAVENNER. Do you still live there?

Mr. STRUNK. I do.

Mr. TAVENNER. That is all, Mr. Chairman.

Mr. SCHERER. I just have 1 or 2 more questions. Do you know where Rose Notz is today?

Mr. STRUNK. No.

Mr. SCHERER. But the last time you saw her, either in 1950 or 1951, was in connection with the signing of that affidavit?

Mr. STRUNK. Correct.

Mr. SCHERER. She was still a member of the Communist Party?

Mr. STRUNK. I don't think so, not at that time. She was a Communist Party member and dropped out, and didn't pay any dues, before 1950.

Mr. SCHERER. About what time was that?

Mr. STRUNK. I could not say exactly when. In 1950 she was not a party member.

Mr. CLARDY. At least she wasn't a dues-paying member?

Mr. STRUNK. Not a dues-paying member, either.

Mr. SCHERER. That is all.

(Witness was excused.)

Mr. TAVENNER. Mr. William C. Notz. Mr. Notz, will you come forward, please, sir?

Mr. SCHERER. Will you step over there, Mr. Notz, and raise your right hand?

Mr. NOTZ. May I make a request?

Mr. SCHERER. Do you solemnly swear in the testimony you are about to give at this hearing you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NOTZ. I do, sir.

Mr. SCHERER. Be seated and ask any questions you like.

Mr. NOTZ. I would like to ask that the photographers be barred from taking a picture that might damage me considerably.

Mr. SCHERER. The photographers will not be barred from taking a picture, but they will be barred from taking a picture after you have commenced your testimony: Take your pictures, please.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF WILLIAM C. NOTZ

Mr. NOTZ. My name is William C. Notz.

Mr. TAVENNER. You are appearing here pursuant to a subpoena served on you?

Mr. NOTZ. Yes, sir.

Mr. TAVENNER. It is the practice of the committee to advise all witnesses that they have a right to have counsel with them if they desire. It appears that you do not have counsel, so I assume you do not desire counsel?

Mr. NOTZ. I do not have counsel, sir.

Mr. TAVENNER. But do you desire counsel?

Mr. NOTZ. No; I don't think so.

Mr. TAVENNER. I am certain that if at any time during the course of the hearing you change your mind and desire the benefit of counsel, the chairman will consider your request, should you make one.

When and where were you born, Mr. Notz?

Mr. NOTZ. I was born in Watervliet, N. Y., in 1905.

Mr. TAVENNER. Where do you now reside?

Mr. NOTZ. I reside at 1223 Highland Avenue.

Mr. TAVENNER. How long have you been in Dayton?

Mr. NOTZ. Yes.

Mr. TAVENNER. How long have you lived in Dayton?

Mr. NOTZ. I have lived in Dayton from 1921 until the present.

Mr. TAVENNER. What is your occupation?

Mr. NOTZ. I was a tool and die maker, and then a tool inspector, and I am now self-employed.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. NOTZ. I was educated in the public schools of Middletown, Ohio, and Dayton, Ohio, and I am a graduate of Stuyvers High School and I have had some college extension in the technical fields.

Mr. TAVENNER. Will you give the committee, please, a brief résumé of your employment record?

Mr. NOTZ. Well, you mean since I have been employed? You mean—

Mr. TAVENNER. Let us begin—

Mr. NOTZ. I will say this: In 1920, around there, I began—

Mr. TAVENNER. You need not go back that far. Begin, say, in 1940.

Mr. NOTZ. Well, 1940, I worked for the Monarch Marketing System Co., and from there I went to the Aeroproducts Division of General Motors.

Mr. TAVENNER. How long did you work for General Motors?

Mr. NOTZ. I worked there 9½ years.

Mr. TAVENNER. Beginning and ending when?

Mr. NOTZ. Well, beginning in 1941 and ending in 1950.

Mr. TAVENNER. I assume that during that period you were a member of a union having a contract with that plant?

Mr. NOTZ. Yes; I was.

Mr. CLARDY. Where was this plant?

Mr. TAVENNER. What was the name of the plant?

Mr. NOTZ. Vandalia, Ohio.

I would like to say something here on my own. Since Mr. Edmiston at one time or another mentioned my name before this committee, I have lost employment and the right to get employment, and am blacklisted by General Motors, and pursuant to that I requested a hearing from the Loyalty Board in Washington, and in cooperation with this committee I gave them this testimony, so that they could study it over, and since I was discharged up there on the basis of Mr. Edmiston's testimony I have endeavored through drink and hard work to forget all of my union activity, and I have been sitting back here in this room and listening to people that I have known testify. I can say that I think a plague on both of your houses, not this committee, but I say a plague on the political situation in the country because these are people that knew each other and are testifying adversely against each other. Many of them on questions that were—

Mr. TAVENNER. Wait a minute. You state "testifying adversely." All we are asking for is facts. It is not a question whether it is adverse or in favor.

Mr. NOTZ. I will say this: The things that were done in the CIO, and under CIO policy, voted on and everything, and decided by democratic vote, now come up for review. It was, inasmuch as I know, decisions were made democratically. I think that is where I say a plague on both of your houses.

Mr. SCHERER. Let me say for the record, the only thing this committee is trying to do is determine the nature and extent of the Communist infiltration into certain labor unions and certain institutions in this country. That is the only thing this committee is interested in.

Mr. NOTZ. Well, since I turned over this transcript to this hearing, that I had, that covers all of my life, family, religion, and union activity in that plant. Of course, I have not been associated with any of the people or the, you know, employment or anything since that time.

Mr. SCHERER. No question has yet been asked with reference to your union activity.

Mr. NOTZ. Yes; Mr. Tavenner did ask me about representation in the plant.

Mr. CLARDY. He asked if you had been a member of the union?

Mr. NOTZ. Yes.

Mr. SCHERER. There is no question before the witness. Will you ask questions?

Mr. TAVENNER. You stated that you lost your employment.

Mr. NOTZ. Yes, sir; I did.

Mr. TAVENNER. From what plant?

Mr. NOTZ. Aeroproducts Division of General Motors.

Mr. TAVENNER. Where?

Mr. NOTZ. In Vandalia, Ohio.

Mr. WALTER. When?

Mr. NOTZ. 1950.

Mr. WALTER. Was that because your employer found you had gone to the World Youth Festival in Prague, Czechoslovakia, at the expense of the Communists?

Mr. NOTZ. No. You are misinformed there. I don't mean to contradict you, but you are misinformed there.

Mr. WALTER. Did you go to Prague?

Mr. NOTZ. No; I didn't.

Mr. WALTER. Have you ever been outside the United States?

Mr. NOTZ. I have been to Toronto.

Mr. WALTER. Never to Europe?

Mr. NOTZ. No.

Mr. CLARDY. Was it because the employer questioned whether or not because of the nature of the work they were doing that you were a good security risk? Was that the basis?

Mr. NOTZ. That was the question generally, yes; that was it; yes, sir.

Mr. CLARDY. And then you say you took it up with the Loyalty Review Board?

Mr. NOTZ. Well, that is not the technical name for it.

Mr. CLARDY. You understand what I am getting at?

Mr. NOTZ. Generally speaking.

Mr. WALTER. I don't think I have been misinformed. Have you a son?

Mr. NOTZ. Yes; I have a son.

Mr. WALTER. Was your son selected for this educational trip behind the Iron Curtain?

Mr. NOTZ. No.

Mr. WALTER. Was he in Czechoslovakia?

Mr. NOTZ. My son was in Czechoslovakia, but my son was not behind the Iron Curtain. That is part of the terrible rumor that has spread on these things.

Mr. WALTER. I think this is a good time to clarify the atmosphere. When was your son in Czechoslovakia?

Mr. NOTZ. He was in the early part, I believe, I can be wrong on this, but he was previous to the present regime there. He was there when the coalition government was in power under—

Mr. CLARDY. What year?

Mr. NOTZ. I think either 1946 or—I think it was 1946.

Mr. WALTER. 1947?

Mr. NOTZ. Well, it was before the event that you are referring to.

Mr. SCHERER. Was that a Communist meeting that he attended?

Mr. NOTZ. No; it was not. I think, now, Mr. Scherer, I think my position on this is, that is covered in the testimony very clearly, the questions that you are asking here.

Mr. CLARDY. What testimony are you talking about? We haven't gotten to it yet.

Mr. NOTZ. Your counsel has gone over it—

Mr. CLARDY. You are talking about something before somebody else. It is not testimony here today. It is testimony that you gave before the other board, isn't it?

Mr. NOTZ. Yes. But I have explained it officially to this committee.

Mr. CLARDY. That is fine. We don't want any misunderstanding by anybody that you are talking about testimony that has been given to us. What you did before some other board or what you told someone else is something that we may or may not explore. Your testimony that you gave before us will stand independently of anything else you may have said.

May I pursue that just a moment on this Czechoslovakian trip? Do you have the details on that?

Mr. TAVENNER. This witness was not in Czechoslovakia, so I didn't intend to ask him any question about it.

Mr. CLARDY. Now that it has been brought in—

Mr. TAVENNER. His son was.

Mr. CLARDY. It was in 1947. Who do you apprehend was in control of the country at that time?

Mr. NOTZ. The Benes government was in control then.

Mr. CLARDY. The Communists were controlling the whole works in Czechoslovakia at that time. That is why Benes lost his life, isn't it?

Mr. NOTZ. I don't want to disagree violently or anything. There was a certain date at which the government changed there in character. Now, we will recognize that, I think, there was a date that it changed.

Mr. CLARDY. Isn't Czechoslovakia one of the classic examples of how the Communist boa constrictor swallows everything that comes within its reach? They were brought into the government as part of it,

as we tried to make some moves in China, tried to foolishly during the war, to get Chiang Kai-shek to take the Communists in his embrace.

In Czechoslovakia didn't that happen, and as a result the Communists took over?

Mr. NOTZ. I don't differ with you at that time.

Mr. CLARDY. Hadn't that happened at the time your son was there?

Mr. NOTZ. No.

Mr. CLARDY. I don't read the same history you do.

Mr. NOTZ. I read Czechoslovakia was a democracy in there, and—

Mr. CLARDY. A Communist-type democracy which means a dictatorship.

Mr. NOTZ. I don't know about that.

Mr. CLARDY. It was brought in because of the way you mentioned it. I will not pursue it any further. I assure you you are completely mistaken as to your interpretation of the kind of government.

Mr. NOTZ. The State Department of the United States did not recognize that, what you are saying there.

Mr. CLARDY. Again I contradict you, but I don't want to get into a quarrel with you.

Mr. NOTZ. He went there on a State Department visa and so forth.

Mr. CLARDY. You have to have that.

Mr. NOTZ. The part I want to make there, Mr. Clardy, is this: He went there on a State Department visa, and now, right next to Czechoslovakia, on the, I think, the southern border, I may be wrong, is Yugoslavia, which is a Communist country, and is still a Communist country.

Well, now, the visa, I saw his passport, and it was stricken out for that. In other words, the State Department wasn't giving any clearance to any Communist country at all.

Mr. CLARDY. Perhaps you have heard that the State Department has made a few mistakes.

Mr. NOTZ. That very well may be. I believe it was considered as a democracy at the time.

Mr. CLARDY. You and I will never agree on that.

Mr. SCHERER. Did you know he was going?

Mr. NOTZ. Yes; I did.

Mr. CLARDY. We have had a lot of evidence about the meeting he attended. Believe you me, it was a Communist meeting and nothing else.

That is all I have to say on it.

Mr. TAVENNER. As I understand it, you appeared before the Industrial Employment Review Board, the Munitions Board of the Industrial Employment Review Board on February 5, 1951; did you not?

Mr. NOTZ. Yes, sir.

Mr. TAVENNER. And you testified there?

Mr. NOTZ. Under oath; yes.

Mr. TAVENNER. Under oath, and the record of that testimony is what you sent to me a few days ago?

Mr. NOTZ. Yes; you have it now in front of you.

Mr. TAVENNER. I have it before me. I notice on page 11 of this transcript that you were asked this question: "Are you now or have you ever been a member of the Communist Party?"

To which you replied: "No, I haven't."

Was that question asked you and was that answer given by you?
Mr. NOTZ. I submitted this record, and that record is under oath entirely.

Mr. SCHERER. Just a minute. You will answer the question. You are directed to answer the question.

Mr. NOTZ. What is the question again?

(The question was read by the reporter.)

Mr. NOTZ. Yes; this is a record that I admit to you and give to you, this record, this testimony under oath.

Mr. SCHERER. All right. I don't think the answer is clear. Was that question asked you before this board and did you give that answer as read by Mr. Tavenner?

Mr. NOTZ. That is right, yes.

Mr. SCHERER. All right.

Mr. TAVENNER. Were you asked this question at this hearing by Mr. Mason: "You have never been a member?" Reply: "That is right."

Mr. NOTZ. Now, I would have to look at the transcript.

Mr. CLARDY. Let the record show that the transcript is placed before the witness.

Mr. NOTZ. What you read there is in here, yes.

Mr. CLARDY. That, Mr. Chairman, wasn't the question. The question is not whether it is in there, but whether he was asked the question.

Mr. NOTZ. Yes, I was asked that question.

Mr. CLARDY. And you made that answer?

Mr. NOTZ. Yes.

Mr. TAVENNER. Now, will you tell this committee, please, whether or not the replies which you admit having given were truthful when you made them?

Mr. NOTZ. Well, now, I would say this to that: You have the record in front of you. I have cooperated with this committee and given you the record. The record is made under oath, and I don't see how I can swear on one Bible and then swear on two Bibles, see. I submitted this for your information, and I want you to use it, and cooperate, and I will cooperate, but that is the way that was given. I can't say I now swear it on two Bibles.

Mr. SCHERER. Mr. Tavenner, will you repeat your question?

(The question was read by the reporter.)

Mr. SCHERER. You are directed to answer the question.

Mr. NOTZ. I will say they were given under oath.

Mr. SCHERER. That isn't answering the question. We understand they were given under oath. Will you answer the question? You are directed to answer the question.

Mr. NOTZ. I would still say they were given under oath, and I submit this to this committee as the record of that occurrence and so forth.

Mr. SCHERER. You have not answered the question that I directed you to answer. You are clearly in contempt of the Congress.

Proceed with the next question. Do you want to answer the question?

Mr. NOTZ. Well, see, as I—

Mr. SCHERER. Do you understand the question?

Mr. NOTZ. Yes, you are asking me to reaffirm this testimony, as I get it, in a general way.

Mr. SCHERER. When you gave that testimony, the simple question is: Was it truthful?

Mr. NOTZ. Well, this is a truthful statement, sure. That is the reason I submitted this here record to you.

Mr. SCHERER. Let's repeat the question, Mr. Tavenner.

Mr. TAVENNER. Read the question.

(The question was read by the reporter.)

Mr. NOTZ. Yes, they were truthful when I gave them, yes.

Mr. TAVENNER. Do you now deny that you were ever a member of the Communist Party?

Mr. NOTZ. I have also said that under oath before, and in that testimony that I have given you.

Mr. SCHERER. I direct you to answer the question. The question is, Were you ever a member of the Communist Party?

Mr. NOTZ. I would say to that question, now, that it is already covered in the testimony under oath, and I want to add this: That, see, Mr. Scherer, I want to say that after this testimony of Mr. Edmiston, I was severely damaged in the community and have been unable to get on my feet at all. Now, I am not going to go through this thing again. I say if the Government has a case here, let them take it to the courts and so forth, and I am not going to keep going through this over and over again.

Mr. SCHERER. Now, the simple question is, irrespective of what testimony you gave to any other board, at any other time, the question now is, "Were you ever a member of the Communist Party?"

Mr. NOTZ. Well, I think I have been under double jeopardy here. I have already been tried, and the finding in this case was that I could not be employed.

Mr. SCHERER. I will give you one more opportunity. I am directing you to answer my question.

Mr. NOTZ. I answer it is double jeopardy I am suffering here, which is not constitutional. I mean—

Mr. SCHERER. I respectfully disagree with you. I am directing you to answer the question. You are refusing to answer the question.

Mr. NOTZ. No, I answer it this way: I say I am being subjected to double jeopardy here. I appeared before a Government board—

Mr. SCHERER. I submit the record is clear. He has not answered, he has refused to answer a question.

Mr. CLARDY. May I ask a slightly different question?

Mr. SCHERER. You certainly may.

Mr. CLARDY. Are you a member of the Communist Party today? Before you answer, I call your attention to the fact I am talking about a period that is obviously subsequent to the time that you gave the testimony.

Now, what is your answer to that?

Mr. NOTZ. No; I am not.

Mr. CLARDY. All right. Were you ever a member of the Communist Party 1 year ago today?

Mr. NOTZ. One year ago today? That would be covered in the previous question you asked me.

Mr. CLARDY. Answer my question.

Mr. NOTZ. No; I wasn't.

Mr. CLARDY. Were you a member of the Communist Party 2 years ago today?

Mr. NOTZ. No.

Mr. CLARDY. Were you a member of the Communist Party 3 years ago today?

Mr. NOTZ. I can save you a lot of time and say I am not.

Mr. CLARDY. Answer the question and you will save a lot more time.

Mr. NOTZ. No.

Mr. CLARDY. Were you a member of the Communist Party 4 years ago today?

Mr. NOTZ. Let me see. What is today? The 15th of September?

Mr. CLARDY. The 13th of September.

Mr. NOTZ. Well, that would be before I made this other testimony, and I would say I am being subjected to double jeopardy, tried twice on the same charge.

Mr. SCHERER. The witness is directed to answer the question of Congressman Clardy.

Mr. NOTZ. You have my answer.

Mr. CLARDY. What is the date on which the testimony was given?

Mr. TAVENNER. February 1951.

Mr. CLARDY. February what?

Mr. TAVENNER. The 5th.

Mr. CLARDY. Were you a member of the Communist Party on February 6, 1951?

Mr. NOTZ. What was the date?

Mr. CLARDY. February 5, 1951, is the date of the transcript.

Mr. NOTZ. No. I am testifying after that testimony was given there.

Mr. CLARDY. Were you on February 4, 1951, a member of the Communist Party?

Mr. NOTZ. That is adequately taken care of in this record.

Mr. CLARDY. No, it is not, because it is independent.

Mr. SCHERER. You are directed to answer Mr. Clardy's question as to whether you were a member of the Communist Party on February 4, 1951. That question you are directed to answer, sir.

Mr. NOTZ. I have already given my answer on it.

Mr. SCHERER. Will you give it again?

Mr. NOTZ. I say that that is covered in the testimony under oath that I have furnished to this committee.

Mr. SCHERER. Irrespective of what is covered in that testimony, the question is now whether you were a member of the Communist Party on February 4, 1951. You are directed to answer that question, sir.

Mr. NOTZ. I have given my answer on it.

Mr. SCHERER. All right. I submit that the record shows he has not answered the question.

Proceed with your next question.

Mr. CLARDY. Then, Witness, to finish up on that phase, as far as I am concerned, as I understand it, you are now unwilling at this time to state categorically yes or no in answer to my series of questions whenever they go back of February 5, 1951; am I correct in my assumption?

Mr. NOTZ. Yes, I think I have furnished the committee with all of this information, and I think that that is adequate. They pried into

my private life, and into my union life, into my political activity, and it is all covered there. There is no reservation in that testimony whatsoever.

Mr. CLARDY. Then why are you unwilling to repeat what you said in that testimony?

Mr. NOTZ. Because it amounts to double jeopardy. I can point out to this committee, I know you are not from Dayton. I know there are people in this room that know this. I am perhaps the only person who has lost employment in a civilian plant and has been blacklisted. I say I am being put in double jeopardy. I am tried over again on this thing.

Mr. WALTER. You are not being tried for anything. This is a congressional inquiry. It is not a trial. It seems to me you should be very glad to welcome the opportunity to clear the atmosphere so that you won't be blacklisted. There must be a reason. I don't know what you said. I never knew there was another record. It is the first time I have seen you or heard of you. It seems to me this is your opportunity to clarify the atmosphere.

Mr. NOTZ. Perhaps to you that is true, but to me, living here in this community the last 4 years, having to drag myself to make a living, and having a darn hard time of it—

Mr. WALTER. Why?

Mr. NOTZ. Because some man under oath perjured himself and caused me to lose my job.

Mr. WALTER. A good way to test that would be for you under oath to contest that. That would get rid of all of that atmosphere.

Mr. NOTZ. I am under oath presently.

Mr. WALTER. You haven't answered the question.

Mr. NOTZ. I have. I have given you—

Mr. WALTER. I would show you a way out. You are under oath. Have you ever been a member of the Communist Party?

Mr. NOTZ. That is covered in the testimony.

Mr. WALTER. Answer the question. You will save so much time.

Mr. NOTZ. It won't save any time at all. I don't see that it will. It would save time if you examined this record.

Mr. SCHERER. You said a witness perjured himself.

Mr. NOTZ. Yes, sir.

Mr. SCHERER. In what respect?

Mr. NOTZ. This man went before the—I don't know whether you gentlemen were the members of the committee—he went before this committee.

Mr. SCHERER. When you say this man, whom are you referring to?

Mr. NOTZ. I am referring to Mr. John Edmiston.

Mr. SCHERER. In which respect did Mr. John Edmiston perjure himself before this committee?

Mr. NOTZ. He named me as a Communist.

Mr. SCHERER. Was he telling the truth or was he telling a lie?

Mr. NOTZ. No; he was telling a lie.

Let me add to that—

Mr. WALTER. You have answered the question.

Mr. NOTZ. Yes, I have. I would like your permission to add to that.

Mr. WALTER. You have answered the question. There is no question before you at all. It is for the purpose of our inquiry, we are satisfied. Go ahead.

Mr. NOTZ. Mr. Chairman, may I—

Mr. SCHERER. There is no question before you. Proceed to the next question.

Mr. TAVENNER. Will you tell the committee, please, whether you are acquainted with a place known as 903 Wayne Avenue?

Mr. NOTZ. That is also covered under the testimony there.

Mr. CLARDY. Where?

Mr. TAVENNER. Dayton?

Mr. SCHERER. The witness is directed to answer the question.

Mr. NOTZ. I say that is supplied to this committee under oath in the form of this hearing, this Board in Washington, Munitions Board. I have submitted it. The committee has accepted it. I want them to have these questions before them. They are answered there under oath.

Mr. SCHERER. Witness, we are not interested at all in what you said before the other Board except as you might say something different here. The question is before you, which this committee is now asking you, and you are directed to answer the question whether or not you ever lived at that address?

Mr. TAVENNER. No; was acquainted with the place known as 903 Wayne Avenue, Dayton, Ohio.

Mr. NOTZ. That, I would say, is answered under the record I have given to the committee.

Mr. SCHERER. I submit the witness is refusing to answer the question. He is in contempt. Proceed, Mr. Tavenner.

Mr. CLARDY. May I make an observation? I am quite sure not a single member of this subcommittee has read the transcript of the prior hearing. I want that to show clearly here, because I am interested in getting firsthand fresh answers from this witness.

Mr. WALTER. I never knew of its existence.

Mr. CLARDY. I didn't.

Mr. SCHERER. Even if we had read it, I have not, never knew of it; it wouldn't make any difference.

Mr. CLARDY. Not a bit. I want the record to be reinforced by that statement.

Mr. TAVENNER. Did you ever attend a Communist Party meeting at 903 Wayne Avenue?

Mr. NOTZ. What date was this?

Mr. TAVENNER. At any time; at 903 Wayne Avenue.

Mr. NOTZ. Are you asking me back of this 1951 date, or before?

Mr. TAVENNER. My question is, Whether or not you attended at any time a Communist Party meeting at 903 Wayne Avenue, Dayton, Ohio.

Mr. NOTZ. I would say since I do not have that testimony in front of me, I don't know what is the testimony. I don't memorize the testimony.

Mr. CLARDY. Mr. Chairman, I ask he be directed to answer. He wasn't asked anything about the transcript. He was asked a plain question.

Mr. NOTZ. Mr. Clardy—

Mr. SCHERER. The witness is directed to answer the question.

Mr. NOTZ. Mr. Scherer, Mr. Chairman, may I say, I have submitted this to the committee so the committee may use it. If your counsel,

Mr. Tavenner, has a copy in front of him, which he has, and he asks me questions over and over again, over this here thing, I have been asked all of these questions before. I could very easily answer these questions differently. I have said to start with I was kicked down, persecuted, and I have had a hard time getting along.

Mr. SCHERER. We have heard that story. We have let you tell it. It is not relevant, but we have let you tell it. I am not going to let you repeat that story again.

Mr. NOTZ. My memory fails me.

Mr. SCHERER. There is one question before the witness and the witness is directed to answer. Either answer or refuse to answer.

Mr. NOTZ. I am not going to refuse to answer. I am going to tell you that the answer is covered.

Mr. SCHERER. I submit—

Mr. NOTZ. If you clarify your question, make it more specific—

Mr. SCHERER. I submit the witness has not answered the question. Let us proceed with the next question.

Mr. CLARDY. May I at this point ask him a question that I think may cut the Gordian knot on future ones. Is that answer relating to what is in the transcript of the other hearing the only answer you would give to that question?

Mr. NOTZ. If counsel, Mr. Tavenner, asks me after the date, and I will have to refer—

Mr. CLARDY. You didn't understand me. You were asked the question as to whether you ever attended a Communist Party meeting at the location described.

Mr. NOTZ. Yes, sir.

Mr. CLARDY. You said in answer thereto that it was covered in the transcript.

Mr. NOTZ. Yes.

Mr. CLARDY. My question is this: Is that the only answer that you will submit to this committee?

Mr. NOTZ. That is the only answer I will submit to that question in that form.

Mr. CLARDY. That is all I am talking about.

Mr. NOTZ. Specifically others, I wouldn't say—

Mr. CLARDY. That is all you will answer.

Mr. WALTER. Mr. Tavenner, give me that transcript and ask him questions without referring to it.

Mr. TAVENNER. That question was not based on the transcript.

Mr. WALTER. Give me the transcript.

Mr. NOTZ. Give it back to me. I have a receipt for it.

Mr. TAVENNER. It was much broader than the transcript.

Mr. CLARDY. I didn't get a clear answer to my last question. I want to be sure it is nailed down. So there will be no misunderstanding, the only answer you are going to give to that specific question is the answer you have given thus far?

Mr. NOTZ. That specific question that Mr. Tavenner asked, the only answer I will give is what I have already given. Is that what you are asking?

Mr. CLARDY. As reflected in the transcript of the hearing before the Board.

Mr. WALTER. We are not talking about the transcript.

Mr. NOTZ. That is right.

Mr. SCHERER. Now proceed.

Mr. TAVENNER. Mr. Notz, there was testimony given this morning by Mr. Arthur Strunk that he was dues secretary, rather dues collector of the Communist Party for a period of 8 years, and that he collected Communist Party dues from you. Was that testimony true or false?

Mr. NOTZ. Let's see. You are asking me whether his testimony—

Mr. SCHERER. Witness, we have been patient with you. You are directed to answer the question.

Mr. NOTZ. These are complicated questions, sir.

Mr. WALTER. Let's put it another way. Did you ever pay any dues to Mr. Strunk for any organization whatsoever?

Mr. NOTZ. No, I didn't. I made contributions to Mr. Strunk.

Mr. WALTER. For what purpose?

Mr. NOTZ. Various civil liberties activities.

Mr. WALTER. For example?

Mr. NOTZ. I think the Scottsboro case, and some of these cases that have been notoriously defended by several liberties organizations.

Mr. WALTER. Notoriously defended by several civil liberties organizations?

Mr. NOTZ. They were, well, maybe I haven't used the right language. I would say notorious cases, they had national notoriety, and different organizations—

Mr. WALTER. You made regular contributions to Mr. Strunk?

Mr. NOTZ. Not regular; periodic contributions.

Mr. CLARDY. What is the period?

Mr. NOTZ. I knew Mr. Strunk for quite a long while. I can't say how long I knew him. I think it dates back possibly to the 1930's and he contacted me for contributions and so forth, and I always felt he was sending them into the organizations that he was saying he represented.

Mr. WALTER. Mr. Strunk?

Mr. NOTZ. Yes.

Mr. WALTER. In the 1930's?

Mr. NOTZ. Yes.

Mr. CLARDY. You heard the period he described when he was operating as an undercover agent for the FBI, didn't you?

Mr. NOTZ. No, I didn't, sir. I was only in the room since 1:30.

Mr. WALTER. That probably accounts for your answer.

Mr. NOTZ. It wouldn't change any answer, sir.

Mr. WALTER. You went back to the 1930's because the Scottsboro case was about 20 years ago, and long before Mr. Strunk started collecting money for the Communist Party.

Mr. NOTZ. I mentioned I knew Mr. Strunk a long time ago, and I had given him contributions a long time he had said, or that you tell me he had said this in testimony here. That is what I meant to say to this committee. I knew Mr. Strunk before this.

Mr. CLARDY. For the last quarter of a century you have been making monthly contributions to Mr. Strunk?

Mr. NOTZ. I wouldn't say that.

Mr. CLARDY. What would you say?

Mr. NOTZ. I would say; I have made contributions to Mr. Strunk.

Mr. CLARDY. How frequently?

Mr. NOTZ. That would be sporadic, once every 3 months, some years, and once every so often other years; not regularly.

Mr. SCHERER. You knew him to be a functionary of the Communist Party; did you not?

Mr. NOTZ. I didn't know him that way until up into the 1940's, sometime. I don't have any notes or anything; see?

Mr. SCHERER. When did you find out he was a functionary?

Mr. NOTZ. I cannot tell you that.

Mr. SCHERER. Approximately when?

Mr. NOTZ. I can't say approximately. I say it was known to me after I knew him.

Mr. CLARDY. You said sometime in the 1940's.

Mr. NOTZ. I say sometime in the 1940's, as near as I can pin it down.

Mr. SCHERER. You gave him contributions; you knew he was a functionary of the Communist Party; didn't you?

Mr. NOTZ. I would say I gave him contributions for specific purposes.

Mr. SCHERER. You gave him contributions during the time you knew him to be a functionary of the Communist Party; did you not?

Mr. NOTZ. Well, I did not know he was a functionary. He admitted he was a Communist to me, but I did not know he was a functionary.

Mr. SCHERER. He admitted to you he was a Communist. When did he admit that to you?

Mr. NOTZ. I can't say.

Mr. SCHERER. After he admitted to you he was a Communist, didn't you, as a matter of fact, give him contributions?

Mr. NOTZ. I gave him contributions for specific reasons; yes.

Mr. SCHERER. I understand that. These contributions, you say, were given for specific purposes. The fact is, they were given to him after he admitted to you he was a Communist?

Mr. NOTZ. Is that a question?

Mr. SCHERER. Yes.

Mr. NOTZ. What is the question? What should I say?

Mr. SCHERER. The question is very clear. Isn't it a fact that you gave him contributions after he admitted to you he was a Communist?

Mr. NOTZ. Well, I can't pin it down exactly that way. I would say I gave him contributions, but I don't know. Like I haven't said the date I knew this.

Mr. SCHERER. What period did you give contributions to Mr. Strunk?

Mr. NOTZ. I have known him since in the 1930's.

Mr. SCHERER. I understand you have known him since the 1930's, but when did you give him contributions?

Mr. NOTZ. I have no record to go on.

Mr. SCHERER. When was the last time you gave him contributions?

Mr. NOTZ. I can't recall.

Mr. SCHERER. Was it 3 years ago?

Mr. NOTZ. It couldn't be.

Mr. SCHERER. Was it 4 years ago?

Mr. NOTZ. No.

Mr. SCHERER. Was it 5 years ago?

Mr. NOTZ. It may have been any place in the 10 or 15 years that have been covered.

Mr. SCHERER. Anywhere in the 10 years up to 1950?

Mr. NOTZ. Not after 1950.

Mr. SCHERER. Not after 1950, but up to 1950. When did he tell you he was a Communist?

Mr. NOTZ. I don't know. I said I have no way of telling.

Mr. TAVENNER. Mr. Strunk also testified before the committee this morning that he was standing for reelection or had been nominated for reelection as dues collector of the Communist Party, and you were also nominated, and during the course of the election you withdrew.

Mr. NOTZ. I have no knowledge of that. I do not remember anything like that. I can't remember anything in there at all.

Mr. CLARDY. Will you deny it?

Mr. NOTZ. I say I can't remember, because I have told the committee before that I have tried through drink and hard work to forget a period in there that turned out to be very tragic for me.

I want to ask this committee if they have any mercy to leave me out. That is my plea to this committee. Leave me up.

Mr. WALTER. What is the period you are talking about, the tragic period?

Mr. NOTZ. The tragic period was when I began to represent people in a plant as a union—not organized—as a union representative.

Mr. WALTER. What was that period?

Mr. NOTZ. It ran roughly from 1941 to 1950. I say roughly, because I was out of office before any of this started at all.

Mr. TAVENNER. What was the union which you represented?

Mr. NOTZ. That, I believe, is covered in that testimony.

Mr. SCHERER. Now, Witness, I direct you to answer that question, whether it is covered in the transcript or not. I am not interested. You are directed to answer the question.

Mr. NOTZ. I was with the United Automobile Workers, CIO. I never belonged to the UE or another labor organization.

Mr. TAVENNER. What was the unit of the local, what number?

Mr. NOTZ. I can't remember what the local number was. I can tell you the plant, but I can't remember the number.

Mr. TAVENNER. What was the plant?

Mr. NOTZ. The plant was Aeroproducts, General Motors.

Mr. TAVENNER. What was the position that you held there?

Mr. NOTZ. I was the bargaining agent.

Mr. TAVENNER. Now, Mr. Notz—

Mr. NOTZ. The chief steward, they call it the chief steward in some plants.

Mr. TAVENNER. Was that plant engaged in the performance of war contracts?

Mr. NOTZ. I am afraid my answer is that this is covered by the testimony in this other trial.

Mr. SCHERER. I am directing the witness to answer the question.

Mr. NOTZ. That is my answer.

Mr. SCHERER. I submit the record will show the witness has not answered the question.

Proceed with the next question, Mr. Tavenner.

Mr. TAVENNER. In the course of the hearing which you have described, were you asked this question by Lieutenant Colonel Wray. This appears on page 35.

One receipt is dated May 24, 1946, in the amount of \$3.30. That amount was listed as paid by you for Communist Party dues from January 1946 through June 1946. How do you explain that?

I don't explain it at all. I just deny it because I don't recognize those receipts or anything.

Do you recall that question having been asked and that reply having been made by you?

Mr. NOTZ. I would have to look at that to see.

Mr. TAVENNER. Yes.

(At this point Mr. Tavenner showed Mr. Notz a document.)

Mr. NOTZ. I have examined that transcript. I see that is in there. Yes.

Mr. CLARDY. That isn't the question. He didn't answer the question.

Mr. NOTZ. Restate the question.

Mr. CLARDY. Didn't you have that question submitted to you, and did you make that answer?

Mr. NOTZ. Yes; it is in this testimony; yes.

Mr. TAVENNER. Very soon after that question was propounded to you, and that answer made by you, and on your return to Dayton, did you go to Mr. Arthur Strunk and have a conversation with him regarding the hearing that you had had in Washington?

Mr. NOTZ. Now, this question, I suppose, would be since the hearing?

Mr. TAVENNER. I said—

Mr. NOTZ. I want to be sure we understand and I understand what you are saying. I would say, No, to that question.

Mr. TAVENNER. No?

Mr. NOTZ. No.

Mr. TAVENNER. You had no conversation with him on the subject after your return?

Mr. NOTZ. No conversation on that subject; no.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. SCHERER. Mr. Clardy?

Mr. CLARDY. No questions.

Mr. WALTER. Did you have a conversation with Mr. Strunk concerning anything?

Mr. NOTZ. Oh, yes.

Mr. WALTER. After the hearing in Washington?

Mr. NOTZ. Mr. Strunk was a friend of my family, and so forth. His wife was recently deceased, and up to that time I did have many conversations with him on a social basis. He came to my place. I invited him for meals when his wife died.

Mr. WALTER. You mentioned the fact you had been to Washington?

Mr. NOTZ. Yes; I did.

Mr. WALTER. You told him why you had been to Washington?

Mr. NOTZ. He knew why.

Mr. WALTER. How did he know?

Mr. NOTZ. Because I had lost my employment and had been severely damaged before this.

Mr. WALTER. You talked about your trip quite freely; didn't you?

Mr. NOTZ. No; we did not. I will say, what he did, he leafed through this here manuscript here, this here transcript, and that is all. He leafed through it.

Mr. TAVENNER. As a matter of fact, didn't you say to Mr. Strunk words to this general effect, that somebody has been stealing your records or finding out from your records?

Mr. NOTZ. No; I didn't.

Mr. TAVENNER. What?

Mr. NOTZ. No; I didn't say anything like that.

Mr. TAVENNER. That is all, Mr. Chairman.

Mr. SCHERER. Is Rose Notz your wife?

Mr. NOTZ. I will not testify about my family. That is one part I refuse to do, testify on my family at all.

Mr. SCHERER. I am directing you to answer.

Mr. NOTZ. Rose Notz is my wife, and that answers your question, but I am not testifying against my wife. That isn't legal or anything else.

Mr. SCHERER. I am going to ask you what her employment was in 1946?

Mr. NOTZ. I can't answer.

Mr. SCHERER. I am directing you to answer.

Mr. NOTZ. I can't answer.

Mr. SCHERER. What was her employment between 1948 and 1951?

Mr. NOTZ. I can't answer those questions. They relate to my wife. I cannot testify against her.

Mr. SCHERER. I am not asking you to testify against her. We are asking what her employment was.

Mr. NOTZ. That would be testimony.

Mr. SCHERER. Do you know what her employment was?

Mr. NOTZ. I do.

Mr. SCHERER. Then I am directing you to answer.

Mr. NOTZ. I refuse to answer.

Mr. SCHERER. All right.

Mr. NOTZ. I will not testify against my wife.

Mr. WALTER. We don't want you to testify against your wife.

Mr. NOTZ. This testimony is to be used against people. I have seen it happen over and over again. I won't testify against my wife or any other part of my family.

Mr. SCHERER. The rule is, sir, you are only permitted not to testify against your wife in a criminal case, when she is charged with a criminal offense.

Mr. NOTZ. I will take my stand on the law. I won't testify against my wife or my family. I don't think that is such an irreparable demand. Now, I don't. I don't think that is such an awful thing. Here is a man that refuses to testify against his wife.

Mr. SCHERER. I am not asking you to say anything against your wife at all except what her employment was.

Mr. NOTZ. I won't testify against my wife.

Mr. WALTER. You feel it is testifying against your wife to tell this committee what work she did?

Mr. NOTZ. Any testimony—

Mr. WALTER. Answer the question.

Mr. NOTZ. You say, do I feel that is against? Yes, I do. I feel that is against.

Mr. SCHERER. Her employment wasn't such during that period that it would hurt her.

Mr. NOTZ. You see, I am not making any sort of a thing that way about it. I just say I will not answer questions about my wife. I won't testify against my wife.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY. I have one question that that suggests: Did you consult with counsel, any attorney, about this last subject that was brought up?

Mr. NOTZ. You mean the questions about my wife?

Mr. CLARDY. About the employment of your wife?

Mr. NOTZ. No; I haven't. I have not been advised by counsel.

Mr. CLARDY. You haven't sought any legal advice?

Mr. NOTZ. No; I haven't. Wait a minute. I would not say I haven't sought any legal advice. I have sought legal advice, not on that question, and I have not been advised on that question, and I am not advised in this testimony at all.

Mr. CLARDY. You didn't make any effort to retain or hire a lawyer to advise you here today?

Mr. NOTZ. Yes, I did. But I am, I do not retain counsel for this purpose here. My testimony is not advised by counsel. Does that cover it? You know—

Mr. CLARDY. You didn't bring along a lawyer because you just simply didn't choose to do so? It was at your own volition you came here without an attorney?

Mr. NOTZ. Not exactly. I haven't the flat refusal of an attorney to accompany me here, but I—

Mr. CLARDY. You haven't you say?

Mr. NOTZ. I haven't. But, on the other hand, I haven't found it easy to locate an attorney to get into this thing, and most attorneys will tell me that, have told me, that these hearings are not legal in the sense of a court hearing, and that they probably wouldn't have any say or wouldn't have any control of a client in such a thing, and have said, you know, things, they couldn't do any good in a thing of this sort. That is the only advice that I have.

Mr. CLARDY. Were those attorneys local Dayton attorneys?

Mr. NOTZ. Yes, yes.

Mr. CLARDY. That is all.

Mr. TAVENNER. I have no questions, further questions, Mr. Chairman.

Mr. SCHERER. The witness is dismissed.

Mr. NOTZ. Before my dismissal, could I ask a question of the chairman?

Mr. SCHERER. No.

Mr. NOTZ. This is a perfectly technical question.

Mr. SCHERER. There are no questions. You have refused to answer questions. The witness is dismissed.

Mr. CLARDY. Will you leave the stand?

Mr. NOTZ. Yes. I have a receipt—

Mr. SCHERER. You can ask counsel about it.

(Witness was excused.)

TESTIMONY OF ARTHUR PAUL STRUNK—Resumed

Mr. TAVENNER. Mr. Strunk, do you recall the occasion when Mr. William C. Notz was given a hearing in Washington by the Munitions Board of the Industrial—

Mr. STRUNK. I do. I do recall it.

Mr. TAVENNER. You do?

Mr. STRUNK. Yes.

Mr. TAVENNER. How is it that you recall it? What is it that occurred that recalls it to your mind?

Mr. STRUNK. I came together with Bill Notz many times. This friendly basis, Communist Party membership. Bill Notz was working for Aero Products. One day he was discharged from his job as chief steward because Aero Products were engaged in Army material. Bill Notz opposed and had a hearing in Washington. He was discharged because he was a Communist. He opposed it, and he had a hearing in Washington.

After that hearing I met Bill Notz, went to his house, and he showed me a typewritten record of the whole hearing he had in Washington. He pointed several pages out where it said that he paid me dues as a Communist Party member. He told me, "There must be somebody who gets into your house and goes through your papers. Otherwise that never would have leaked out."

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY. No questions.

Mr. SCHERER. No questions. That is all.

(Witness was excused.)

Mr. TAVENNER. Mr. William Nelson.

Mr. SCHERER. Will you raise your hand and be sworn, please?

In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. NELSON. I do.

Mr. SCHERER. Have a seat.

Mr. PREAR. Mr. Chairman, for the purpose of the record, I would like to state that I represent Mr. Nelson.

Mr. SCHERER. He will ask you a question.

Mr. CLARDY. He will give you an opportunity to speak.

Mr. PREAR. May I ask one question of the Chair before we proceed? I understand there are certain limitations that are placed on counsel at a hearing of this nature. Now, I understand further that my function here will be to confer with this witness and render—

Mr. SCHERER. You received a copy of the rules of this committee?

Mr. PREAR. I have not received one directly.

Mr. SCHERER. Whether you received it directly or indirectly, counsel, have you a copy of the rules?

Mr. PREAR. No, I don't have.

Mr. WALTER. Supply counsel with a copy.

Mr. CLARDY. You are correct in your assumption. You have the privilege of advising your client on his constitutional rights as we go along. You do not have the right to address the Chair or to make arguments or do things of that sort. You may, however, counsel with him at any time that he desires to have your counsel.

Mr. PREAR. May I ask one further question? On the procedure of the committee as far as photographs are concerned, I have no objection to photographs being taken. I ask this committee that the press be restrained from photographing this witness during the course of the examination.

Mr. SCHERER. It is a rule of the committee and the request is granted. The press will take whatever pictures they desire before counsel begins his questioning.

Mr. CLARDY. I think that we should add one thing more. We ask the press and the public not to draw any conclusions whatsoever with respect to counsel who appears on behalf of the witness.

Mr. SCHERER. The record will so show.

Mr. TAVENNER. What is your name, please, sir?

**TESTIMONY OF WILLIAM A. NELSON, ACCOMPANIED BY HIS
COUNSEL, J. PAUL PREAR**

Mr. NELSON. William A. Nelson.

Mr. TAVENNER. When and where were you born, Mr. Nelson?

Mr. NELSON. In Harrodsburg, Ky., February 16, 1908.

Mr. TAVENNER. Where do you now reside?

Mr. NELSON. At 1419 West Third Street, Dayton, Ohio.

Mr. TAVENNER. How long have you lived in Dayton?

Mr. NELSON. Since 1918.

Mr. TAVENNER. What is your occupation?

Mr. NELSON. Assembler.

Mr. CLARDY. I might ask, assembler of what?

Mr. NELSON. It is a counting machine that the National Cash Register puts out.

Mr. TAVENNER. Mr. Nelson, during the course of the testimony of Mr. Strunk, the committee was advised that you approached him and were partially responsible for his getting into the Communist Party; that you gave him an application for membership or in some manner handled his membership card. I want to give you an opportunity to explain that, or deny it, or whatever the facts are, to tell the committee.

Mr. NELSON. I will decline to answer that on the grounds that it refers to the privilege of the fifth amendment.

Mr. TAVENNER. Mr. Chairman, I want to apologize to counsel for not having put in the record that he represents his client.

Mr. WALTER. You haven't gotten his address.

Mr. CLARDY. I think the record shows counsel is representing him.

Mr. TAVENNER. Will you please identify yourself for the record?

Mr. PREAR. J. Paul Prear, P-r-e-a-r. I have, if the committee would permit me, a statement from this witness that I would like to insert in this record. It is merely a statement that I have been retained as counsel for this witness.

Mr. SCHERER. It is not necessary. We recognize that you have been retained by the witness because of your appearance here.

Mr. TAVENNER. Were you acquainted with Roger Dunham?

Mr. NELSON. I decline to answer that on the grounds that it refers to the privilege of the fifth amendment.

Mr. TAVENNER. As far as the fifth amendment is concerned, you mean that if you should testify with regard to your knowledge of him it might tend to incriminate you, is that the ground?

Mr. NELSON. I feel that anyone subpoenaed by this committee is found guilty in a certain sense, and that it causes a lack of harmony in the home, a hardship on your family; that I think that it would incriminate me to a certain extent.

Mr. CLARDY. Witness, if you deny that you have any association or connection with the Communist Party do you apprehend that that would cause you trouble or difficulty in some way?

Mr. NELSON. Well, I think that the Constitution guarantees free speech and free expression, and the right of associating with anyone

you want, protects the person and will ultimately, in a committee like this, which I consider to be, a lawless body.

Mr. CLARDY. That wasn't my question. I am trying to discover whether you believe in the inner recesses of your mind that a categorical denial of membership in the Communist Party will harm you. Is that what you think?

Mr. NELSON. Well, it tends to lead to other questions that might lead to other people.

Mr. SCHERER. I have one question before we proceed further.

Witness, the Congress shortly before it adjourned passed what is known as the immunity law, which enables this committee, with the approval of the Federal court, to grant you immunity from prosecution as the result of any testimony you might give. If this committee, with the approval of the court, should grant you such immunity, would you then testify? Do you want to consult with your counsel before you answer that question?

Mr. NELSON. I believe that is a hypothetical question because at the present time this committee doesn't have the right to grant me immunity.

Mr. CLARDY. I ask he be directed to answer the question.

Mr. SCHERER. You are directed to answer the question.

Mr. NELSON. I believe I have answered the question when I invoke the privilege of the fifth amendment.

Mr. WALTER. You feel it might incriminate you to admit knowing this man, Roger Dunham, without going beyond that?

Mr. NELSON. I believe a man is admitted in the papers to be a paid FBI stool pigeon, and that might tend to incriminate me. It doesn't help me.

Mr. SCHERER. That is a good answer to Mr. Walter's question.

Now, if this committee, I will repeat it again, if this committee, with the approval of the Federal court should recommend that you be granted immunity from any prosecution whatsoever for your telling us about your knowledge, knowing Mr. Dunham, would you testify then?

Mr. NELSON. I can say, I have answered that question, because I consider it a hypothetical question, something that might happen in the future. It has no bearing on this at the present time.

Mr. WALTER. We will cross that.

Mr. TAVENNER. Are you now a member of the Communist Party, Mr. Nelson?

Mr. NELSON. I decline to answer that on the grounds of the first amendment and the privilege of the fifth amendment.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. NELSON. I decline to answer that on the grounds of the first and privilege of the fifth amendment.

Mr. TAVENNER. I have no further question, Mr. Chairman.

Mr. SCHERER. Mr. Clardy?

Mr. CLARDY. No further questions.

Mr. SCHERER. You said you refused to answer on the grounds of the first amendment.

Mr. NELSON. I am sorry.

Mr. SCHERER. You said you refused to answer on the grounds of the first amendment. Will you tell us why?

Mr. NELSON. I have always believed in the Bill of Rights. The first and most important things in the Constitution is the first 10 amendments to the Constitution, which is known as the Bill of Rights. Under that it gives me freedom of thought, freedom to associate with who I wish, freedom to assemble, to print things, to write articles, and to—like I say, free speech. I figure that this committee is trying to deny me free speech to a certain extent.

Mr. CLARDY. We are trying to encourage a little free speech.

Mr. NELSON. Your idea of free speech and mine is a little different.

Mr. SCHERER. I think it is. You think the first amendment gives you the right to free association with the Communist Party?

Mr. NELSON. Yes. It was made with the right so that people could assemble together. That means if they deny you the right to assemble together and talk on what you believe in, they are denying you the right of any other political party. Something like this could, very shortly—say the Democratic Party was a minority. They could say they were a subversive party.

Mr. WALTER. We Democrats aren't afraid of that at all.

Mr. NELSON. They have been calling it 20 years of treason. I think Roosevelt was a great and progressive President. He enacted the Housing Act, social security—

Mr. WALTER. You haven't heard of the Republicans trying to get rid of that legislation, have you?

Mr. CLARDY. Now, Mr. Walter—

Mr. SCHERER. Now, this committee has always maintained, or for many years has maintained that the Communist Party is not a political party as we know political parties in this country, but that it was a conspiracy. The Congress has now said by law that it is a conspiracy. You maintain that the first amendment gives you the right to associate with that conspiracy and prevents us from asking you about that association on the basis of the first amendment?

Mr. NELSON. Well, I believe that people have a right to think and talk what they are convinced of, that cannot be legislated away. I would say the present law passed by Congress ultimately, when taken to the Supreme Court, the Supreme Court rules correctly, will be thrown out.

Mr. WALTER. Which law are you talking about?

Mr. NELSON. The one you mentioned.

Mr. WALTER. Which one?

Mr. NELSON. The one that makes it a conspiracy.

Mr. WALTER. What?

Mr. NELSON. Have him ask the question.

Mr. CLARDY. If it is in the condition you say it is, you are in no danger at all if you answer the questions.

Mr. NELSON. I decline to answer on the grounds of the first and fifth amendments.

Mr. CLARDY. Do you apprehend that any of these 10 amendments that you are talking about, or those you are relying on, are in vogue and in force in Russia today?

Mr. NELSON. I don't—

Mr. CLARDY. No; they aren't. You know they aren't. You know there is no free speech.

Mr. NELSON. I don't know what the laws and the constitution are.

Mr. CLARDY. You haven't read anything about it?

Mr. NELSON. I said I didn't know what their constitution was.

Mr. SCHERER. Do you have any further questions?

Mr. TAVENNER, do you have any further questions?

Mr. TAVENNER. No, sir; I have not.

Mr. SCHERER. Mr. Walter?

Mr. WALTER. No.

Mr. CLARDY. No questions.

Mr. SCHERER. The witness is excused.

(Witness was excused.)

Mr. SCHERER. I think the hour of adjournment has come. The committee will stand in recess until tomorrow morning at 9 o'clock. All witnesses under subpoena, who have not been heard or discharged, will return to this room at 9 o'clock tomorrow morning without further notice.

(Whereupon, at 4:45 p. m., a recess was taken until 9 a. m., Tuesday, September 14, 1954.)

A P P E N D I X

By order of the chairman of the subcommittee authorized to conduct these hearings, the following document was received in evidence:

CHALLENGE

TO THE UN-AMERICANS!

Four horsemen—like those of old, the Four Horsemen of Fear, Famine, Pestilence and War—will come riding into Dayton next week on September 13th. The three un-American congressmen, Scherer, Clardy and Walter, and our local Rep. Schenck, announce hearings of the House un-American Committee to be held in Dayton, inquiring into trade unions and the Yellow Springs college community.

WHAT IS UN-AMERICAN IN DAYTON? Let the people name it!

Ask the countless families in the "blighted areas" in and around Dayton, Who Is Un-American?

"Landlords", they would say. Landlords, profit-greedy, growing fat on jim crow ratholes. Most of these slum dwellings are rented * * * and not rented cheap. You have seen in the papers the pictures of the families, the cabins and shacks—but who investigates the un-American landlord who rakes in the rents for the slums? These landlords and the real estate interests sabotage and prevent low-cost non-jim crow public housing for Dayton and nationally.

* * *

How many drownings and near-drownings of children have there been just this summer and last, because Dayton has so little recreation facilities? The young uncle who took Frank Ward swimming in the quarry where he drowned, told the newspapers, "I didn't know any other place where a colored child could swim." Jim crow—murderer of children at play—*jim crow is un-American.*

A pool on the west side, and the breaking down of segregation at Eastwood are steps, needed and welcomed—but not enough. The courageous fight led by NAACP brought the famed Supreme Court decision on schools, and can inspire us in Dayton to further improve democracy in our city—to end discrimination in private swimming pools like the Phillips pool, and make all recreation facilities available to all the city's children.

* * *

Our great president Franklin Delano Roosevelt spoke wisely when he said, "We have nothing to fear but fear itself."

Today, McCarthy and his followers use fear as a whip, a weapon to suppress the desire for peace, wage increases, world trade which would provide jobs. This House committee comes to investigate the thoughts and deeds of a working-class city and a college community. Is it the youth of our colleges and shops, who face draft and war or unemployment, who are un-American? No! It is those who preach hatred, fear, and the use of the H-Bomb. That is McCarthyism—*McCarthyism is un-American.*

THE COMMUNIST PARTY ACCUSES GENERAL MOTORS!

Is GM bringing in the un-American committee to try to do what the Taft-Hartley trials and un-American smears and stoolpigeons have not accomplished? GM is afraid of the staunch resistance of the people of our city to hysteria and red-baiting. They are afraid of the workers of Dayton whose grievances on seniority, pay and upgrading mount up. They try to turn this fear into a weapon against the people—they hope to divide and weaken.

The GM contract expires in 1955. Is this the opening of a drive for wage cuts like those forced on Studebaker and Kaiser-Willys workers? Will the stool-pigeons get them off the hook?

GM has already used the un-American committee as a mask for their dirty work in Flint, with hoodlum violence and firing of some of the best and most-respected union people from the GM shop.

Bread and Circuses

In ancient Rome, when the people were hungry, the emperors gave them circuses. Is the Scherer-Schenck circus next week their answer to the demand for jobs, for FEPC, for peace?

The House Committee on un-American Activities has a long unsavory past. It was opposed by the New Deal even when it was first put over by Dixiecrat Dies (investigator of Shirley Temple). A previous chairman, J. Parnell Thomas, has just got out of jail for cheating on the government—but he didn't investigate himself. In Detroit, Dixiecrat chairman Wood of Georgia was forced to stop calling the Negro people out of their name. In Chicago, huge demonstrations of workers from CIO, AFL and independent unions sent the committee packing when they came in on a strike-breaking witch-hunt. In Los Angeles brave intellectuals—film workers, lawyers, teachers—fought it out with the would-be book burners and sent them into retreat.

Dayton can find that courage is contagious. We greet the letters appearing in our Dayton newspapers against this and any form of McCarthyism. The movement to preserve our democratic rights from the cancer of fear is growing stronger and more vocal. It takes in workers and teachers, librarians, students, and churchmen.

We are confident that the committee will find no cooperation from the honest people of Dayton, and Rep. Schenck's "open house" which coincides with the hearings will give him no comfort in his election campaign.

—DEFEAT McCARTHYISM IN '54!—

The Communist Party greets the working people of Dayton on this Labor Day, 1954. Our Party's record is one of honest and steadfast participation and support to the movement of the workers in industry to organize and to establish decent living conditions. Old timers in Dayton remember our role in the 1930's in organizing the unemployed for unemployment compensation and relief. Who in Dayton does not know how the Communists always fought for peace, against universal military training, for outlawing of the use of A- and H-Bombs, for peace in Korea, and for peaceful co-existence of all nations—capitalist and socialist. This is our record! Can the other parties, mostly dominated by big business, match it?

Such a movement of the American people cannot be legislated or "investigated" out of existence. The American people and democracy will outlive those who are plotting new wars and subverting our Constitution, using the cry of "reds" to cover up their crime.

We pledge to continue to work for the real welfare of the people. That is our Labor Day pledge. It is our answer to the un-Americans.

—COMMUNIST PARTY OF MONTGOMERY COUNTY—

Dayton, Ohio

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE
DAYTON, OHIO. AREA—Part 2

*U.S. Congress. House. Committee on
Un-American Activities.*

HEARING

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES

HOUSE OF REPRESENTATIVES

EIGHTY-THIRD CONGRESS

SECOND SESSION

SEPTEMBER 14, 1954

Printed for the use of the 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], chapter 753, 2d session, 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.

RULES ADOPTED BY THE 83D CONGRESS

House Resolution 5, January 3, 1953

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

* * * * *

(q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

(a) Un-American activities.

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE DAYTON, OHIO, AREA—Part 2

TUESDAY, SEPTEMBER 14, 1954

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Dayton, Ohio.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to adjournment, at 9:10 a. m., in the city commission room, Municipal Building, Dayton, Ohio, Hon. Gordon H. Scherer (chairman) presiding.

Committee members present: Representatives Gordon H. Scherer, Kit Clardy, and Francis E. Walter.

Staff members present: Frank S. Tavenner, Jr., counsel; Courtney E. Owens, chief investigator; W. Jackson Jones, investigator; and Thomas W. Beale, Sr., chief clerk.

Mr. SCHERER. The committee will be in session. Counsel, you may call the first witness for this date.

Mr. TAVENNER. Mr. Hugh De Lacy, will you come forward, please?

Mr. SCHERER. Will you raise your right hand, sir?

In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DE LACY. I do.

Mr. SCHERER. Be seated.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF HUGH De LACY

Mr. DE LACY. My name is Hugh De Lacy.

Mr. TAVENNER. Mr. Chairman, for the purposes of the record, and to make it plain to the witness and any others interested, I think I should state the reasons for the calling of Mr. De Lacy at this time.

During the hearings which this committee conducted in June 1954 in Seattle, testimony was received from a number of witnesses regarding certain activities of the Communist Party in that area.

In the course of that testimony, this witness was identified as having played a prominent part in those activities, and having been at that time a member of the Communist Party.

The committee decided that it would not attempt to call Mr. De Lacy from Ohio to Seattle to question him regarding these matters, but that at the first opportunity, when it was convenient to the committee,

his presence should be secured before the committee. This is the very next hearing after the Seattle hearings. That is my recollection. And it is the first time we have been in Ohio since the Seattle hearings. So it was thought wise to utilize this occasion to call the witness in on these matters that took place in Seattle.

Mr. SCHERER. I understand the witness is a resident of Ohio.

Mr. TAVENNER. Yes.

Mr. CLARDY. I think perhaps the record ought to show also, Mr. Chairman, that you and I were at the Seattle hearing at which that testimony was taken.

Mr. SCHERER. You may proceed.

Mr. TAVENNER. Mr. De Lacy, it is noted that you are not accompanied by counsel, and as a matter of form, the committee always advises a witness that he is entitled to counsel, if he desires to have one with him. So I am advising you of that right.

Mr. DE LACY. My understanding, Mr. Tavenner, is that since counsel can't cross-examine adverse witnesses, he is of limited utility, but I am glad to be advised. I am very happy to be informed of my rights, but I thought that the committee would probably receive me as it asked for me to come.

Mr. TAVENNER. When and where were you born, Mr. De Lacy?

Mr. DE LACY. I was born in Seattle, Wash., in 1910.

Mr. TAVENNER. Where do you now reside?

Mr. DE LACY. In Cleveland, Ohio.

Mr. TAVENNER. How long have you lived in the State of Ohio?

Mr. DE LACY. Since 1948.

Mr. TAVENNER. Will you tell the committee, please, briefly what your educational training has been?

Mr. DE LACY. I am a graduate of the University of Washington at Seattle; received a master's degree, master of arts degree in 1931, I believe.

I taught in the university 3 years, and was studying for a doctorate when the maelstrom of New Deal politics caught me and elevated me into various offices one after another.

Mr. TAVENNER. What were those offices to which you were elevated?

Mr. DE LACY. First was in 1937 to the city council in the city of Seattle. After a stormy term, and what I suppose could be described as reverses, I was subsequently in 1944 elected to the Congress of the United States as a Roosevelt supporter.

Mr. CLARDY. What year was that?

Mr. DE LACY. 1944.

Mr. TAVENNER. How many terms did you serve?

Mr. DE LACY. I served one term.

Mr. TAVENNER. Were there any other positions to which you were elevated?

Mr. DE LACY. One I considered very high in my opinion. I was a Democratic Party precinct committeeman, but no other public offices. State committeeman, too, at one time.

Mr. TAVENNER. Well, now, in addition to these various positions which you have held, what employment did you have prior to your coming to the State of Ohio?

Mr. DE LACY. Well, Mr. Chairman, I think my immediate preceding part-time employment was with the Progressive Party of Washington.

Mr. CLARDY. That is the State of Washington?

Mr. DE LACY. State of Washington, yes.

Mr. TAVENNER. In what capacity?

Mr. DE LACY. I was a, I guess you would say, a State organizer.

Mr. TAVENNER. Over what period of time were you a State organizer in the Progressive Party in Washington?

Mr. DE LACY. A rather short period. I believe it was from somewhere around February or March, perhaps even later, of 1948, up to somewhere around June.

Mr. TAVENNER. Of the same year?

Mr. DE LACY. Same year. Those dates are approximate. I am not quite clear on them.

Mr. TAVENNER. Will you tell the committee what other chief employment activities you had?

Mr. DE LACY. I am somewhat reluctant, Mr. Tavenner—the truth was that when I was defeated for Congress I found employment very difficult to obtain. And I cast about, and I had a job with a union there for a period of about a year. The reason I am reluctant is that some members of the committee at some time in the committee's activities have intervened in strike situations and given me the impression that the committee is sometimes inclined to take sides in industrial disputes.

Mr. CLARDY. May I contradict you, that is not true under any circumstances. If you have that impression, which I seriously doubt, it is not true.

Mr. DE LACY. Thank you for the information.

Mr. CLARDY. You don't have to thank me at all. I am merely advising you as to the attitude of the committee. I think that is a gratuitous insult, deliberately delivered against the committee for your own purposes. I want you to understand I think that. I am not speaking for anyone but myself.

You are not answering the question.

Mr. Chairman, I ask he be directed to refrain from the stump speeches and that he answer the question and no more.

Mr. SCHERER. What was the question?

Mr. TAVENNER. The question was to tell the committee what other employment he had.

Mr. DE LACY. If the committee insists, I shall. I have nothing to hide about it. I would rather that the name of any particular union not be entered here, that is all.

Mr. TAVENNER. In what capacity did you work with that particular union?

Mr. DE LACY. I was editor of its monthly magazine.

Mr. TAVENNER. What was the name of that union?

Mr. DE LACY. If the committee presses me, I shall say that it was Hope Lodge 79 of the International Association of Machinists.

Mr. TAVENNER. Over what period of time did you hold that position?

Mr. DE LACY. There again my recollection will not be exact, but it must have been for approximately a year. It must have been during most of 1947 and perhaps into the first month or so of 1948, some such time.

Mr. TAVENNER. Prior to 1947 how were you employed?

Mr. DE LACY. Well, in 1946 I was serving as a Member of Congress. In the fall of that year we were all campaigning.

Mr. TAVENNER. Well, that takes care of the year 1947, the fact you were in Congress.

Prior to 1946—

Mr. DE LACY. 1945, and of course I would have been a Member of Congress, having been elected in 1944.

Mr. TAVENNER. Yes. Then prior to 1944, what was your employment?

Mr. DE LACY. In 1944 I was working in a shipyard—yes, working in a shipyard in Seattle.

Mr. TAVENNER. What was the name of the shipyard?

Mr. DE LACY. It was one of the subsidiaries of Todd's. They called it Seattle Pacific.

Mr. TAVENNER. When you came to the State of Ohio in 1948, I believe, did you come here in an official—

Mr. SCHERER. Pardon me, Mr. Counsel. You say you were working in the shipyard? For whom were you working at that time?

Mr. DE LACY. I was working for the corporation, for Todd, building ships, destroyers.

Mr. SCHERER. Did you say destroyers?

Mr. DE LACY. Yes.

Mr. TAVENNER. When you came to the State of Ohio in 1948, did you serve in the capacity of an official of the Progressive Party when you first came here?

Mr. DE LACY. Let me see if I get that straight. Not of the State party. I was then a field organizer for the national organization, and I came here to assist in the management of the Wallace-for-President campaign in Ohio.

Mr. TAVENNER. That was the occasion for your coming from the State of Washington to the State of Ohio; was it not?

Mr. DE LACY. Not immediately. The occasion was to go on a field trip to a number of States for the Progressive Party, in the course of which I landed in Ohio, I think, September, sometime just prior to the election itself.

Mr. CLARDY. You mean, then, those who were leading and heading up the national group, running the Progressive Party, had you on this tour that you have described, so that until you got to Ohio you were working for the national organization directly?

Mr. DE LACY. And even, sir, after I was in Ohio for some time I was working with the local organization, State organization, but as a national representative.

Mr. CLARDY. Who in the national organization hired you?

Mr. DE LACY. Well, Mr. Chairman, I presume that it is in your mind, the relevance of all of these questions.

Mr. CLARDY. I wouldn't have asked you if I had not thought it was relevant.

Mr. DE LACY. Yes. I am trying to answer fully about my own activities.

Is there a borderline as to where the committee may not enter into the internal affairs of free association in the United States?

Mr. CLARDY. We haven't crossed any borderline if there is such. Will you answer the question?

Mr. DE LACY. The questions of employment of national staff people are under the immediate, in the immediate care of the executive secretary, the national executive secretary. They are passed on, discussed, by various executive bodies to which he is beholden.

Mr. CLARDY. I am asking you a very simple question. Who hired you?

Mr. DE LACY. Well, to the best of my knowledge and belief, it was the national secretary, and that was it.

Mr. CLARDY. Who was he?

Mr. DE LACY. He was Mr. C. B. Baldwin.

Mr. CLARDY. He was the one who directly contacted you and the one with whom you had conversations which led to your employment?

Mr. DE LACY. Yes.

Mr. SCHERER. Proceed, Mr. Tavenner.

Mr. TAVENNER. After serving for a time as organizer of the Progressive Party in the State of Ohio, did you obtain a higher position, attain a higher position within that organization in the State of Ohio?

Mr. DE LACY. After the elections were over, I was—I became State director of the Progressive Party of Ohio, having decided in the meantime to stay in this State.

Mr. TAVENNER. How long did you remain as State director?

Mr. DE LACY. I believe that was right up, right up after November 1950.

Mr. TAVENNER. And after that time did you still hold an official position with the Progressive Party in the State of Ohio?

Mr. DE LACY. After that time, well, not that position. At any rate, I found it necessary—I want to be accurate about this. I believe what happened was that I for a time kept the title of State director, there being no immediate successor found, but that I was not any longer full time working at it. I think that was the situation, so the effective period of my service as State director was up to and shortly after the election date of November 1950, the State election date.

Mr. TAVENNER. What other positions have you held in the State organization in the State of Ohio besides organizer and director?

Mr. DE LACY. Well, I believe those are—

Mr. TAVENNER. Were you the head of the organization at any time?

Mr. DE LACY. The head of the organization is actually, as in any political party, it is the State chairman. I was what might be described, I suppose, as the executive officer, the one who runs around and does the things the body decides on. To the best of my recollection, that was the sole State post which I held except that—I have forgotten when I was elected. I was elected as a national committeeman to the Progressive Party from Ohio which would be a State office.

Mr. TAVENNER. During the course of the hearings in Seattle, a witness by the name of Barbara Hartle took the stand.

Barbara Hartle, I should explain for the benefit of the record, was one of the Smith Act defendants in the trial of a number of alleged Communist Party members in the city of Seattle and, though she did not take the stand in that case, she was convicted and sentenced and is now serving a sentence.

Mr. CLARDY. Along with several others.

Mr. TAVENNER. Along with other persons. Barbara Hartle testified before our committee every day for a period of 6 or 7 days, not all of each day. Her testimony is very voluminous. She was considered the No. 2 Communist in the Northwest. She was a college graduate with a Phi Beta Kappa standing, a very intelligent person.

She explained in great detail the philosophy of the Communist Party and the policies under which it operated. During it, she explained that she had made up her mind before the trial she would break with the Communist Party, but she didn't do it before the trial because she thought that her testimony that she might be asked to give on this subject, which she did give before this committee, might to some extent lose its strength and its validity if she testified before she was sentenced. So she was sentenced and then after having been sentenced she testified before this committee.

Mr. SCHERER. Mr. Tavenner, at the time she testified she was serving her sentence.

Mr. TAVENNER. Yes; she was serving her sentence at that time she testified.

Mr. CLARDY. If my memory is correct, she received a 5-year term; did she not?

Mr. SCHERER. Yes; I think that is a minimum.

Mr. TAVENNER. She had been a Communist Party member, I believe she testified, for a period of 21 years. I think that is probably all that is necessary to say by way of a general description leading up to the questions that I want to ask you.

During the course of her testimony she was discussing the situation which so frequently developed of a conflict between the interests of a union and the interests of the Communist Party. That was the general subject she was discussing at the time these questions occurred which I am now going to call to your attention.

She was explaining how those things occurred and how in substance that the Communist Party was working for its own interests rather than for the real interests of labor.

I would like to review a little of this testimony with you before asking you to testify on this same general subject.

Mr. WALTER. What was the woman's name?

Mr. TAVENNER. Barbara Hartle.

Mr. WALTER. This is the first I ever heard of her. Where is the woman now?

Mr. TAVENNER. She is at Alderson Federal Penitentiary.

Mr. WALTER. It would seem to me, after doing what she did, the least this committee could do would be to suggest to the Board of Pardons that she be released from her incarceration, particularly if she turned her back on this movement before she was convicted.

Mr. CLARDY. That idea occurred to those of us on the subcommittee out there and, strangely enough, she asked us not to do anything. She said she made the mistake and wanted to pay for it.

Mr. TAVENNER. She made it pretty plain, if you please, she is dedicating her life to try to undo many of the things she did early in life. Were you acquainted with Barbara Hartle?

Mr. DE LACY. You are beginning your questioning?

Mr. TAVENNER. Yes.

MR. DE LACY. Well, now, Mr. Chairman, I think with the description you have given, that has been given of Mrs. Hartle, that this is a question which the counsel might very well wish to withdraw.

MR. SCHERER. Counsel doesn't wish to withdraw it, and you are directed to answer it, please. Will you answer it, sir?

MR. DE LACY. Then, Mr. Chairman, under the existing laws which Congress has passed, and the President signed, and which make the position of this party to which she belonged quite dubious, and under the first amendment to the Constitution which gives us all the right to free speech, to freedom of assembly peaceably, to petition for address of grievances, and under the fifth amendment which gives us the right to not to testify against ourselves, nor to be deprived of life, liberty, or property without due process of law, I must respectfully decline to answer the question.

MR. SCHERER. You have, I suppose, properly invoked the fifth amendment but not the first amendment.

Will you proceed to the next question?

MR. WALTER. Just at this point it might be interesting for me to call your attention to the fifth amendment. This is a pamphlet issued by the UE, Radio and Machine Workers of America, UE, 11 East 51st Street. Here is the way they quote the fifth amendment:

Nor shall be compelled in any criminal case to be a witness against himself—and so on.

You will note here that this prohibition against compulsion is in a criminal case. This not only is not a criminal case, but it is not a criminal case at all. Certainly admitting knowing this woman could in no wise involve you in a criminal case, even under the new laws which I assisted as a member of the Judicial Committee in drafting. It certainly seems to me, Mr. De Lacy, that your objection as far as the fifth amendment is concerned is not well taken. Of course, it is up to you.

MR. DE LACY. I think, Mr. Chairman, in view of what I have stated, I should persist in my position.

MR. WALTER. You feel that to answer this question as to whether or not you know this Barbara Hartle would subject you to prosecution in a criminal case?

MR. DE LACY. I appreciate your kind intent, Mr. Walter. As to why I might invoke the privilege—

MR. WALTER. That is, of course, up to you. That is your business.

MR. CLARDY. Of course, the only ground upon which you can stand is the genuine fear and apprehension that a truthful answer will in some way incriminate you. That is the only ground on which you can actually invoke it. I never thought I would ever as a member of this committee have a former member of the greatest deliberative body in the world retreat behind the fifth amendment. I am astonished and amazed that one would.

MR. DE LACY. I thought I would never see anybody in the highest deliberating body in the land attempt to override either the first, fifth, or any other amendment to the Constitution.

MR. SCHERER. I think we have had our say on this. Proceed, counsel, with the next question.

MR. TAVENNER. Mrs. Hartle, as I undertook to explain a few minutes ago, was describing various incidents where there were con-

flicts between the interest of the union and the interest of the Communist Party. So I will read one introductory paragraph:

Mrs. HARTLE. I remember quite a striking incident involving the Teamsters' Union in Spokane, too. The Teamsters' Union was on strike against the Davenport Hotel in Spokane, and this strike was supported by the Central Labor Council of Spokane, and a regular picket line was put on by the Teamsters' Union on the Davenport Hotel, but the Communists there worked for a mass picket line. They tried to prevail on the teamsters to have hundreds of persons participating in the picket line, all their own members, and to get public support to it, but the Central Labor Council and the teamsters' union did not adopt this policy of trying to get a mass picket line.

However, the Communists were not satisfied when they could not convince the teamsters' union to do this; they decided to get at it in another way, and they used their influence in the Workers' Alliance to send a large delegation to participate in this picket line, and the delegation, of which I was a part, came up to the Davenport Hotel to try to join the picket line, and the officers of the Teamsters' Union who were there with the picket line and on it said that they didn't want to have us there, that we should go away; they didn't need us or want us on this picket line. So the answer of the Communists was, in which I participated, that they must want to lose the strike; they were selling out their workers and trying to lose the strike or they wouldn't turn down this help on this picket line.

Do you have any knowledge of that incident?

Mr. DE LACY. Mr. Tavenner, I do not. I was in Spokane involving the teamsters' local, and I have no knowledge of it.

Mr. TAVENNER (reading):

Mr. SCHERER. May I interrupt, please?

Mr. KUNZIG. What year was this?

Mrs. HARTLE. It was in the middle 1930's.

Mr. KUNZIG. Do you have any further example of this area of conflict of union and Communist Party interests?

Mrs. HARTLE. I can think of another example, and it is in a different field.

Mr. KUNZIG. What field is it in?

Mrs. HARTLE. It is in the field of legislation and candidates in public office.

Mr. KUNZIG. Would you tell us your knowledge in that field, please?

Mrs. HARTLE. There is a bigger area of conflict here and there has been in the State of Washington, and it has been around the question of getting union support to political candidates that did not represent the union's basic philosophy toward our Government, basic attitudes toward our Government.

A Communist like Hugh De Lacy, Tom Rabbitt, or others—

Now, at that point, Mr. Kunzig interrupted the testimony and requested information from her as to how she knew these persons, Hugh De Lacy and Tom Rabitt, to have been members of the Communist Party, and here is the testimony relating to that:

Mr. KUNZIG. Did you know Hugh De Lacy to be a member of the Communist Party?

Mrs. HARTLE. Yes, I did.

Mr. KUNZIG. Will you describe how and when you knew Hugh De Lacy to be a member of the Communist Party?

Mrs. HARTLE. I knew Hugh De Lacy as a member of the Communist Party from the time I came to Seattle until just before the middle 1940's. I knew him as a member of the district legislative committee which had joint meetings with the district board in the early 1940's.

I would like to interrupt this testimony at that point and ask you the question, were you a member of the district legislative committee of the Communist Party?

Mr. DE LACY. To that question, Mr. Tavenner, and Mr. Chairman, I will reply as heretofore, that under the first amendment giving me the right of free assemblage, to petition my Government, and to meet

peaceably, and under the fifth amendment, as I have cited heretofore, the two provisions of it, that I must respectfully decline to answer.

Mr. WALTER. You are not under my compulsion. You said, "I must." By that I suppose you mean—

Mr. DE LACY. I feel strongly about it, declining to answer.

Mr. WALTER. You mean "I decline to answer because of the fifth amendment"?

Mr. DE LACY. I thank you for the correction.

Mr. WALTER. You said, "I must decline." I am calling your attention to the fact that you are not under compulsion to decline to answer.

Mr. TAVENNER (continuing to read) :

Mr. KUNZIG. Do you know of your own personal knowledge whether he was a member of the Communist Party when he was a Member of the House of Representatives of the United States Congress?

Mrs. HARTLE. Yes, I am sure that he was.

Mr. KUNZIG. Was that known to the people of this State?

Mrs. HARTLE. No, I don't believe it was.

Mr. SCHERER. Was he a member of the underground at that time, or open member of the party?

Mrs. HARTLE. He was a member at large.

Mr. SCHERER. What does that mean; tell us.

Mrs. HARTLE. It is an individually attached member to some officer or other member of the Communist Party for the purpose of concealment of membership.

Mr. KUNZIG. Is there any other testimony that you wish to give about Hugh De Lacy at this moment?

Mrs. HARTLE. Not that I can think of.

Then the testimony related to Mr. Rabbitt.

Mr. SCHERER. Let me interrupt. Was Mrs. Hartle telling the truth when she testified as she did with reference to your membership in the party during the time you were a Member of the House of Representatives?

Mr. DE LACY. I suspect, Mr. Chairman, that you gentlemen of the committee will take to yourselves the final judgment of that, but, as for my part, I will take the same course I have with the other two questions.

Mr. SCHERER. Will you invoke the privilege of the fifth amendment?

Mr. DE LACY. First and fifth.

Mr. SCHERER. You refuse to answer on the basis of the fifth amendment.

Mr. CLARDY. Mr. Chairman, may I interject something here?

Mr. SCHERER. Yes.

Mr. CLARDY. Recently in Florida, where a member of the bar had been identified as a member of the Communist Party, he was before a judge on a question of disbarment. One thing the judge said, I think, is applicable and ought to be in the record at this point, because like us members sitting on this committee, Mr. De Lacy had to take an oath when he took office to support the Constitution and the laws of the United States.

Let me read to you, Mr. De Lacy, what this lawyer said—this judge said—about a lawyer, not a Member of Congress, but just a practicing attorney. Among other things he said this:

It is inconceivable to the court that an American lawyer under obligation to support and protect the Constitution of the United States, when his loyalty to that Constitution and to the Republic is justly questioned, will invoke as a shield the fifth amendment or any other amendment to the Constitution of the United States.

I ask you to reconsider the decision you have made as to whether you will or will not answer questions, remembering that you also took a high oath when you took office, as we did, to support the Constitution and the laws of this Republic.

Now, I am not asking you to back up on what you have done. I thing you should, but I ask you to reconsider in the light of what I have read when further questions are propounded to you.

Mr. DE LACY. May I say, Mr. Chairman, I appreciate the words from the gentleman from Michigan, and wish to say that I consider that I am living up to the spirit and letter of that oath, when I resist what I consider to be encroachments by this committee on the rights, activities, of private citizens. I fought the committee in Congress, fought its appropriations, cast my first vote against making it a permanent committee, and continue to resist as a matter of principle.

Mr. SCHERER. Now, the witness properly invoked the fifth amendment in my opinion.

Proceed with the next question.

Mr. TAVENNER (reading) :

Mr. KUNZIG. Mrs. Hartle, you started a sentence saying that a Communist like Hugh De Lacy, Tom Rabbitt, or others—then you were interrupted. Would you comment and finish that thought that you had?

Mrs. HARTLE. Yes. Such candidates masquerading as Democrats, that is, running on the Democratic ticket, would get support on the basis—from unions they would get support on the basis of supporting union measures, and gain the political support endorsement and sometimes financial support. However, if elected, they would go into office to further the policies of the Communist Party and to work on the policies of the Communist Party that it was interested in. Many times when such policies became known to the union they were rejected by them.

Now, that is a very serious statement involving you and Mr. Tom Rabbitt. What official position did Mr. Tom Rabbitt have in the State of Washington?

Mr. DE LACY. At any particular time?

Mr. TAVENNER. Well, say at the time you were a Member of Congress.

Mr. DE LACY. He was a State, Democratic State Committee—Democratic State Senator.

Mr. TAVENNER. Now, she was talking about you and about Tom Rabbitt. Do you have any comment to make upon either by way of denial or explanation of her statement of persons being elected on one ticket and then going into office and endeavoring to carry out the policies of the Communist Party after masquerading under some other label?

Mr. DE LACY. Since you asked for comments, I suppose it enters the realm of opinion. I would rather debate the chairman on a public platform about my opinions. In fact, I have a radio broadcast tonight in which you are cordially invited to participate.

Mr. SCHERER. I respectfully decline.

Mr. DE LACY. I could only say, as for my own part, I was elected as a Roosevelt Democrat, supported the Roosevelt policies in the 79th session, even one which to my profound embarrassment involved, was interpreted by a few labor unions as being antilabor. It was something asked by Roosevelt. I pledged in my race I would support Roosevelt. I felt dutybound to support Roosevelt.

Mr. TAVENNER. All right. That was the label under which you were elected. Now, having been elected, did you work for the interests

of the Communist Party or collaborate with the Communist Party in the things that you did?

Mr. DE LACY. I worked for the interests of the people of that district, getting housing in there. It was a wartime situation. Getting housing in there, several million dollars' worth of public housing in the district.

Mr. SCHERER. Pardon me. May I interrupt? Maybe you didn't hear the question. Did you collaborate with the functionaries of the Communist Party after you were elected in connection with your activities in the Congress? That is the question.

Mr. DE LACY. I understood, Mr. Chairman, the question was about the policies I pursued, with or without collaboration in the interests of some organization other than the people of the district or the Democratic Party.

Mr. SCHERER. Mr. Tavenner is withdrawing that question and the question the Chair is asking is: Did you collaborate with the Communist Party while you were a Member of the House?

Mr. DE LACY. I suppose this question, which has not occurred to me before, is one on which I might ask the privilege of seeking advice. If I may sit a moment, I will try to think of the situation.

(At this point there was a short pause in the conduct of the hearing.)

Mr. DE LACY. May I ask, Mr. Chairman, if it is intended by this question to convey by collaboration, working in common and continuous concert with? Is that—

Mr. SCHERER. That is a fair definition of collaboration.

Mr. WALTER. Well, I am sure that the chairman means more than merely subscribing to those very liberal policies that we Democrats, as distinguished from the hangers-on, were advocating, because it was my experience as a Democrat that every time, for example, when I wrote the Wages and Hours Act, the Walsh-Healey Contract Act, I found that overnight I had all of the Communists in America supporting what I was advocating. Of course, it was the kiss of death. But that is exactly what happened. Every time we Democrats would suggest something liberal, all of the Communists in America would jump on the bandwagon and try to create the impression that it was a novel idea with them, with the result, of course, that we were fighting odds that were brought upon us needlessly. You know that, of course.

Now, what the chairman means is this: While you were advocating the enactment of liberal Democratic legislation, as distinguished from Communist legislation, were you receiving instructions from the leadership of the Communist movement in America with respect to the position you should take on that legislation?

Mr. DE LACY. Well, to that, Mr. Chairman, I wish to thank Mr. Walter for making this question more specific so I can grapple with it. It appears to me that there has been no foundation for that belief or assertion by anybody. It seems to me that when—I got more instructions from the majority leader of the House, not instructions, advice and urging, than from anybody else, even my own constituents.

Mr. WALTER. Yes; I remember a number of older men were suggesting—excuse me.

Mr. CLARDY. That doesn't answer the question, Mr. Chairman.

Mr. DE LACY. Mr. Ramspeck used to come to me. I followed his advice on one occasion when as a politician I should not have.

Mr. SCHERER. During the time you were a Member of the House, did you collaborate, and I will adopt the definition as stated by Mr. Walter, did you collaborate with the leadership of the Communist Party?

Mr. DE LACY. That means I did receive instructions, positive directions, ironclad, to pursue certain policies? The answer is an unqualified no. I would take no instructions like that from anybody.

Mr. SCHERER. Were you a member of the party, at that time?

Mr. DE LACY. Mr. Chairman, on that question, in view of the existing legal situation, I must invoke the first and fifth amendments and decline to answer.

Mr. SCHERER. Isn't it a fact that you had signed a nominating petition under oath stating that you were a member of the Democratic Party, and isn't it a fact that at that time you were a member of the Communist Party as well?

Mr. DE LACY. If, Mr. Chairman, I may divide the question, it is a fact that I was a member of the Democratic Party, although whether you have a right to inquire what party I belong to is a separate question, but I was. I divided the question. As to the second part of the question, I shall take the same course as I have with certain other questions, the first and fifth amendments.

Mr. SCHERER. Weren't you a member of the Democratic Party, as indicated by Mr. Walter, merely for convenience, to get elected, but you were actually a Communist?

Mr. DE LACY. I was a member of the Democratic Party because I believed heart and soul in what President Roosevelt was doing.

Mr. SCHERER. You were a member of the Communist Party at the same time?

Mr. DE LACY. On that, Mr. Chairman, I must respectfully take the same course as with previous questions, namely, invoking the first and fifth amendments.

Mr. SCHERER. You have no hesitancy in talking about your political affiliations with the Democratic Party, but you say we don't have a right to inquire as to your political affiliation with the Communist Party?

Mr. DE LACY. I say you have no right to inquire into any political affiliation which any free American has in this country. I submitted to the questions as to the Progressive Party to be cooperative. I submitted to them on the Democratic Party. I prefer you do not run my neck into an obvious noose; what some paid stool pigeon may declare to be false.

Mr. WALTER. Under your thought, the laws which require a person to state his political affiliations are unconstitutional. I am asked when I register to vote in the State of Pennsylvania, whether or not I am a Democrat or a Republican. Now, there a law that requires me to state my political affiliation is unconstitutional, too?

Mr. DE LACY. In our State—

Mr. WALTER. That is the law in many States, so that the position you take, I think, is just frivolous.

Mr. DE LACY. Don't you think there is a difference between what a law may require as a condition for voting or holding office and what a committee may inquire into?

Mr. WALTER. Excuse me for interrupting.

Mr. CLARDY. May I make an observation? I am a Republican. Everybody knows it. I think it only fair to say that anyone who is a member of the Communist Party can't possibly be either a Democrat or a Republican, I don't care who tries to contend to the contrary, because it is utterly incompatible for a man to claim, admit, or for us to prove he is a Communist and then for him to claim he is a Democrat.

Mr. WALTER. It is indeed refreshing to hear that from such a staunch Republican.

Mr. CLARDY. I mean it, because that is what I believe.

Mr. WALTER. For years I have always thought, at least every 2 years, an attempt is made to—well—

Mr. SCHERER. Gentlemen, we have pursued this far enough. The witness has a right to refuse to answer, as he has, on the ground of the fifth amendment with reference to his Communist connections.

Proceed with the next question.

Mr. TAVENNER. Mr. De Lacy, I observe that you qualified your answer by stating that if it was meant that the Communist Party had ironbound directives, that you deny any such application as to yourself. Well, now, the question wasn't limited that way. Now, even if there were no ironclad directives issued to you by the Communist Party, did you follow the advice and counsel of the Communist Party in your political activities?

Mr. DE LACY. I frequently found myself in the position described by Congressman Walter, where positions I took for old-age pensions, the Wagner Labor Act, or others, great New Deal legislation, was supported by a host of people, including Communists. I made no mystery of that. I think it is the logical thing, that all people having one idea in common will tend to support whatever person voices those ideas.

Mr. CLARDY. You know, don't you, as a matter of fact, that the Communist Party makes a practice of seizing upon any and every issue that comes along that may have popular appeal, deserved or not, in order to attempt to recruit people into their ranks?

Now, we are not interested in whether you were a Democrat or a Republican, or any other political party member. We are only interested in whether or not you were serving the cause of the Communist Party. That is all these questions are directed toward.

Mr. SCHERER. I think he has answered. Proceed with the next question.

Mr. TAVENNER. All right. This question was asked, and the answer which I will give, will read, was given:

Mr. TAVENNER. Now, Mrs. Hartle, to what extent was the Communist Party in this area interested in the work of the Progressive Party?

Mrs. HARTLE. To a very considerable extent. After the reconstitution, the Communist Party recognized its revisionism of Marxism-Leninism in the political field and decided that the correct program was for a new third anti-imperialist party. After this ideological campaign had proceeded for at least a year, the Progressive Party was founded, preceded for a period by the Progressive Citizens of America. The Communist Party viewed this as a development along favorable lines and this district threw considerable effort into the supporting and building of it and was able to furnish the top leadership as well as in the State.

Hugh De Lacy, head of the Progressive Citizens of America, Jerry O'Connell, and Tom Rabbitt, head of the Progressive Party—all three of whom were in executive positions—were members of the Communist Party, to the best of my understanding.

Now, did you undertake to engage in the work of the Progressive Party in the State of Washington or the Progressive Citizens of America in concert with the Communist Party or at its solicitation and under its guidance?

Mr. DE LACY. Well, Mr. Chairman, this question is, again, it presents difficulty. Anything which relates to what I did of my own free choice I am willing to talk about, whether or not I recognize your right to inquire.

I went into the Progressive Citizens of America toward the end of its days for a month or two, and was active in it, and we organized the Progressive Party in the State of Washington, as I have explained my position in that, for the few months I was there. As to sources of advice—

Mr. SCHERER. Witness, that is not the question. Will you yield, Mr. TAVENNER?

Mr. TAVENNER. Yes.

Mr. SCHERER. The question is, I am going to put this question: Did the Communist Party attempt to take over, control, and dominate the Progressive Party, and didn't they succeed in the State of Washington?

Mr. DE LACY. I would say no.

Mr. SCHERER. Wasn't all of the top leadership Communist?

Mr. DE LACY. I would have no exact knowledge of that, but—

Mr. SCHERER. Were the three individuals mentioned by Barbara Hartle Communists?

Mr. DE LACY. On that, Mr. Chairman, I must respectfully decline to answer on the ground of freedom of assemblage and on the ground of the fifth amendment.

Mr. SCHERER. Would you say Mrs. Hartle was not telling the truth when she said the three top leaders in the Progressive movement were Communists? Was she not telling the truth?

Mr. DE LACY. I must repeat, the subject—

Mr. SCHERER. You are invoking your privilege under the fifth amendment.

Mr. DE LACY. Yes.

Mr. SCHERER. Proceed to the next question.

Mr. TAVENNER. During the course of the hearings in California, Elizabeth Boggs Cohen testified. She was asked to identify persons associated with her in Communist Party activities, she having admitted her former Communist Party membership. Her statement was this:

Mrs. COHEN. From national headquarters in New York I met Elizabeth Gurley Flynn; Clarence Hathaway, editor of the Daily Worker; Earl Browder, from the national committee; William Z. Foster, from the national committee; Roy Hudson, national trade union director; Jack Stachel, a member of the national committee.

And members of the district committee with whom I met when I was a member of the district committee were Harold Brockway from the Workers' Alliance; Carl Brooks, chairman of the Negro commission; Hugh De Lacy, president of the Washington Commonwealth Federation and later a city councilman and National Congressman.

Were you acquainted with this witness, Elizabeth Boggs Cohen?

Mr. DE LACY. She ran for the city council in Seattle in some year, and since I was actively interested in all candidates and their posi-

tions, I obviously was acquainted with her in her capacity as a candidate for the city council.

Mr. TAVENNER. Were you also acquainted with her in her capacity as a member of the district council of the Communist Party?

Mr. DE LACY. In her capacity or my alleged capacity?

Mr. TAVENNER. In her capacity.

Mr. DE LACY. Well, Mr. Chairman, I believe that is the same quality of other questions which I have declined to answer, and I shall therefore invoke the protection of the first and fifth amendments as to that question.

Mr. SCHERER. Was the testimony of the witness Boggs—is that her name?

Mr. TAVENNER. Cohen.

Mr. SCHERER. Was the testimony of the witness Cohen true or false as it has been read to you by counsel?

Mr. DE LACY. Since it appears to me, Mr. Chairman, that is in substance the same question, I will decline to answer that on the grounds of the first and fifth amendment.

Mr. SCHERER. Then you do not deny what Mrs. Boggs said, do you?

Mr. DE LACY. I neither affirm nor deny what Mrs. Boggs has said.

Mr. CLARDY. Did you ever attend any Communist Party meetings at which she was present?

Mr. DE LACY. It seems to me, Mr. Chairman, that if that is held to mean strictly Communist Party meetings, where no one but Communists would be admitted, I would then decline to answer that on the grounds of the first and fifth amendments.

Mr. CLARDY. You interpreted my question correctly.

Mr. TAVENNER. You were acquainted with Howard Costigan?

Mr. DE LACY. Yes.

Mr. TAVENNER. Howard Costigan testified before the committee as follows:

Hugh De Lacy sat with me on the district bureau.

Mr. DOYLE. In closed Communist Party meetings?

Mr. COSTIGAN. He was a member of the district bureau of the Communist Party, and while I have never seen a party card of Mr. De Lacy, because I didn't have one, and he didn't have one, as far as I know, nevertheless Hugh De Lacy, as far as I know, still is an active, functioning, hard-working, dedicated member of the Communist Party.

Do you desire to comment upon that testimony with relation to you?

Mr. DE LACY. Mr. Costigan ran against me for Congress, and he was quite bitter. I think, Mr. Tavenner, in relationship to the matters, the matters of substance which he alleges, that I should simply decline to answer on the grounds I have cited, the first and fifth amendments.

Mr. TAVENNER. Were you a member of the bureau or the district bureau or district committee of the Communist Party with Mr. Costigan?

Mr. DE LACY. I shall decline to answer that question on the same grounds, the first and fifth amendments.

Mr. TAVENNER. Were you a member of that committee with Mrs. Cohen?

Mr. DE LACY. I believe I have answered that already in the same way, and if not, I will decline on the same two grounds.

Mr. TAVENNER. During the period of time that you testified that you held various positions with the Progressive Party in the State of Ohio, from 1948 up to 1950, were you a member of the Communist Party?

Mr. DE LACY. I shall decline to answer that question on the same grounds, the first and the fifth amendments.

Mr. TAVENNER. Since moving to the State of Ohio, have you been affiliated in any position of employment with the UE?

Mr. DE LACY. I have not.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. DE LACY. I shall decline to answer that question on the same two grounds, the first amendment and the fifth amendment.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. SCHERER. Mr. Clardy?

Mr. CLARDY. One of the last questions asked you was with respect to the UE. The question had to do with whether you were employed by them. Have you been active in connection with any strike activity carried on by the UE?

Mr. DE LACY. I can't recollect so. It is possible. I generally support strikes when I feel the workers are trying to get better conditions.

Mr. CLARDY. I am not interested in which side was right, whether they were both right or wrong. I am merely inquiring as to whether you took any part. You don't recall?

Mr. DE LACY. I don't recall any active part. I remember there was a time in the strike in Cleveland where there was a question of a very biased judge who had given the leadership of the UE bail in the amount of, collectively, some \$3 million. I made certain public protests about that, and if that falls within the realm of your question, that is the best answer I can recollect as to any connection with any UE strike.

Mr. SCHERER. At the time you made those protests, were you a member of the party, Communist Party?

Mr. DE LACY. On that, I will say, Mr. Chairman, I shall invoke the protection of the first and fifth amendments.

Mr. CLARDY. Do you know a man by the name of Gojack? Do you know him?

Mr. DE LACY. Yes.

Mr. CLARDY. You know he is at the moment participating in the Square D strike in Detroit?

Mr. DE LACY. I understand the whole UAW has joined in the picket line.

Mr. CLARDY. I am asking you a very simple question.

Mr. DE LACY. I don't know where he is.

Mr. CLARDY. You haven't been in contact with him?

Mr. DE LACY. Not recently.

Mr. CLARDY. Have you any idea as to whether Mr. Gojack is a member of the Communist Party?

Mr. DE LACY. None whatsoever.

Mr. CLARDY. Were you ever a member of an organization known as the American Committee for the Protection of the Foreign Born?

Mr. DE LACY. Now, Mr. Chairman, I would like to answer that. It would give me quite a chance for a speech.

Mr. CLARDY. We don't want a speech. I want a yes or no, whether you were.

Mr. DE LACY. Since the organization, as I understand it, is listed by the Attorney General, as possibly some undesirable organization, though I challenge his right to so list it, I would like guidance from the committee.

Mr. SCHERER. Not as an undesirable, but as a subversive Communist dominated organization. It is so listed.

Mr. WALTER. I think you might be interested in knowing that it was listed as a Communist organization by Francis Biddle, the then Attorney General, and if he reached that conclusion I think it is pretty sound.

Mr. DE LACY. Well, I know the committee's work and believe it has fought many cases of injustice. I am sorry it incurred the displeasure of any Attorney General.

As to your question, I suppose I might be somehow offering adverse testimony against myself, but I felt that the committee, and still feel and felt, that the committee was fighting cases that were being trampled on, people with no friends, and that organization I did support, and to the best of my knowledge and recollection it was what might be called at least, loosely, a member of it. It had no membership dues or any such apparatus. I certainly don't feel I have any reason to be unhappy about the work of that fighting organization.

Mr. CLARDY. Very well. You volunteered the information a little earlier you were going to have a radio broadcast, I believe you said, tonight?

Mr. DE LACY. Yes.

Mr. CLARDY. Would you mind tell me where and over what station?

Mr. DE LACY. Well, the radio program is in Dayton. You will perhaps appreciate that I have spent some time up in Cleveland collecting my mind and getting ready to come down before the committee, and I must say honestly I do not know the name of the station. It was arranged.

Mr. CLARDY. It will be on a local station?

Mr. DE LACY. Yes.

Mr. SCHERER. Did the Communist Party arrange it for you?

Mr. DE LACY. No; the Communist Party didn't arrange it for me.

Mr. CLARDY. Are they paying for it?

Mr. DE LACY. No; they are not paying for it.

Mr. CLARDY. Now, on that program tonight, when you will of course no longer be under oath as you are before this committee, is it your intention to give answers to questions that you have refused to answer here today?

Mr. DE LACY. Mr. Chairman, I shall not make up my mind what I will say on that program until the hearings are over. I try not to judge anybody in advance, even though I have, as I say, an overriding impression of the work of this committee and I don't like it.

Mr. CLARDY. Do you have any present intention of giving answers to the questions that you have here today thus far refused to answer?

Mr. DE LACY. I am handed a note saying "This is station WING, and the time is 7:15 p. m."

Mr. SCHERER. Do you know the man who handed you that note?

Mr. DE LACY. I saw a dark blue coat sleeve.

Mr. CLARDY. Look around and see. You know him?

Mr. DE LACY. Yes.

MR. SCHERER. Do you know whether he is a member of the Communist Party or not?

MR. DE LACY. Mr. Chairman, I rejoice in your persistence.

MR. CLARDY. Never mind. Answer the question.

MR. SCHERER. Well, isn't it a fact now that you know that Mr. Rothenberg is a member of the Communist Party, and an active member of the Communist Party, and has been sent by the Communist Party to this community for the purpose of attacking this committee and interfering with these hearings?

MR. DE LACY. You wouldn't be upset about the elections in Maine, would you, Mr. Scherer?

MR. SCHERER. No; I am not upset about the elections in Maine. You answer the questions.

MR. DE LACY. Mr. Chairman, I shall answer that on the grounds of the first and fifth amendments.

MR. SCHERER. I thought you would invoke the fifth amendment on that question.

MR. CLARDY. Let's get back to my question which you haven't answered yet. Tonight do you intend to discuss and answer in substance the questions that you have thus far refused to answer under oath before us here today?

MR. DE LACY. My only present intention is to sit down immediately after I am through to go over what seems to me to be the highlights of the proceeding, and to determine then what might best be said on such a broadcast.

MR. CLARDY. Do you have in mind any intention of denying tonight any Communist Party membership?

MR. DE LACY. If I had, and I have not thought it through clearly, if I had, I would point out the great difference that lies between stating certain things which are inviolate against invasion by any public body, on demand of that body, and it is a principle of defending the Constitution which I have sworn to uphold, to resist, and the laying before the public, the voters who are the ultimate rulers of this country, a position which one hopes they will consider.

MR. CLARDY. You are in substance just telling me that you are perfectly willing to say anything when you are not under oath, that you will not say when you are under oath?

MR. DE LACY. I leave you free to make your interpretations. I can give you the statements.

MR. CLARDY. That is all I have.

MR. SCHERER. I think it is obvious that the people of Dayton now know from what transpired in this hearing room a few minutes ago that the Communist Party is sponsoring and has arranged De Lacy's radio broadcast tonight.

MR. DE LACY. I think it is obvious, Mr. Chairman, that some members of this committee are violently afraid of their reelection and are afraid of their headlines.

MR. SCHERER. I am not afraid of mine at all. I am sure I am going to be reelected.

MR. DE LACY. Two persons of honorable outlook can arrive at opposite facts.

MR. SCHERER. As long as you continue to oppose me, my majority will be greater.

MR. CLARDY. I have no further questions.

Mr. SCHERER. Do you have any questions?

Mr. WALTER. I have no questions.

Mr. SCHERER. The witness is excused.

Just a minute, the witness is not excused. The subpoena of the witness will be continued.

Mr. DE LACY. May I inquire for what period?

Mr. SCHERER. Excused from the stand, but you are continued under subpoena.

Mr. DE LACY. Can you tell me for what possible period?

Mr. SCHERER. Probably for tomorrow morning.

Mr. CLARDY. We may have some questions to ask you after tonight's broadcast.

Mr. DE LACY. Fine.

(Witness was temporarily excused.)

Mr. SCHERER. At this time I think we should have a 10-minute recess.

(Whereupon a recess was taken from 10:20 to 10:35 a. m.)

Mr. SCHERER. The committee will be in session.

Counsel, will you call your next witness?

Mr. TAVENNER. Mr. Donald Rothenberg, will you come forward, please?

Mr. SCHERER. Will you remain standing and be sworn, please, Mr. Rothenberg?

In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROTHENBERG. I do.

Mr. SCHERER. Please be seated.

Mr. TAVENNER. You are Mr. Donald Rothenberg?

TESTIMONY OF DONALD (DON) ROTHENBERG

Mr. ROTHENBERG. Well, I am usually known as Don Rothenberg. I haven't used my full name of Donald in about——

Mr. WALTER. It is your name?

Mr. ROTHENBERG. Yes, it is my name.

Mr. WALTER. Answer the question.

Mr. ROTHENBERG. I am trying to be accurate, Congressman.

Mr. WALTER. No, you are not. You are trying to be technical.

Mr. TAVENNER. You are the same person who brought a memorandum to the last witness on the stand, Mr. Hugh De Lacy?

Mr. ROTHENBERG. I brought to him a slip of paper which announced the time and station for a radio broadcast.

Mr. TAVENNER. Mr. Rothenberg, I think you are familiar with the rules of the committee which provide that every witness is entitled to have counsel with him during the course of the hearing if he desires.

Mr. ROTHENBERG. I heard you describe it to Mr. De Lacy. I would like to say, Mr. Tavenner, the reason I am not represented by counsel is that I was served a subpoena yesterday during the hearing without any advance notice. I have had an opportunity to consult for approximately half an hour with an attorney in the expectation I would be called tomorrow morning at 9 o'clock, which is what the subpoena said. But apparently the committee was so disturbed by the testimony of

Mr. De Lacy and the upcoming radio program, that your committee served me another subpoena during the recess.

Mr. CLARDY. No, we served it and brought you in now because of your unseemly actions this morning. Let me disabuse your mind of that.

Mr. ROTHENBERG. Sir, I retain the right—

Mr. SCHERER. If you want a continuance until tomorrow morning so you can have counsel—

Mr. ROTHENBERG. It is up to the committee, sir.

Mr. SCHERER. It isn't up to the committee.

Mr. ROTHENBERG. Let me say this—

Mr. SCHERER. Just a moment. If you request it, Mr. Rothenberg, the Chair will grant your request.

Mr. ROTHENBERG. Thank you. I wish to make this clear—

Mr. SCHERER. There is just one question before you now. Do you want a continuance until tomorrow morning to enable you to have counsel? That is all. If you do, we will grant you the continuance.

Mr. ROTHENBERG. I simply want to say, I would not be able to have my counsel here even by tomorrow morning because the counsel whom I chose is a person who cannot be brought in here on 1 day's notice.

Mr. CLARDY. Let's proceed, Mr. Chairman.

Mr. TAVENNER. When and where were you born, Mr. Rothenberg?

Mr. ROTHENBERG. I was born in Brooklyn, N. Y., July 19, 1924.

Mr. TAVENNER. Where do you now reside?

Mr. ROTHENBERG. I live in Cleveland, Ohio.

Mr. TAVENNER. How long have you been a resident of Cleveland?

Mr. ROTHENBERG. Six years.

Mr. TAVENNER. What is your occupation?

Mr. ROTHENBERG. I am the State director of the Progressive Party of Ohio.

Mr. TAVENNER. How long have you held that position?

Mr. ROTHENBERG. Well, I am not sure of the exact date. I was employed by the Progressive Party in December of 1951, I believe. Either November or December. And I—

Mr. TAVENNER. 1951?

Mr. ROTHENBERG. I was employed by the Progressive Party in Cleveland in 1951, and it was not until 1952 that I was actually able to perform as a State director and to travel around the State to the various communities.

Mr. TAVENNER. Well, now, if you came to the State of Ohio 6 years ago, that would have been approximately in 1948?

Mr. ROTHENBERG. That is correct, in May 1948.

Mr. TAVENNER. What was your employment from 1948 until 1951 when you became employed by the Progressive Party?

Mr. ROTHENBERG. I was the director of the Young Progressives of Ohio from May of 1948 until, I believe it was the spring of 1950, and I then worked in a factory for a year as a machine operator. Subsequent to my work in the factory I became the organizer and then the State director for the Progressive Party.

Mr. TAVENNER. Prior to 1948, where did you reside?

Mr. ROTHENBERG. I lived in Washington, D. C.

Mr. TAVENNER. The city of Washington. How long did you live there?

Mr. ROTHENBERG. Well, from the time of my discharge and marriage, which was in January 1946, we were married and moved to Washington, and I lived there from that time until May 17, I believe, 1948.

Mr. TAVENNER. What was your occupation while in Washington?

Mr. ROTHENBERG. I was, I completed my education in Washington until the summer of 1947 at the George Washington University. I was then employed for several months by the Southern Conference for Human Welfare as their organizer in Washington, D. C., and I then volunteered to go anywhere in the country in support of Henry Wallace and Glen Taylor, because I believed in their program, and I wanted to see them get as many votes as possible.

Mr. TAVENNER. Now, will you give the committee, please, a brief résumé of your formal educational training?

Mr. ROTHENBERG. Well, all of my primary schooling was in New York City. I then went to Brooklyn College in New York, which is a free city college. It was all that I could afford.

I left Brooklyn College in February 1943 to enlist in the Army because I wanted to help win the war.

I resumed my education, as I said before, at George Washington University after my discharge.

Mr. TAVENNER. In 1946?

Mr. ROTHENBERG. That is correct.

Mr. TAVENNER. Did you receive a degree at George Washington?

Mr. ROTHENBERG. I did.

Mr. TAVENNER. In what department?

Mr. ROTHENBERG. It was in the department of political science. I was a major in foreign affairs, but I had originally intended to go into the State Department. But I imagine by mutual consent the State Department and I decided that that was not where I could spend my time.

Mr. WALTER. That is very funny? I see you smiling. What do mean by mutual consent?

Mr. ROTHENBERG. I agree, sir, that is a cryptic remark.

Mr. WALTER. What do you mean by mutual consent?

Mr. ROTHENBERG. What I should have said is this—

Mr. WALTER. No, what did you mean?

Mr. ROTHENBERG. If you will allow me to explain it, sir, I will. What I mean is, at the time I began my study of foreign affairs, it was an honor and a privilege to support the foreign policy of the administration that was in power. And during the time that I continued and completed my studies, the foreign policy of this country changed to such an extent that I did not want to be an official associate of that foreign policy.

Mr. WALTER. Because it had become aware of certain things that people apparently weren't aware of up to that moment?

Mr. ROTHENBERG. No, sir, because it drifted away from the policies of Franklin Roosevelt.

Mr. WALTER. When did you graduate from George Washington?

Mr. ROTHENBERG. 1946. No, 1947, in the summer. I believe it was in August 1947.

Mr. WALTER. After the war?

Mr. ROTHENBERG. That is right.

Mr. CLARDY. When did you, or did you, seek employment in the State Department?

Mr. ROTHENBERG. I say, sir, I gave the wrong impression by a cryptic remark. I did not seek employment. I was studying to prepare for employment in the Foreign Service, and by the time I completed my studies, had reached the decision that that is not where I would like to spend my life.

Mr. CLARDY. That was in 1947?

Mr. ROTHENBERG. That is correct.

Mr. CLARDY. At that time was it because you detected some animosity toward Russia on the part of the people in this country?

Mr. ROTHENBERG. Sir, when I was in the Army in 1945, in Germany, we had just completed a victorious battle against fascism. And within a week after that I began to hear talk of a third world war against the Soviet Union.

Mr. CLARDY. And that decided you that you didn't want to be in the State Department?

Mr. ROTHENBERG. That decided me, sir, that this is a solution to none of the problems of the people of this country or the other countries of the world.

Mr. CLARDY. I got the answer I expected from you. That is all I have.

Mr. ROTHENBERG. I gave the answer that I wanted to give, sir.

Mr. WALTER. You were willing to fight fascism but not the other kind of fascism, to wit, communism?

Mr. ROTHENBERG. Sir, I understand fascism because I am a Jew, and some of my relatives were cremated in Germany. I also understand that what is taking place in this committee and committees like it is a pattern very similar to what happened in Germany. I fought it in the war and I will fight it on this stand, and I will fight it in the election campaign, and the people will decide in the ballot box.

Mr. CLARDY. But you will not fight against Russia?

Mr. ROTHENBERG. I have not said I will not fight.

Mr. CLARDY. Will you?

Mr. ROTHENBERG. I will make that decision, sir, if it is ever necessary, and I don't believe it will be necessary.

Mr. CLARDY. That is sufficient.

Mr. ROTHENBERG. Because I don't think that the people of this country will stand for another world war.

Mr. SCHERER. Were you ever a member of the Communist Party?

Mr. ROTHENBERG. I have had the opportunity to briefly study the rights that I am entitled to, and it is my understanding I am entitled to decline to answer questions such as this which are inquiring into my personal political beliefs and affiliations, and I therefore do decline on the basis of my right to free speech under the first amendment and on the basis of my right to protection against self-incrimination, and to the protection of my life, liberty, and property under the fifth amendment.

Mr. SCHERER. Were you a member of the Communist Party during the time that you were in Germany in the Army of the United States?

Mr. ROTHENBERG. I was a member of the United States Army, sir.

Mr. SCHERER. I understand that. Now, were you a member of the Communist Party at that time?

Mr. ROTHENBERG. I am very disturbed about—

Mr. SCHERER. Were you or weren't you?

Mr. ROTHENBERG. I am going to answer it, sir. I am going to answer it clearly. I am disturbed about not being in an atmosphere in which I can freely answer because that is the kind of person I am. But I will have to decline to answer that question on the basis of the first and fifth amendments.

Mr. WALTER. As a matter of fact, the reason why you didn't pursue your plan to go with the State Department was because you were a Communist and you knew you couldn't qualify?

Mr. ROTHENBERG. If you know that to be true, sir, then you may choose to think so.

Mr. WALTER. I know it to be true.

Mr. ROTHENBERG. All right. You may choose to think so.

Mr. SCHERER. I am directing you to answer the question.

Mr. ROTHENBERG. I respectfully decline to answer under the first and fifth amendments.

Mr. CLARDY. Witness, you, in answering the question just prior to the remark by Congressman Walter, talked about a discussion of your political beliefs, and yet up until we approached the subject of Communist Party membership you were proclaiming quite loudly about your political beliefs.

Mr. SCHERER. And philosophy.

Mr. CLARDY. And all of the things that go with it. Why do you suddenly draw the line when we ask you about communism, but you are willing to discuss your political beliefs on any other subject, or in connection with any other party?

Mr. ROTHENBERG. Because, sir, the work of this committee has made the word and any connection with the word Communist such a thing that persons are at the risk of their life and liberty and property to associate themselves before a committee of this kind with that word. I have not hesitated to speak about the things that I believe in. I have spoken publicly all over this State. I will speak publicly in a debate against any member of this committee at any time.

Mr. WALTER. I don't think there is any member of this committee that would dignify you by appearing with you on any public platform.

Mr. ROTHENBERG. I don't think there is any member of this committee that could answer the questions I would put to them because I question you on your record. I would question you on your record, sir, and I have looked into the record of the members of this committee and the people will answer that record at the ballot box.

Mr. CLARDY. We hope so.

Mr. ROTHENBERG. I do, sir.

Mr. SCHERER. Now proceed.

Mr. TAVENNER. While you were a student at George Washington University from 1946 until 1947, did you have occasion to meet a person by the name of Eleanor Driesen in the city of Washington?

Mr. ROTHENBERG. I am not sure, sir. The name is familiar. I am not absolutely sure one way or the other.

Mr. TAVENNER. I shall endeavor to refresh your recollection about that, but before doing so, let me ask you if you had occasion to become acquainted with a person by the name of Mary Stalcup Markward?

Mr. ROTHENBERG. Sir, I am familiar with that name as one which has been in the newspapers and magazines.

Mr. SCHERER. Answer the question.

Mr. ROTHENBERG. I am trying to, sir.

Mr. SCHERER. You are making a speech. Do you know her?

Mr. ROTHENBERG. Sir, this is a question about a period some 8 years ago.

Mr. SCHERER. All right. Well—

Mr. ROTHENBERG. And I have worked in many campaigns and met many people, and I do not intend without benefit of counsel to make a hasty answer which will give this committee an opportunity to do what it is intending to do.

Mr. SCHERER. Take all the time you want to think about it, but answer the question. The question was: Do you know Mary Stalcup Markward?

Mr. ROTHENBERG. Sir, since I have become aware of who this person is, and the fact that she has become a paid informer—

Mr. SCHERER. Witness, I am directing you to answer.

Mr. ROTHENBERG. I feel—

Mr. SCHERER. I am directing you to answer the question.

Mr. ROTHENBERG. I feel compelled to decline to answer the question on the grounds of the first and fifth amendments.

Mr. SCHERER. Proceed to the next question.

Mr. TAVENNER. I said I would refresh your recollection about Eleanor Driesen.

On June 11, 1951, Mary Stalcup Markward testified before the Committee on Un-American Activities. The testimony is as follows:

Mr. OWENS.—

he is now the chief investigator of the Committee on Un-American Activities—

With regard to the students or students whom you have identified, are there any other students in the Washington area whom you can recall as having been members of the Communist Party during your membership therein?

Now, before I give her answer, I should explain for the benefit of the record, and to you, that Mary Stalcup Markward is a young lady who entered the Communist Party at the request of the Federal Bureau of Investigation and had about 7 years experience within the party. She rose to the position of treasurer of the Communist Party for either the city of Washington or for the district, I do not recall which at the present, which comprised the district, the district comprising the District of Columbia, the State of Maryland, and certain adjacent areas of Virginia.

Mrs. Markward's reply to that question was this:

There was an individual student recruited at George Washington University who was acutely security conscious at the time he was recruited, and was not associated with the students clubs, as such. That was Donald Rothenberg. He was sponsored by Eleanor Driesen, who at that time was a functionary for a Spanish Aid Committee, I believe at 802 F Street.

Mr. OWENS. Has she been specifically identified by you as a member of the Communist Party?

Mrs. MARKWARD. I believe not. She should have been.

Mr. OWENS. Will you identify her now?

Mrs. MARKWARD. She was a member of Industrial Club I immediately after the reorganization of the Communist Party, and then she transferred to the Community Club, and she transferred to Chicago around 1947.

Mr. OWENS. Continue with Mr. Rothenberg.

Mrs. MARKWARD. I was asked by Eleanor Driesen as city secretary to come to her office to interview Don Rothenberg, whom she highly recommended as a

reputable person who should be a party member. He agreed to join the Communist Party provided his membership would not be known to others than the very top leadership of the party.

Mr. OWENS. Was this in your presence?

Mrs. MARKWARD. This was in my presence as an official of the party. I was there to see if he could get such an agreement from the party. I was to decide whether the party would accept him under those conditions. I am certain his chairmanship of the ABC had something to do with the question, but I was not certain that it was the whole reason. I discussed this with William Taylor, and it was agreed Don Rothenberg should be a member and pay dues as a member at large, and not belong to a club. It is my recollection that after that time he was assigned to the Community Club.

Mr. OWENS. This took place during his attendance at George Washington University?

Mrs. MARKWARD. That is right.

Now, does the reading of that testimony refresh your recollection regarding Eleanor Driesen?

Mr. ROTHENBERG. Is that your question, sir?

Mr. TAVENNER. That is my question.

Mr. ROTHENBERG. I do remember an Eleanor Driesen. I said before I remembered the name. It seems to me that is either her maiden name or her married name, and I knew her better under the other name. The name, as I understand it, is familiar to me. I can't place it definitely, but it is familiar, particularly in reference to the Spanish Aid Committee, which I am aware of.

Mr. TAVENNER. Did you become associated with her in the work of the Spanish Aid Committee?

Mr. ROTHENBERG. I don't remember that I did, sir. I was much too busy at college in activities which this committee is perhaps not interested in discussing, and opposing the discriminatory policies of the college I attended which refused to admit Negroes, either to the college or the auditorium.

Mr. SCHERER. Witness, answer the question.

Mr. ROTHENBERG. I have answered the question, sir.

Mr. WALTER. Nor is it true.

Mr. ROTHENBERG. Is it true they deny Negro people?

Mr. WALTER. Just go on.

Mr. ROTHENBERG. I will send you a memorandum on it, sir, and a book of clippings.

Mr. TAVENNER. Were you sponsored for membership in the Communist Party by Eleanor Driesen?

Mr. ROTHENBERG. I decline to answer that question on the grounds of the first and fifth amendment for the reasons described before.

Mr. TAVENNER. Did you discuss Communist Party membership with Eleanor Driesen?

Mr. ROTHENBERG. I decline to answer on the same grounds. Would you like me to repeat the grounds each time?

Mr. SCHERER. No, it is all right, fifth amendment.

Mr. ROTHENBERG. First and fifth amendments.

Mr. SCHERER. Although we don't recognize the first amendment because the Communist Party is not a political party but a conspiracy.

Mr. ROTHENBERG. I recognize it, sir. I recognize the first amendment.

Mr. SCHERER. By the Congress of the United States and by the highest courts in this land.

Mr. ROTHENBERG. I assert my rights under the first and fifth amendments and will continue to do so.

Mr. SCHERER. You have a right to do so.

Mr. TAVENNER. Where was Eleanor Driesen's office, do you recall?

Mr. ROTHENBERG. I don't.

Mr. TAVENNER. Does the reading of that testimony refresh your recollection that it was 802 F Street?

Mr. ROTHENBERG. I will have to decline to answer that because of the obvious intent of the question, and under my rights under the first and fifth amendments.

Mr. CLARDY. You said you have to. You are actually invoking it?

Mr. ROTHENBERG. I am invoking it. The words "have to" are misleading.

Mr. CLARDY. In the future you may say on the same ground or grounds previously raised. It will protect you.

Mr. ROTHENBERG. I simply want to emphasize my invoking of the first as well as the fifth amendment.

Mr. CLARDY. If you say the same grounds. The courts have held against you. You know it.

Mr. ROTHENBERG. Times change, sir. The court is still deciding on the first amendment.

Mr. CLARDY. You are familiar with the Communist litigation then, aren't you?

Mr. ROTHENBERG. I am familiar with the work of the Supreme Court, sir, on the——

Mr. CLARDY. Anything that pertains to the Communist cause.

Mr. ROTHENBERG. On the cases of segregation. Please don't try to distort what I am saying.

Mr. TAVENNER. Do you recall having met with Mary Stalcup Markward at the office of Eleanor Driesen?

Mr. ROTHENBERG. I decline to answer, sir, under the first and fifth amendments.

Mr. CLARDY. Counsel, I am not sure whether he has specifically said whether he had anything to do with the Spanish Aid movement or not.

Mr. ROTHENBERG. I said, sir, I don't believe I did. I am not sure.

Mr. CLARDY. You were asked whether you were associated with somebody?

Mr. ROTHENBERG. Yes.

Mr. CLARDY. Did you take any part in that movement?

Mr. ROTHENBERG. I don't believe so. I can't answer for sure. As I said, I was very active.

Mr. CLARDY. You are familiar with what we are talking about?

Mr. ROTHENBERG. I am familiar with the Spanish Civil War, and I believe there was a committee which was an outgrowth of that war in Washington, D. C. If I was not active in it, it was not because of a disagreement with its aims because I fully endorsed the aims of the Spanish, the republican forces.

Mr. CLARDY. You know it has been stamped as controlled and dedicated to the Communist cause; don't you?

Mr. ROTHENBERG. I understand that it has, sir, and so have many other good organizations, sir.

Mr. TAVENNER. Did you endeavor to seek a condition to your membership in the Communist Party, that your membership would not be known to any others than the very top leadership of the party?

Mr. ROTHENBERG. I decline to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Was Mrs. Markward telling the truth or was she telling a falsehood when she stated in this testimony under oath that an arrangement was made to take you in as a member at large of the Communist Party?

Mr. ROTHENBERG. Sir, I have at least normal intelligence. That is a rephrasing of the same question which I decline to answer on the basis of the first and fifth amendments.

Mr. TAVENNER. Were you at any time assigned to the Community Club of the Communist Party in Washington?

Mr. ROTHENBERG. I decline to answer on the same grounds, first and fifth amendments to the Constitution.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. ROTHENBERG. I decline to answer that, sir, on the same grounds, first and fifth amendments to the Constitution.

Mr. TAVENNER. Have you at any time been a member of the Communist Party while engaged as director of the—work of the director of the Progressive Party in Ohio, and the Young Progressives of Ohio?

Mr. ROTHENBERG. Sir, the intent of that question is to smear a minority political party.

Mr. SCHERER. Wait a minute, Witness. Will you answer the question?

Mr. ROTHENBERG. I will.

Mr. SCHERER. Do not comment on it. Just answer the question.

Mr. ROTHENBERG. That is part of my answer.

Mr. SCHERER. I know your answer is going to be the fifth amendment.

Mr. ROTHENBERG. Then why ask the question, sir?

Mr. SCHERER. We need it for the record.

Mr. ROTHENBERG. You have it in the record. It is very clear what you consider to be the record.

Mr. SCHERER. Don't make a speech. I direct you to answer the question.

Mr. ROTHENBERG. I heard you. I decline to answer on the basis of the first and fifth amendments.

Mr. SCHERER. Next question.

Mr. ROTHENBERG. If there is anything missing from the record I can perhaps help supply it.

Mr. TAVENNER. We haven't been very successful so far.

Mr. ROTHENBERG. You haven't allowed me to speak about the things I want to talk about.

Mr. CLARDY. Did you know there was such a club as the Community Club in Washington?

Mr. ROTHENBERG. I will have to decline to answer that, sir, on the same grounds.

Mr. TAVENNER. I believe you have been much opposed to the conduct of this hearing by the committee, have you not?

Mr. ROTHENBERG. I have been opposed, sir, to the holding of the hearing as well as the conduct of it.

Mr. TAVENNER. And I believe you have been rather active in your effort to embarrass the conduct of this meeting by the committee, haven't you?

MR. ROTHENBERG. Mr. Tavenner, I am a person of conviction. When I believe something I try to do something about it. I have not attempted to embarrass anyone. I have attempted to place the issues squarely on its feet, and the intent of this hearing is to gain votes for the men who are on the committee, pure and simple, and the attempt is to break a strike in Detroit. The people of Detroit have answered with the headline "Three Thousand Auto Workers on the Picket Line."

MR. CLARDY. You mean trying to elect both Democrats and Republicans, since the committee is composed of both?

MR. ROTHENBERG. Sir?

MR. CLARDY. You say we are trying to elect both Democrats and Republicans since we have both on the committee.

MR. ROTHENBERG. I think each of you is happy to use the people you call before you as stepping stones to your own reelection, and you are approving it.

MR. WALTER. I wish you would come to my district and campaign against me. That is all I would like to have, as one who voted against this committee.

MR. ROTHENBERG. It might happen some day, sir. I am a young man.

MR. TAVENNER. Now, you have translated—

MR. ROTHENBERG. You oughtn't to use that word, Congressman.

MR. TAVENNER. You have translated that opposition to the committee into very definite action in this community, haven't you?

MR. ROTHENBERG. I would hope so.

MR. TAVENNER. What type of action have you taken in this community?

MR. ROTHENBERG. That, Mr. Tavenner, is none of your business.

MR. TAVENNER. Well, now, let us see if it is.

MR. CLARDY. I ask he be directed—

MR. SCHERER. You are directed to answer the question.

MR. ROTHENBERG. You have no right to ask me what my activities are.

MR. SCHERER. We don't?

MR. ROTHENBERG. No, you do not.

MR. SCHERER. You refuse to answer—

MR. ROTHENBERG. On the grounds of the first and fifth amendments.

MR. SCHERER. Go ahead and proceed with the next question.

MR. ROTHENBERG. Why don't you tail me around all day? Maybe you did.

MR. SCHERER. I am interested in all members of the Communist Party now because it is a criminal conspiracy aimed to overthrow this Government.

MR. ROTHENBERG. I heard your speech yesterday, too, Congressman.

MR. SCHERER. Proceed with the next question.

MR. TAVENNER. Did you confer with the leadership in District Council No. 7 of the UE with reference to methods and means that should be resorted to to oppose the conduct of the hearings here?

MR. ROTHENBERG. Sir, I met with many community leaders who were concerned about the conduct of this hearing.

MR. CLARDY. The question was, Did you meet with that particular group?

MR. ROTHENBERG. I did. I met with some of the UE people as well as the others. Of course I did.

MR. TAVENNER. Did the others include a group of ministers?

Mr. ROTHENBERG. Sir, my activities are my business.

Mr. TAVENNER. Will you answer the question?

Mr. ROTHENBERG. I will answer on the basis of the first and fifth amendments. You are going pretty far, Mr. Tavenner.

Mr. TAVENNER. You mean to say—

Mr. ROTHENBERG. I think you had better withdraw your question.

Mr. TAVENNER. You mean to state to this committee that your conference with a group of ministers might tend to incriminate you?

Mr. ROTHENBERG. I mean to say, sir, you are attempting to attack them through me because you don't have the guts to take them on personally. That is why. That is what I mean. You know it as well as I.

Mr. SCHERER. Now, witness—

Mr. ROTHENBERG. That is why you subpoenaed me.

Mr. CLARDY. You will discover shortly why we subpoenaed you.

Mr. ROTHENBERG. All right, we will see.

Mr. SCHERER. Witness, I want to warn you your conduct is contemptuous of the committee.

Mr. TAVENNER. Now, will you answer the question as to whether or not you are in good faith relying upon the fifth amendment in refusing to answer a question as to whether you conferred with a group of ministers with regard to opposing this committee and the conduct of these hearings?

Mr. ROTHENBERG. Sir, I don't wish to leave any wrong implications by my answer. I think the putting of that question places me in that position.

Mr. TAVENNER. I want you to clear it up.

Mr. ROTHENBERG. Particularly after the series of questions that preceded it. I say without qualification that I visit any community leader who will meet and discuss things with me.

Mr. SCHERER. You are directed to answer counsel's question. If you want to take the fifth amendment as to whether you met with a group of ministers, you have a right to take the fifth amendment. I don't think you would be invoking it properly.

Mr. ROTHENBERG. I think, sir, in all decency to the men involved you ought to withdraw the question.

Mr. SCHERER. I am directing you to answer the question.

Mr. ROTHENBERG. I will invoke the—let me think for a moment, please.

(Short pause.)

Mr. ROTHENBERG. You see, this is one of the problems that arises, sir, from being subpoenaed without notice. I don't know my legal rights.

Mr. SCHERER. You have been asked a question. You can answer it or decline to answer on the basis of the fifth amendment. I don't want any more speeches from you. We have let you talk. You haven't answered any relevant question. You have taken the fifth amendment on every one of them. Now, if you decided to answer our questions, I would let you make a speech here all day. You haven't answered one material question. You have hidden behind the fifth amendment on every one of them. I am not going to let you make any more speeches.

Mr. ROTHENBERG. May I ask, sir—I am asking as a matter of information—you said I have invoked the fifth amendment improperly, and I am concerned about that because I am here without benefit of

counsel due to the haste of the committee. It is for that reason that I am hesitating to answer the question that has been put to me.

Mr. SCHERER. You have a right to hesitate. We will take a 5-minute recess if you want.

Mr. ROTHENBERG. In what way have I invoked the fifth amendment improperly?

Mr. SCHERER. I said we would take a 5-minute recess.

Mr. ROTHENBERG. I think I am entitled to an answer.

Mr. WALTER. Do you want a legal opinion?

Mr. ROTHENBERG. Yes.

Mr. WALTER. If you invoke the fifth amendment, then of course you subject yourself to the possibility of prosecution on the question of whether as a matter of fact you expose yourself to criminal prosecution by associating with a group of ministers. You see?

Mr. CLARDY. It is the considered judgment of all of the members of this subcommittee that admitting that you met with a single minister or with a group of ministers cannot possibly incriminate you; and therefore when you invoke the fifth amendment as the ground for refusing to answer, you are subjecting yourself to a possible citation by this committee.

Mr. ROTHENBERG. I see.

Mr. WALTER. You see, there has been much confusion about the fifth amendment. Of course it is deliberate. It is done by the members of the Communist Party. They try to create the impression, of course, that it means something more than it does. As one who has studied the debates that occurred when the amendment was written, I will tell you it has been distorted way out of all proportion. You certainly cannot now invoke the fifth amendment properly.

The Circuit Court of Appeals in the Eighth Circuit, I believe, decided that where a witness assumes that something is damaging, which in fact is not, he must suffer the consequences of his conclusion, if in fact his conclusion is erroneous. That is the law.

Mr. ROTHENBERG. Well, sir, my reason for hesitation clearly is not this particular question, but is the series of questions which the counsel will undoubtedly ask as a result of it, and I am hesitating because—

Mr. WALTER. What do you think he will ask as a result of this?

Mr. ROTHENBERG. I won't guess, sir. I base it on past performance.

Mr. WALTER. Oh.

Mr. ROTHENBERG. I hesitate to enter into a series of questions of this kind because I think I can see the intent of the questions.

Mr. CLARDY. I think we can tell you with perfect propriety all we are seeking. We know from others that you did approach and converse with ministers in this community, and that as a result of your activity, plus that of others, you helped induce the ministers to write a letter that has been given some publicity. That is as far as we intend going.

He obviously didn't disclose he was a member of the Communist Party or the ministers wouldn't have gone along.

Mr. WALTER. More than that, the letter that you are talking about appeared in the public press.

Mr. CLARDY. That is right.

Mr. WALTER. Was published hours before either Mr. Clardy or I received it, and before Mr. Scherer received it. Now, we would like to know whether or not you gave the letter that came to us to the press.

Mr. CLARDY. That is what we are leading up to. If that can incriminate you, you can invoke the fifth amendment properly. I don't think you can be charged with any crime if you admit those things.

Mr. WALTER. It is no crime to make a fool out of decent people, nor is it very difficult.

Mr. ROTHENBERG. I think, sir, that is more than an insult to me. It is an insult to 14 leaders of this community.

Mr. WALTER. No, it isn't. I have more respect for those people, sir, than you ever had or ever could possibly have.

Mr. SCHERER. Did you disclose to these ministers when you approached them and asked them to write the letter that you were a member of the Communist Party?

Mr. ROTHENBERG. I believe, sir, that I will have to decline to answer. I don't know whether I should legally. Frankly, I am in a dilemma. I wonder if it would be possible to have a recess.

Mr. WALTER. What do you say?

Mr. ROTHENBERG. I say, I wonder if it would be possible to have a short recess.

Mr. SCHERER. I will tell you frankly, you have a right, a perfect right to invoke the fifth amendment on that question because I asked you whether or not you disclosed to the ministers you were a member of the Communist Party?

Mr. CLARDY. That is, if you are a Communist.

Mr. SCHERER. All right. Let me finish.

And I think that you have a perfect right to invoke the fifth amendment on that question and not be in contempt of this committee. I am not advising you to invoke it. We want you to answer the question whether or not you did. If you do invoke the fifth amendment, however, I think you are invoking it properly in respect to that question.

Mr. ROTHENBERG. Thank you, sir. My concern is that it then casts a shadow upon the other questions that are asked, which I don't wish my activities to assume a conspiratorial nature, which is the intent of the questions that have been asked. My activities are out in the open.

Mr. WALTER. I think I can properly make a deal with you here. For many many months the Judiciary Committee, of which I happen to be a ranking member, has been concerned with a legislative program that will make it possible for the Congress of the United States to deal adequately with those people who, like yourself, hide behind the Constitution. I say that advisedly. We have written a law that has to do with immunity, without all of the formalities being gone through with. We, and I speak for this subcommittee—if I get my foot off first base, tag me out—we will agree that you will not be prosecuted or indicted for anything at all if you will tell us what happened that brought about the publication and the issuance of this letter over the signature of fine, well-meaning, public-spirited citizens.

Mr. ROTHENBERG. Well, sir, I am not going to make any deal with this committee. Let me make that clear first. If I am going to answer, it will be on the basis of my legal rights and the implications of those answers to those questions. I want to state very clearly that I met with a number of community leaders. I am proud and not ashamed of anything I have done. It has been right out in the open, and it seems to me that you are attempting to—

Mr. SCHERER. Wait a minute. You have not answered the question. You are going into another speech.

Mr. ROTHENBERG. That is my profession.

Mr. SCHERER. The witness has had ample opportunity to answer the question and has been properly advised.

Mr. CLARDY. I think the record should show at this point that the knowledge we have concerning your having approached them is not secondhand.

Mr. WALTER. He admits that he conferred with these people.

Mr. TAVENNER. I think in the light of the answer, it is not necessary that I ask any further questions.

Mr. SCHERER. The witness is excused.

(Witness was excused.)

Mr. SCHERER. So that everyone who is interested may know, there will be a meeting of a subcommittee of the Commission of the City of Dayton in this room at 3 o'clock this afternoon, so the subcommittee is going to run straight through the noon hour until 2:45, and then we will adjourn for the day.

Mr. TAVENNER. Are you ready for the next witness?

Mr. SCHERER. Yes.

Mr. TAVENNER. Mr. Miniard.

Mr. SCHERER. Will the witness raise his right hand?

In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MINIARD. I do.

Mr. SCHERER. Be seated, please.

Mr. TAVENNER. What is your name, please?

TESTIMONY OF MARVIN M. MINIARD

Mr. MINIARD. Marvin M. Miniard.

Mr. TAVENNER. It is noted you are not accompanied by counsel. The rule of the committee is that all witnesses are entitled to have counsel with them if they desire.

Mr. MINIARD. I don't think I care to have.

Mr. TAVENNER. When and where were you born, Mr. Miniard?

Mr. MINIARD. Alabama.

Mr. TAVENNER. On what day?

Mr. MINIARD. October 2, 1906.

Mr. TAVENNER. How do you spell your last name?

Mr. MINIARD. M-i-n-i-a-r-d.

Mr. TAVENNER. Where do you now reside?

Mr. MINIARD. 1993 Norton Avenue, Dayton, Ohio.

Mr. TAVENNER. How long have you been a resident of Dayton, Ohio?

Mr. MINIARD. Since 1928.

Mr. TAVENNER. What is your occupation?

Mr. MINIARD. I am a builder or a contractor.

Mr. TAVENNER. Will you tell the committee briefly, please, what your formal educational training has been?

Mr. MINIARD. Oh, 3 years of high school is all.

Mr. TAVENNER. Will you tell us, please, what your record of employment has been since, say, since 1940?

Mr. MINIARD. Since 1940?

Mr. TAVENNER. Let me make the request more simple. How were you employed in 1940?

Mr. MINIARD. Frigidaire Corp., General Motors.

Mr. TAVENNER. What character of work, in what character of work?

Mr. MINIARD. I was an electroplater.

Mr. TAVENNER. How long were you an employee of Frigidaire?

Mr. MINIARD. I would say somewhere around 13 years then.

Mr. TAVENNER. When did you leave Frigidaire?

Mr. MINIARD. I believe I left in 1943.

Mr. TAVENNER. During the period of time you were employed by Frigidaire, I assume you were a member of some union having a contract with that company?

Mr. MINIARD. I was a member of Local 801. They had a contract with the company.

Mr. TAVENNER. Did you hold any official position in that union?

Mr. MINIARD. At times.

Mr. TAVENNER. What positions?

Mr. MINIARD. Well, I really don't remember all of them. At various times, I guess I was known as financial secretary mostly.

Mr. TAVENNER. Now, is that Local 801 of the UE?

Mr. MINIARD. Yes.

Mr. TAVENNER. Mr. Miniard, the committee has received testimony from Mr. John C. Mitchell indicating that during the period of time or at least part of the time when you were employed at Frigidaire you were a member of the Communist Party. Is that information true or that testimony true or is it false?

Mr. MINIARD. I think it is partly true.

Mr. TAVENNER. Will you tell the committee, please, what your affiliations were with the Communist Party during that period?

Mr. MINIARD. I don't know what time or what year it was, I don't remember, but it was back in—I don't know, 1938, 1937, 1939, somewhere along there, I believe, that I signed a card.

Mr. TAVENNER. Well, what led to your becoming a member of the Communist Party?

Mr. MINIARD. I signed an application. I was approached to join.

Mr. TAVENNER. You were approached?

Mr. MINIARD. Yes.

Mr. TAVENNER. Do you recall the circumstances under which you were approached?

Mr. MINIARD. Well, not too clearly, no, I don't. I remember, I know where it was when I was first approached.

Mr. TAVENNER. Where was this? Where were you approached? Where were you when you were approached to become a member?

Mr. MINIARD. If I remember right, it was at 9 East Fifth Street, I believe it was.

Mr. TAVENNER. That doesn't mean anything to me. What office or what place was that? Can you describe it further?

Mr. MINIARD. Well, it was, at that time, it was a number of union offices and a hall there.

Mr. TAVENNER. In the union office, you were approached in the union office?

Mr. MINIARD. That is right.

Mr. TAVENNER. That was about 1938?

Mr. MINIARD. I think so. I don't remember the year.

Mr. TAVENNER. Who was the individual?

Mr. MINIARD. His name was Albright.

Mr. TAVENNER. Albright. Is that E. M. Albright?

Mr. MINIARD. I don't remember his initials, his first name.

Mr. TAVENNER. What position did he hold in the union at that time, if any?

Mr. MINIARD. I don't know. I don't remember whether he was chairman of the Montgomery County CIO Council or whether he was secretary. It was some of those—

Mr. TAVENNER. But he was an official in the CIO organization at that time?

Mr. MINIARD. I think so, yes.

Mr. TAVENNER. Well, what reason was assigned by him as to why you should become a member of the Communist Party?

Mr. MINIARD. I really don't remember now what the story was. I never paid too much attention to it.

Mr. TAVENNER. Well, I am trying to discover why it was that you permitted yourself to be induced to join the party, the Communist Party.

Mr. MINIARD. I guess I was like a lot of other people. At that time, it seemed like I had a fever of joining. I don't know why I did.

Mr. TAVENNER. How long did you remain in the Communist Party?

Mr. MINIARD. Two or three years, I might say.

Mr. TAVENNER. Then you got out of the Communist Party?

Mr. MINIARD. That is right.

Mr. TAVENNER. Why did you get out?

Mr. MINIARD. I just wasn't interested.

Mr. TAVENNER. Well, did you visit—did you advise the Communist Party leaders or any of them that you were dropping out of the Communist Party?

Mr. MINIARD. No, sir; I didn't advise anybody.

Mr. TAVENNER. You just quit?

Mr. MINIARD. That is correct.

Mr. TAVENNER. Was there any change in your relationship with your union after you dropped out of the Communist Party?

Mr. MINIARD. Well, I wouldn't say there was so much change. At that time, I was active in CIO housing. Of course, sometime along then, of course, I served my time as financial secretary of Local 801. And according to the rules and regulations, the laws they had passed that year, one couldn't succeed himself after serving so many years. I don't remember if it was 1 or 2 years, something like that. So I had already been in office for 3 or 4 years until my time was out.

Mr. TAVENNER. Our records, of course as a result of testimony, show your former membership in the Communist Party, and this is an opportunity for you to give the committee as full a statement as you desire about your membership in it, and your reasons for getting out of it, and anything that you desire to say to the committee I am sure will be heard by them.

Mr. MINIARD. Well, I thought I had enough to do, and I couldn't see any benefit so far as I was concerned, and since I was active in the housing, something I could really see something good come of, that is what I was interested in. I didn't have time to attend to a lot of meetings or anything else. There is not very much I can tell you about the party or its activity.

Mr. TAVENNER. You have not been affiliated in any way with the Communist Party since the time you have indicated, since you withdrew?

Mr. MINIARD. I have not; no, sir.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY. No questions.

Mr. WALTER. No questions.

Mr. SCHERER. No questions. Thank you very much.

(Witness was excused.)

Mr. TAVENNER. Mr. Lemuel Markland.

Mr. SCHERER. Will you raise your right hand, please?

In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MARKLAND. I do.

Mr. SCHERER. Be seated, please.

Mr. TAVENNER. What is your name, sir?

TESTIMONY OF LEMUEL MARKLAND, ACCOMPANIED BY HIS COUNSEL, J. PAUL PREAR

Mr. MARKLAND. Lem Markland, I believe you have here, although I am known by Lem Markland and Lemuel Markland, and Lem E. Markland.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. MARKLAND. Yes, I am.

Mr. TAVENNER. Will counsel please identify himself?

Mr. PREAR. Attorney J. Paul Prear, Dayton, Ohio.

Mr. TAVENNER. When and where were you born?

Mr. MARKLAND. Vermilion County, Ill., near Danville; May 2, 1905.

Mr. TAVENNER. Do you now reside in Dayton?

Mr. MARKLAND. Yes, I do.

Mr. TAVENNER. How long have you lived in Dayton?

Mr. MARKLAND. I came to Dayton in March 1923. I live outside.

Mr. TAVENNER. What is your occupation?

Mr. MARKLAND. I am a porcelain repairman, working on repairing refrigerators at plant 2, Frigidaire division, General Motors Corp.

Mr. TAVENNER. Have you held various official positions in the UE?

Mr. MARKLAND. Yes, I have.

Mr. TAVENNER. What have been those positions?

Mr. MARKLAND. Well, I believe I started out by being a steward, elected.

Mr. TAVENNER. When was that?

Mr. MARKLAND. This is UE. Of course, I was in other unions before UE, two other unions.

Mr. PREAR. Mr. Chairman, I am going to make the same request today that I made yesterday.

Mr. SCHERER. Your request is granted. The photographers will refrain from taking any pictures while this witness is giving his testimony.

Mr. MARKLAND. I started out, I believe, this could have been 1936, as a steward. I am not sure. It was somewhere in the middle 1930's.

maybe early 1937, as a departmental steward, elected. I became a chief steward of the department, that was before—of course, we had a contract with General Motors.

Mr. TAVENNER. What local?

Mr. MARKLAND. The Frigidaire Local 801, UE-CIO. Then I believe I was elected corresponding secretary of the local, and I believe this was in 1937 or 1938, I believe. 1937, I believe, sir. It may have been in the early spring of 1938.

Then we, it was in the early days of organization, and money being scarce, we threw the Delco local and the Frigidaire local together and became known as General Motors Local 801. I was elected a vice president from Frigidaire. I believe this was in 1938, if I remember, sir, during the recession so-called.

Then I remained there until after the election, that is the National Labor Relations Board election in 1940. Then, of course, we did what we call disamalgamating, divided the two locals, Delco group and Frigidaire group. We held elections in the Frigidaire group, and I was elected president of the local.

Mr. TAVENNER. What year was that?

Mr. MARKLAND. I was elected in the fall of 1940. I believe that I took office on January 1. I am not sure, of 1941. I held the position for 2 years, and like the previous witness here testified, they had a clause in the constitution, I believe, at that time, of the local union forbidding a fellow holding a job more than 2 terms in succession. Then I also was in the plant in the following year, served as a member of the War Labor Board, region 5.

Mr. TAVENNER. What do you mean, a member of the War Labor Board?

Mr. MARKLAND. Associate member, the War Labor Board during the war.

Mr. TAVENNER. Stationed where?

Mr. MARKLAND. In Cleveland, region 5. I believe it had West Virginia, Kentucky, and Ohio, 3 States, I believe, that I recall.

I also served as a committeeman in a plant at that time.

Mr. TAVENNER. Will you give me the date when you were a member of the War Labor Board?

Mr. MARKLAND. I don't recall the exact dates. It was sometime the latter part of 1942 or the early part of 1943, sir, until sometime in 1944. I had to give up the office. Anyway, I served as committeeman, that is subcommitteeman in the plant during this period I was a member of the War Labor Board. I was in the plant part of the time. Part of the time I was out of the plant, serving on the board.

Then that following fall I was reelected president of the Frigidaire local. I was president of the Frigidaire local for the year 1944. I didn't run for reelection.

For a short period of time in the international union, there were a lot of the boys being called to the service, and there was a shortage of men on the international staff, and I was asked temporarily to take a job, to more or less head up negotiations and that sort of thing, local negotiations for the union, in various plants of General Motors, like Rochester, Warren, Ohio, Yellow Springs, the various shops that are in Dayton, and I held that position until somewhere around June 15, I believe, 1945.

Then I went back in the plant. Sometime in the fall they had an election when I also was elected district committeeman. Then around the first of the year, I was elected, well, I suppose you would call it elected, the president of the district council, I believe I was elected. Anyway, I was selected by the district council, which I have forgotten to tell you, I was already vice president and was for a couple of years.

Mr. TAVENNER. You succeeded Mr. Decavitch?¹

Mr. MARKLAND. That is right. I served there, I was elected the first time, I believe, four times. Then my office ran out—

Mr. TAVENNER. That was president of district 7?

Mr. MARKLAND. No, 7, that is right, sir.

Mr. TAVENNER. You succeeded Mr. Decavitch and became president of district 7, and you held that office from what time to what time?

Mr. MARKLAND. From sometime early January 1946 until, I believe, anyway, the constitutional ending. I believe it was midnight, October 31, 1949, I believe that is right, the right date.

During these intervening years, while I had various other positions in the union, I was first president of the CIO council here in Dayton. When we organized, I don't remember whether it was a temporary position. That was organized, as I recall, in the year 1940, and I believe, although I am not positive, that I served two terms. It may have been a term and one-half, counting the first time being elected in a temporary office.

I also served on the CIO political action committee of the State. I don't remember the exact dates. It was while I was district president.

I also served as a vice president of the State CIO also while I was district president.

Also, awhile back, when president of the Frigidaire local, I was elected, I believe, once as an alternate trustee for the international union, only I believe later I was again elected an alternate or a trustee. It has been quite awhile ago, and I don't remember. My job was to check books, take inventory for the union.

I may have missed some, but I don't recall any of the others.

Mr. TAVENNER. What has been your formal educational training?

Mr. MARKLAND. It is not much. I started school in Sioux County, Iowa. My folks moved quite a bit when I was young. Then I went to school next in Kentucky. What education I have, formal education, I received it then, the latter part of it, and I would say, although I had high-school work, I would say my education largely ends with the eighth grade, in Montgomery County, Ky., sir.

Mr. TAVENNER. Now, Mr. Markland, you are a person who has had vast experience in very responsible positions in the field of labor.

Mr. MARKLAND. Yes. I might add—I don't want to leave anything out of this testimony—I believe I was on a labor advisory committee, I believe the electrical division, of the War Production Board, during the war. Nevertheless, I was there in an advisory capacity on this committee, and we met in the Social Security Building on several occasions.

Mr. TAVENNER. This committee has received considerable evidence since 1949 regarding the activities of officials of the UE in the field of communism. In Albany last year there was one person, Jack Davis—were you acquainted with Jack Davis?

Mr. MARKLAND. The name is not familiar, sir. Where was he located?

¹ Reference to Victor Decavitch

Mr. TAVENNER. In the Rochester area, Albany.

Mr. MARKLAND. Yes, I was.

Mr. TAVENNER. Did you know him as a member of the Communist Party?

Mr. MARKLAND. No, sir, I didn't. At least, I can't recall. I knew him as a field organizer for the union in a short period of time that I knew him. It was, I believe, during the short period of time I was working with the General Motors locals at the end of my third term as the president of the Frigidaire local.

Mr. TAVENNER. Mr. Davis advised the committee in sworn testimony that a great many members, great many organizers of the UE, and international representatives were members of the Communist Party, and that he met with them as members of the Communist Party.

Now, that was in the Albany-Troy-Rochester area.

He also testified regarding the same thing in Massachusetts.

Now, the committee received evidence back in 1949 regarding the situation in Ohio, and I suppose you are familiar with the testimony of Mr. Decavitch and other persons taken at that time?

Mr. MARKLAND. Only what I got out of the Journal and the Daily News.

Mr. TAVENNER. Mr. Decavitch in 1949 identified you as the person who succeeded him in his position, and that you were known to him to be a member of the Communist Party at that time.

Mr. MARKLAND. I believe I read something like that in one of the Dayton papers.

Mr. TAVENNER. Now, you are in a position to advise this committee as to the method of operation of the Communists in connection with their activity within the UE, and I want to call upon you to give the committee the benefit of such information as you have. If you yourself were a member of the Communist Party, you would be much better qualified to give that information.

So my first question to you is, was Mr. Decavitch correct in identifying you back at the time you succeeded him as the president of district 7 as a member of the Communist Party?

Mr. MARKLAND. Sir, I will have to take the position of several previous witnesses. In view of the situation being what it is, I have no connection whatsoever with the labor movement. I work in a plant. I haven't had any connection with the labor movement for 4½ years, going on 5 years. I have to invoke my privilege under the first and fifth amendments to the Constitution.

Mr. TAVENNER. You mean you do invoke the privilege of the fifth amendment?

Mr. MARKLAND. I do, sir.

Mr. TAVENNER. And you will not answer the question as to whether or not you were a member of the Communist Party when you were president of district 7?

Mr. MARKLAND. I will invoke the privilege under the Constitution.

Mr. CLARDY. Were you ever a member of the Communist Party?

Mr. MARKLAND. The same question, I still have to invoke the privilege under the Constitution, for the first and fifth amendments, particularly the fifth amendment.

Mr. CLARDY. Witness, isn't it a fact that you actually carried a Communist Party card for a period of time?

Mr. MARKLAND. I still will have to invoke the privilege, sir, under the first and the fifth amendments.

Mr. CLARDY. Well, let's go back to 1946. Didn't you hold Communist Party Card No. 10741?

Mr. MARKLAND. I will still have to invoke the privilege, sir, although I never heard of that number.

Mr. SCHERER. Well, maybe I can correct that. It was actually No. 67934.

Mr. CLARDY. That is 1949. We will ask about the last number that he gave you. Do you remember hearing that number, No. 67934, issued to you in 1949?

Mr. MARKLAND. They are changing it pretty rapid really on me, sir, so I will have to invoke my privilege under the fifth amendment.

Mr. CLARDY. You don't have to. You are doing so.

Mr. MARKLAND. I wish to.

Mr. CLARDY. You are doing so.

Mr. MARKLAND. That is right, sir.

Mr. CLARDY. Proceed.

Mr. TAVENNER. You are acquainted with Mr. Arthur Strunk, are you not?

(At this point, Mr. Markland, the witness, conferred with his counsel, Mr. Prear.)

Mr. MARKLAND. Sir—I don't remember who directed the question.

Mr. TAVENNER. I did.

Mr. MARKLAND. Whoever did, I heard the testimony of Mr. Strunk here yesterday, and in view of that testimony, I wish to invoke my privileges under the first and fifth amendments of the Constitution.

Mr. TAVENNER. Are you acquainted with Mr. Oakie Wornstaff?

Mr. MARKLAND. I am, sir.

Mr. TAVENNER. And—

Mr. MARKLAND. I was acquainted with him, not recently.

Mr. TAVENNER. My recollection is that he testified that you were on the strike committee at the Univis Lens strike.

Mr. MARKLAND. I believe he did, sir. I would like to have the privilege that the committee has afforded some others, give my own words about the strike.

Mr. TAVENNER. If you will tell us about the Communist Party activities in that strike.

Mr. MARKLAND. Whether I do or not, I think I should be given the same privilege as every other witness here.

Mr. TAVENNER. Every other witness who testified about facts of that kind, told the facts, and what they knew about the situation. You will tell only part.

Mr. MARKLAND. I will tell you my version and my interpretation of the Univis Lens strike.

Mr. TAVENNER. Will you tell the connection of the Communist Party in connection with that strike?

Mr. MARKLAND. Sir, I will tell you my version.

Mr. TAVENNER. Will you tell what you know about the Communist Party activities during that strike?

Mr. MARKLAND. Again, I will have to invoke my privilege under the fifth amendment.

Mr. TAVENNER. I thought so.

Mr. MARKLAND. I think you should hear the other side of the story. There have been accusations cast.

Mr. CLARDY. You mean the Communist side of the story?

Mr. MARKLAND. I mean the UE side of the story. I was an officer of the union at that time, and I have been attacked. I think I should be given the privilege.

Mr. SCHERER. If you had answered the questions, and not invoked the fifth amendment, we would have let you say almost anything you want with reference to the activities in connection with that strike.

Mr. MARKLAND. It seems to me, sir—

Mr. SCHERER. You have refused to answer the questions that have been asked you. We consider them pertinent to the hearing.

Mr. CLARDY. I think we ought to add, Mr. Chairman, the only angle we are interested in is the connection of the Communist Party with the strike. We are not interested in the strike as such, or the dispute as such. We are interested only in the question of how much of the direction and control of that strike was handled by the Communists.

You say you won't talk about that, so we don't care to hear from you.

Mr. MARKLAND. Can I explain what I want to talk about on it?

Mr. CLARDY. Mr. Chairman, I don't think there is any reason why the rule should be violated.

Mr. MARKLAND. I don't want to violate any rules.

Mr. TAVENNER. Are you acquainted with Mr. Roger E. Dunham?

Mr. MARKLAND. I have seen him, sir.

Mr. TAVENNER. Are you acquainted also with Mr. John C. Mitchell?

Mr. MARKLAND. Yes, sir; I was acquainted with him at one time.

Mr. TAVENNER. Now, I understand, Mr. Markland, that you have stated publicly in the community that you were never a member of the Communist Party. Am I correct in that information?

Mr. MARKLAND. I may have at some time. I don't recall, sir.

Mr. TAVENNER. Just within the past few days, since it has been publicized at this hearing.

Mr. MARKLAND. I may have. I don't recall saying it publicly before anyone or in the public in the last few days, sir.

Mr. TAVENNER. Did you make any public statements of any character to the effect that you had never been a member of the Communist Party?

Mr. MARKLAND. I don't recall, sir, making such a statement.

Mr. CLARDY. What is that?

Mr. MARKLAND. I don't recall making any such statement.

Mr. TAVENNER. You do not recall?

Mr. MARKLAND. No, sir.

Mr. TAVENNER. Have you ever publicly denied membership in the Communist Party?

Mr. MARKLAND. I may have at some time or other, sir. I signed a Taft-Hartley affidavit, sir. I also signed an affidavit somewhat similar when I became a member of the War Labor Board.

Mr. CLARDY. When you signed the Taft-Hartley affidavit, were you then and there at that time a member of the Communist Party in actual reality?

Mr. MARKLAND. I think, sir, that the affidavit speaks pretty well for itself.

Mr. CLARDY. No, it doesn't, not for the purpose of my question. Were you a Communist at the time you signed the Taft-Hartley affidavit?

Mr. MARKLAND. That is what I said when I signed the affidavit.

Mr. CLARDY. I understand what the affidavit purports. I am asking what the real fact was.

Mr. SCHERER. What did you say on the affidavit?

Mr. MARKLAND. I think I will use my privilege under the first and fifth amendments, sir.

Mr. CLARDY. To which question, both of them?

Mr. MARKLAND. Let me hear the question again, sir.

Mr. SCHERER. What did you say when you signed the Taft-Hartley affidavit with reference to whether you were or were not a member of the Communist Party?

Mr. MARKLAND. I don't remember the exact wording. You fellows may have a copy of it.

Mr. SCHERER. Did you say you were a member of the party or not?

Mr. MARKLAND. I don't think you could sign on there saying you were a member of the party.

Mr. SCHERER. I only asked that question because you yourself raised the question.

Did you say in that affidavit that you were not a member of the party?

Mr. MARKLAND. Whatever it said on the paper, sir, I rather think that is what it was, sir.

Mr. SCHERER. Were you a member of the Communist Party or were you not a member of the party at the time you signed?

Mr. MARKLAND. At the time I signed the affidavit, I wasn't. I could have been held for perjury. I could have been tried before a Federal court. I wasn't.

Mr. SCHERER. Were you a member of the party at that time?

Mr. MARKLAND. I think at this late date perhaps I had better use my privilege under the first and fifth amendments, although I appeared before a Federal grand jury on the affidavit and I wasn't indicted, sir.

Mr. CLARDY. Well, then, why are you apprehensive over giving us a straightforward answer now?

Mr. MARKLAND. It is personal fear of bodily harm.

Mr. WALTER. From what source?

Mr. MARKLAND. Well, sir, I think with the atmosphere here today, and the situation, sir, that I don't think, it is from genuine fear on my part.

Mr. CLARDY. You mean you are apprehensive that someone on this committee or connected with it will bodily assault you?

Mr. MARKLAND. Not with your fists, no, sir.

Mr. CLARDY. That is what you are trying to say.

Mr. MARKLAND. Well, maybe I used—

Mr. CLARDY. You don't mean that?

Mr. MARKLAND. I may have used the wrong terminology.

Mr. CLARDY. Answer my question. You didn't mean any such thing as that; did you?

Mr. MARKLAND. I didn't mean you fellows would assault me, sir.

Mr. WALTER. In 1943 were you a member of the Communist Party?

Mr. MARKLAND. Again I will use my privilege under the first and fifth amendments.

Mr. WALTER. You were a member of the War Labor Board; weren't you? Did anybody interrogate you in connection with your becoming a member of the Board?

Mr. MARKLAND. Did anyone ask me to?

Mr. WALTER. Did anyone ask you questions or——

Mr. MARKLAND. I signed an affidavit at that time, sir. I don't remember what it was.

Mr. WALTER. Did anybody ask you at that time whether or not you were a member of the Communist Party?

Mr. MARKLAND. They did. Evidently I signed the affidavit over at the post office.

Mr. WALTER. Yes; were you a member of the Communist Party at that time?

Mr. MARKLAND. The affidavit spoke for itself.

Mr. WALTER. I am asking you now. Let's forget the affidavit. Were you a member of the Communist Party?

Mr. MARKLAND. Again I will have to use my privilege under the first and fifth amendments.

Mr. TAVENNER. Did you make any donations to the Communist Party after you signed the non-Communist affidavit?

Mr. MARKLAND. I am going to, I would like to, first, my answer is "No, sir," and I would like to interject something here in connection with the testimony yesterday, sir. I never heard perjury of the Taft-Hartley group in the Communist Party.

Mr. CLARDY. What?

Mr. MARKLAND. Of the Taft-Hartley group of the Communist Party.

Mr. CLARDY. Were you in a position so you could have learned that?

Mr. MARKLAND. I heard of it yesterday for the first time.

Mr. CLARDY. The question was, Were you in a position to have known whether there was such a Communist Party group?

Mr. MARKLAND. Again, I don't quite understand the question.

Mr. CLARDY. The question was, Were you then in such a position as a member of the Communist Party that you would have known at first hand whether there was such a group, or were you completely outside the Communist orbit so that whatever you say about your knowledge, it would not be based on any firsthand information?

Mr. MARKLAND. If I interpret your question, was I a member of the Communist Party at that time? I believe that is the question.

Again I will use my privilege under the first and fifth amendments, sir.

Mr. CLARDY. That wasn't precisely what I asked you, but that will suffice.

Mr. TAVENNER. Did you hand in any resignation of any character to the Communist Party before signing the non-Communist affidavit?

Mr. MARKLAND. Again I will have to exercise my privileges as an American under the first and fifth amendments, particularly the fifth amendment.

Mr. TAVENNER. Now, I asked you about your acquaintanceship with Roger Dunham and John Mitchell. The reason I did that is: Both of those persons have also identified you as a member of the Communist

Party, and I want to give you an opportunity to state whether or not they told the committee the truth about it. You were identified by Mr. Mitchell as having been a member of the Communist Party, and also by Roger Dunham. Is there anything you want to say about it?

Mr. MARKLAND. Is that a question, sir?

Mr. TAVENNER. Yes, I am giving you the opportunity to answer sworn testimony in this record. You are here on the witness stand. I think you should have a chance to answer it if you want to.

(At this point Mr. Markland conferred with his attorney, Mr. Prear.)

Mr. MARKLAND. As I understand the question, Have I anything to say on whether I know Mr. Dunham or Mr. Mitchell?

Mr. TAVENNER. Not as to whether you know them. I told you they both identified you as having been a member of the Communist Party. This is an opportunity for you to explain it, deny it, or answer it in any way you choose.

Mr. MARKLAND. I think, under the circumstances, I haven't had the opportunity, nor has my counsel, to cross-question these fellows in this situation; at least I haven't; I don't know about counsel. I think I will let it pass, sir.

Mr. CLARDY. Do you deny the identifications given by those witnesses?

Mr. MARKLAND. Your question is, Do I deny? Again, sir, I will have to invoke the first and fifth amendments, particularly the fifth amendment.

Mr. CLARDY. Then I take it you do not desire to say through this record to the world, so to speak, anything in justification or in defense; am I correct in that?

Mr. MARKLAND. Not at this time, sir.

Mr. TAVENNER. I have no further questions. Yes, one further question.

Are you a member of the Communist Party now?

Mr. MARKLAND. Again I will have to invoke my privileges, sir, under the fifth amendment.

Mr. TAVENNER. I have no further questions.

Mr. MARKLAND. I would like to say a few words, if the committee will permit me to, for the record.

Mr. SCHERER. The witness is excused.

(Witness was excused.)

Mr. SCHERER. I think, Mr. Counsel, that we will take a 20-minute recess.

(A recess was taken.)

Mr. SCHERER. The committee will be in session. Mr. Tavenner, call your next witness.

Mr. TAVENNER. Virginia Hipple, please come forward.

Mr. SCHERER. Will you raise your right hand?

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

Mrs. HIPPLE. I do.

Mr. SCHERER. Be seated.

Mr. TAVENNER. What is your name, please?

TESTIMONY OF VIRGINIA HIPPLE, ACCOMPANIED BY HER
COUNSEL, J. PAUL PREAR

Mrs. HIPPLE. Could I wait for my counsel? He was called to the phone. He will be in just as soon as he can get off the phone.

Mr. TAVENNER. Surely.

(Short pause.)

Mr. WALTER. Who is he?

Mrs. HIPPLE. Prear, J. Paul Prear.

Mr. PREAR. My apologies to the committee. I am sorry. I had a telephone call to place.

Mr. TAVENNER. What is your name, please?

Mrs. HIPPLE. Virginia Hipple.

Mr. TAVENNER. Are you accompanied by counsel?

Mrs. HIPPLE. Yes, I am.

Mr. TAVENNER. For the record, it is the same counsel who represented the preceding witness.

Mrs. HIPPLE. Yes, it is.

Mr. TAVENNER. Where do you reside?

Mrs. HIPPLE. In Dayton.

Mr. TAVENNER. Dayton?

Mrs. HIPPLE. Yes.

Mr. TAVENNER. How long have you lived in Dayton?

Mrs. HIPPLE. In and around Dayton all of my life.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mrs. HIPPLE. I attended grade schools up until the time I was in the sixth or seventh grade, around Warren County, around in that section. Then I attended Belmont School, suburb of Dayton today, through my junior high school. At that time we had the three-school system. Then I went to Stuyvers 1 year, started my second year, at which time I had to quit school because of the depression, impossible to stay in school.

When I was—let's see, what is that, 1940, I believe it was, I took a course so that I might enter Dayton Missionary Bible Institute, from which I graduated in 1945.

Mr. TAVENNER. How are you now employed?

Mrs. HIPPLE. I am a stator inserter at Master Electric.

Mr. TAVENNER. Do you hold any position at the present time in Local 754, UE?

Mrs. HIPPLE. Yes, I am the president of that local.

Mr. TAVENNER. How long have you been president?

Mrs. HIPPLE. This is my second year.

Mr. TAVENNER. Prior to that time did you hold any official position?

Mrs. HIPPLE. Recording secretary; recording secretary.

Mr. TAVENNER. For how long a period?

Mrs. HIPPLE. I was trying to recall a while ago, and I think I was elected to that position in 1947. I am almost sure that was the year, but it was 1947 or early 1948.

Mr. TAVENNER. As an official of and president of Local 754, UE, you were required to sign a non-Communist affidavit, were you not?

Mrs. HIPPLE. Yes, I was.

Mr. TAVENNER. Have you signed more than one?

Mrs. HIPPLE. Yes, I signed more than one. As a matter of fact, every year since UE approved the policy at the convention of signing the non-Communist affidavit, I don't remember whether my first one was in 1949 or 1950. I have signed every year since that.

Mr. TAVENNER. I hand you three non-Communist affidavits bearing the date May 8, 1950; December 27, 1950; December 21, 1953, respectively, and ask you if those are copies of affidavits which you signed.

Mrs. HIPPLE. They appear to be. I say they appear to be.

Mr. TAVENNER. Will you tell the committee, please, whether at the time you signed each of those affidavits you were not a member of the Communist Party?

Mrs. HIPPLE. Mr. Tavenner, I could go through all of the other things that the other witnesses have gone through in trying to tell you the affidavit speaks for itself. I don't care to get into that kind of an argument, so because of the makeup of this committee and because what I feel it is trying to do to my union, I don't say I am forced to, but I wish to invoke the first and fifth amendments and decline to answer.

Mr. TAVENNER. You invoke the fifth amendment because of what you think this committee is trying to do. Well, Mr. Chairman, I think she should be directed to answer the question.

Mr. SCHERER. The witness is directed to answer the question.

Mrs. HIPPLE. I answer the question by invoking the first and fifth amendments.

Mr. TAVENNER. You have been identified in the course of testimony here as having been a member of the Communist Party and having paid dues to Mr. Arthur Strunk. Was he in error in that testimony?

Mrs. HIPPLE. I decline to answer the question on the basis of the first and fifth amendments.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. HIPPLE. I signed an affidavit in 1954, I believe, in January, Mr. Tavenner. Therefore, I think that the question is, I think I will use the word silly, because I think that is what I mean. Therefore I am invoking the first and fifth amendments.

Mr. TAVENNER. That is a silly question if you were telling the truth when you signed those affidavits. I am asking the question now, Were you telling the truth?

Mrs. HIPPLE. I answered the question. I refuse to answer and invoke my rights under the Constitution on the first and fifth amendments.

Mr. TAVENNER. You refuse to tell the committee whether you were stating the truth when you signed these three affidavits?

Mrs. HIPPLE. There are laws, and according to the affidavit, I read in the small print on the bottom, it says I am subject to 5 years in the penitentiary, and I think a \$10,000 fine. I don't know what kind of money that is, but I think a \$10,000 fine if I have lied when I signed the affidavit. Therefore, before this committee I am refusing to answer the question, invoking the first and fifth amendments.

Mr. TAVENNER. Have you made any donations to the Communist Party since you signed the first of these affidavits, namely, the 8th day of May 1950?

Mrs. HIPPLE. Of course, your question is presupposing I made donations previous to that time. Therefore, on the basis of answering

your question, not on what I said previously, answering your question I refuse to answer and invoke the first and fifth amendments.

Mr. TAVENNER. I have no further questions.

Mr. SCHERER. Mr. Clardy?

Mr. CLARDY. May I see those affidavits?

One of these affidavits, Witness, indicates that you signed it, took the oath, on the 27th day of December 1950. Listen carefully to what I am going to ask you:

Were you a member of the Communist Party on the 26th day of December 1950?

Mrs. HIPPLE. Mr. Clardy, I will give you the same answer I gave Mr. Tavenner. The affidavits speak for themselves. Therefore I refuse to answer your question and invoke the privilege under the first and fifth amendments.

Mr. SCHERER. The witness is directed to answer the question.

Mrs. HIPPLE. I decline to answer on the basis of the first and fifth amendments.

Mr. CLARDY. Were you a member of the Communist Party on the 28th day of December 1950?

Mrs. HIPPLE. I decline to answer for the same reason.

Mr. CLARDY. Another of the affidavits bears the date of May 8, 1950, the date on which it was signed and sworn to. Were you a member of the party on the day immediately preceding or the day immediately following May 8, 1950?

Mrs. HIPPLE. I decline to answer and invoke my constitutional rights under the first and fifth amendments.

Mr. CLARDY. And the last affidavit bears the date of December 21, 1953. I ask the same question: Were you a member of the Communist Party on the day preceding or the day following the date of the execution of this affidavit?

Mrs. HIPPLE. Mr. Clardy, I will give you the same answer. I decline to answer because of constitutional amendments 1 and 5.

Mr. CLARDY. Witness, the Communist Party and its sympathizers are continually berating this committee and other committees on the ground that the persons identified in testimony before this and those other committees are denied an opportunity to speak out in their own defense, as they phrase it.

Now, I call your attention to the fact that you have been publicly identified here before this subcommittee as a member of the Communist Party. We are today affording you an opportunity to say what you wish in challenging that testimony, in defense of your own position, or anything else concerned with the questions and answers that dealt with you given here from this same stand as recently as yesterday.

Now, when you sit there and refuse to answer the questions, I trust that after you leave the stand you will not be found joining in the anvil chorus berating the committee on the ground you had no opportunity at any time to say your piece concerning the matter.

Now, I have a final question for you:

Have you ever at any time taken part in any of the strategy planning of the Communist Party in connection with any of its interventions in labor activities here or anywhere else?

Mrs. HIPPLE. Will you please restate the question?

Mr. CLARDY. I will put it clearly to you again. First, I will preface it with a statement. We have a tremendous amount of testimony, some

of it produced here, demonstrating beyond all question that the Communist Party has been and still is using the labor movement for its own ends and its own ends alone. In fact, we recently issued a little pamphlet dealing with the sending out of colonizers from New York and other places into Michigan, in particular, for the purpose of bringing alive the movement of the Communist Party in the labor unions in Michigan. And they are at it in Michigan right now, I might say.

My question is this: Have you ever taken part at any time in devising Communist Party strategy in its infiltration of the labor union movement, here or anywhere else?

(At this point Mrs. Hipple conferred with her attorney, Mr. Prear.)

Mrs. HIPPLE. Mr. Clardy, in answer to your question, I am going to decline on the same grounds, the first and the fifth amendments. You made a statement to me. I had the opportunity to make statements.

Mr. CLARDY. You do not have an opportunity to make—

Mrs. HIPPLE. That is exactly what I wanted to know.

Mr. CLARDY. You do not have an opportunity, nor does any other Communist witness, to make a stump speech before this committee until and unless they answer questions.

I have one further question for you:

In Michigan we discovered and put into the record, and it has been copied in this pamphlet, we put into the record a copy of a Communist Party order or directive outlining and detailing at great length the importance to the Communist Party of the infiltration of the labor unions and of the labor union movement. It goes into detail on how to do it. We have had some evidence here in this hearing that the provisions of that directive have been pretty well observed in this area.

Now, my question is this: Were you ever at any time made acquainted with a Communist Party resolution or directive outlining the manner and means and method to be used by the party and its adherents in infiltrating and taking over the labor union movement in this area?

(At this point Mrs. Hipple conferred with her attorney, Mr. Prear.)

Mrs. HIPPLE. I decline to answer on the same grounds.

Mr. CLARDY. What?

Mrs. HIPPLE. I decline to answer the question on the same grounds, the first and fifth amendments.

Mr. CLARDY. That is all I have, Mr. Chairman.

Mr. WALTER. No questions.

Mr. SCHERER. The witness is excused.

(Witness was excused.)

Mr. TAVENNER. Mr. Charles E. Sims.

Mr. SCHERER. Raise your right hand, please.

In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. SIMS. I do.

Mr. PREAR. Mr. Chairman, I would like very much at this time to request the Chair and the chairman to ask the photographers to get their photographs now and not during the testimony.

Mr. SCHERER. The photographers will take their pictures before the counsel questions the witness.

Mr. TAVENNER. Will you state your name, please, sir?

TESTIMONY OF CHARLES E. SIMS, ACCOMPANIED BY HIS COUNSEL,
J. PAUL PREAR

Mr. SIMS. Charles E. Sims.

Mr. TAVENNER. It is noted for the record that Mr. Sims is accompanied by the same counsel who accompanied the preceding witness.

When and where were you born, Mr. Sims?

Mr. SIMS. Dayton, Ohio, 1911.

Mr. TAVENNER. You are now residing in Dayton?

Mr. SIMS. Yes, sir.

Mr. TAVENNER. Have you lived in Dayton all of your life?

Mr. SIMS. Lived in the east end all of my life, within a quarter of a mile of each other.

Mr. TAVENNER. Will you tell the committee what your formal education has been?

Mr. SIMS. High school graduate and a couple of years of continuation schools, trade schools.

Mr. TAVENNER. How are you now employed?

Mr. SIMS. I am a tool grinder at Master Electric Co.

Mr. TAVENNER. Do you hold any official position in Local 754?

Mr. SIMS. Well, it is not an official position. I give assistance to the stewards and the officers in the handling of grievances. You could call it a business agent job or anything you would want to call it. With my experience in negotiations and so forth, I just volunteered to help out in the settlement of grievances, and so forth.

Mr. TAVENNER. What other positions have you held in that union, that local?

Mr. SIMS. Been a steward, usual thing, president, vice president.

Mr. TAVENNER. When were you president?

Mr. SIMS. If I remember right, it was around 1942 or 1943.

Mr. TAVENNER. Did you hold any position in 1948?

Mr. SIMS. Within the local union?

Mr. TAVENNER. Yes. Weren't you president at that time?

Mr. SIMS. I don't believe so. I don't believe I was.

Mr. TAVENNER. What position did you hold at that time?

Mr. SIMS. I might have acted as the secretary or vice president. I think that—I couldn't remember the exact dates, I will tell you that.

Mr. TAVENNER. Have you also held positions in the Montgomery County CIO Council?

Mr. SIMS. That is right.

Mr. TAVENNER. What position did you hold there?

Mr. SIMS. I was president of the council for a couple of years.

Mr. TAVENNER. What years were those?

Mr. SIMS. Don't hold me to any year, 1945 to 1947, 1946, one of those years in there.

Mr. TAVENNER. Mr. Sims, you have been very active as a leader in the field of labor here, and you should be in a position to know the extent to which the Communist Party has infiltrated the ranks of labor, if that has happened. You have been identified during the course of the testimony as having been yourself a member of the Communist Party. I want you to tell this committee what you know about Communist Party activities within the field of labor here.

Mr. SIMS. Well, I will tell you. Within the union itself, I wouldn't be a stool pigeon on some of the boys that are trying to stool on me.

Mr. TAVENNER. You won't tell what happened in the union?

Mr. SIMS. I, too, I have a feeling of brotherhood about the union, and you keep that. Now, you go ahead and shoot your questions. I know what you want to ask. Even among the people that came up here attempting to frame me, I wouldn't give you names of them.

Mr. TAVENNER. You say attempting to frame you. Well, it is true that Mr. Strunk testified that you had been a member of the Communist Party and paid Communist Party dues to him. If he was framing you in that testimony, I would like to know in what particular.

Mr. SIMS. To be a Communist, they talk revolution, strikes, and so forth. I have been in my plant for 15 years, and we haven't had one strike in it. How do you explain that?

Mr. TAVENNER. Now answer the question.

Mr. SCHERER. That isn't the question. Repeat the question now.

Mr. TAVENNER. Read the question.

(The question was read by the reporter.)

(At this point Mr. Sims conferred with his attorney, Mr. Prear.)

Mr. SIMS. I would like to have it understood that I used no one's name for testimony or anything else as of this time, but knowing where you are leading me, I will decline to answer that question and assert my privilege under the first and fifth amendments.

Mr. TAVENNER. Were you a member of the Communist Party at any time while you were president of the Montgomery County CIO Council?

Mr. SIMS. Again I decline to answer the question. Do you want me to repeat the reasons or the first and fifth—

Mr. CLARDY. Same grounds.

Mr. SIMS. O. K.

Mr. TAVENNER. Were you a member of the Communist Party at any time while you were an official of local 754?

Mr. SIMS. Again, I use the privilege.

Mr. TAVENNER. I am not certain that I recall what you said about having lived in Dayton all of your life. Did you say you had?

Mr. SIMS. Yes, sir; that is right.

Mr. TAVENNER. You never took employment of any character outside of Ohio?

Mr. SIMS. No; not that I know of.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. SIMS. I again decline to answer.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. SIMS. Again I decline.

Mr. CLARDY. On the same grounds?

Mr. SIMS. I want to make sure that that appears. Is that right?

Mr. SCHERER. It will be so understood.

Mr. TAVENNER. I think I should ask you another question. In addition to the testimony of Mr. Arthur Strunk identifying you as having been a dues-paying member of the Communist Party, you were likewise identified by Mr. Roger Dunham as having been a member of the Communist Party. Will you—you indicate some surprise. Do you know Mr. Dunham?

Mr. SIMS. I am trying to recall. If I give the right answer, you would twist it around. I again give the first and fifth amendment. I don't think I could pick him out of the crowd.

Mr. TAVENNER. You say you could?

Mr. SIMS. I say I don't.

Mr. TAVENNER. You recall the name?

Mr. SIMS. I have seen it in the papers.

Mr. TAVENNER. You knew a person by the name of Roger Dunham, didn't you?

Mr. SIMS. To avoid a frameup, I will again use the first and fifth amendments.

Mr. SCHERER. Is that the only reason you are invoking it, to avoid a frameup?

(At this point Mr. Sims conferred with his attorney, Mr. Prear.)

Mr. SIMS. Again stating that I probably couldn't pick him out by name in the crowd, I still invoke the first and fifth amendments.

Mr. SCHERER. You invoke the fifth amendment. Why, witness?

Mr. SIMS. Not knowing what testimony he has given, if he has it over there, I think it is another question of the informer and what he has told, that I don't know about. Under the law I am not required to answer questions of that kind, am I?

Mr. SCHERER. Is that the reason you are invoking the fifth amendment, merely because you don't know what kind of questions he is going to ask?

(At this point Mr. Sims conferred with his attorney, Mr. Prear.)

Mr. SIMS. Again I invoke the privilege on that question.

Mr. SCHERER. I didn't understand your answer.

Mr. SIMS. I say, again I invoke the privilege on that question.

Mr. SCHERER. I direct you to answer the question.

Mr. SIMS. I again under the first and fifth amendments invoke the privilege.

Mr. SCHERER. Are you fearful that the answers you might give to these questions would incriminate you? Is that the reason you are invoking the fifth amendment?

Mr. SIMS. Yes.

Mr. SCHERER. Now, this Congress has just passed a law known as the immunity law, in which this committee, with the approval of a Federal court, can grant you immunity from prosecution.

Now, if we grant you such immunity, would you answer the question then, knowing that you couldn't be prosecuted as a result of anything you say?

Mr. SIMS. Again I invoke the first and fifth amendments. I am sticking by my buddies in the shop.

Mr. SCHERER. Well, I direct you to answer the question.

Mr. SIMS. Again I invoke the first and fifth amendments.

Mr. SCHERER. Even though you should be free from any criminal prosecution whatsoever, you still will not tell this committee whether you would answer questions?

Mr. SIMS. I will say again I invoke the first and fifth amendments.

Mr. SCHERER. Do you think it would incriminate you to answer questions if you had been granted immunity so that you couldn't be prosecuted? Do you think that would incriminate you? That is what you are saying when you invoke the fifth amendment to my question.

Mr. SIMS. I am saying nothing except I am invoking the first and fifth amendments.

Mr. SCHERER. It is obvious you are not invoking the first and fifth amendments properly, sir.

Mr. SIMS. Is that right?

Mr. SCHERER. Yes.

(At this point Mr. Sims conferred with his attorney, Mr. Prear.)

Mr. SCHERER. And that you are invoking it in bad faith.

Mr. SIMS. O. K. Not being a legal mind, we will straighten it out this way. As I understand in the new law there are certain provisions wherein even this committee, you sitting here today, can't give immunity to anyone. I am not going to be put in a silly position of saying I am using immunity today and not knowing what is going to come tomorrow. I think that is the position that your committee will have to take and notify me.

Mr. SCHERER. Proceed with your next question, Mr. Counsel.

Mr. CLARDY. You may not appreciate it, but you made a terrible mistake right at this juncture. Proceed.

Mr. TAVENNER. I have no further questions.

Mr. CLARDY. I have no further questions.

Mr. WALTER. No questions.

Mr. SCHERER. The witness is excused.

(Witness was excused.)

Mr. TAVENNER. Mrs. Lillian Clott.

Mr. SCHERER. Would you raise your right hand?

In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. CLOTT. I do, sir.

Mr. TAVENNER. What is your name, please?

TESTIMONY OF LILLIAN BRILL CLOTT, ACCOMPANIED BY HER COUNSEL, J. PAUL PREAR

Mrs. CLOTT. My name is Mrs. Lillian Clott.

Mr. TAVENNER. It is noted for the record that Mrs. Clott is accompanied by the same counsel who accompanied the preceding witness.

Where do you reside, Mrs. Clott?

Mrs. CLOTT. I live at Columbus, Ohio.

Mr. TAVENNER. Columbus, Ohio. How long have you lived in Columbus?

Mrs. CLOTT. I have lived there since about the 1st of December, last year.

Mr. CLARDY. Can you raise your voice a little bit, or get closer to the microphone?

Mrs. CLOTT. I moved to Columbus around December 1 of last year, 1953.

Mr. TAVENNER. Did you ever live in Dayton?

Mr. CLOTT. No; I never lived in Dayton.

Mr. TAVENNER. Where did you live prior to moving to Columbus?

Mrs. CLOTT. I lived in Washington, D. C.

Mr. TAVENNER. Washington, D. C. How long were you a resident of Washington?

Mrs. CLOTT. I lived in Washington from late 1946, I believe it was, until December 1, 1953, when I came to Columbus.

Mr. TAVENNER. Prior to 1946 where did you reside?

Mrs. CLOTT. I have resided in a great many places.

Mr. TAVENNER. Where did you reside just prior to 1946?

Mrs. CLOTT. I made for my own help a few notes on these dates, because I made so many changes.

Mr. TAVENNER. I see.

Mrs. CLOTT. It would be confusing.

Mr. WALTER. Just to the best of your recollection.

Mrs. CLOTT. This is even to the best of my recollection, and it is only approximate. I am not certain of it. I have been around for a little while.

Now, what year do you ask me about, Mr. Tavenner?

Mr. TAVENNER. Where you resided prior to 1946.

Mrs. CLOTT. That would be 1945, wouldn't it?

Mr. TAVENNER. Yes.

Mrs. CLOTT. Cleveland, Ohio.

Mr. TAVENNER. And how long did you reside in Cleveland?

Mrs. CLOTT. I moved to Cleveland around May of 1943.

Mr. TAVENNER. Prior to 1943, where did you reside?

Mrs. CLOTT. I lived in Chicago.

Mr. TAVENNER. During this period of time, what was your employment?

Mrs. CLOTT. Well, beginning backward, in Chicago?

Mr. TAVENNER. Yes.

Mrs. CLOTT. Well, I moved to Chicago from Buffalo, N. Y., around March 1942, and late that year, I think it was around November, I went to work for the Chicago CIO Council, Chicago Industrial Union Council, CIO.

Mr. TAVENNER. In what capacity were you employed?

Mrs. CLOTT. As a secretary. This is my work.

Mr. TAVENNER. Yes.

Mrs. CLOTT. And I remained with the Chicago Industrial Union Council until around April, at least sometime in the spring of 1943, and then I moved. My husband's work was transferred to Cleveland, Ohio. And sometime quite late that year, I am not just sure when, I went to work in the office again as a secretary of the UE, District 7. I remained in that office until around, some time in the fall of 1944, I think around October, but for awhile I was no longer employed as secretary. I took a vacancy as director of education and political action.

Mr. TAVENNER. In what organization?

Mrs. CLOTT. In that same organization, district 7 of the UE.

After that, when I left UE, I think it was around October of 1944, to my best recollection, I then stayed at home with my child and didn't work for the balance of 1944. I am taking you up to 1946; is that correct?

Mr. TAVENNER. Yes.

Mrs. CLOTT. And I remained home in 1945, and in 1946, the latter part of which I already explained, I moved to Washington, D. C., when my husband's work was again transferred.

Mr. TAVENNER. What was the nature of your employment there, the same type of employment?

Mrs. CLOTT. Where?

Mr. TAVENNER. In Washington.

Mrs. CLOTT. Well, I had several different employments in Washington, D. C.

Mr. TAVENNER. What were they?

Mrs. CLOTT. You now want to go to 1947 and on up through 1953; is that correct?

Mr. TAVENNER. You said you went to Washington in 1946?

Mrs. CLOTT. That is right.

Mr. TAVENNER. Now, what was your employment in Washington?

Mrs. CLOTT. In 1946?

Mr. TAVENNER. Yes, from the time——

Mrs. CLOTT. I didn't work in 1946 in Washington.

Mr. TAVENNER. Then, when did you begin working in Washington?

Mrs. CLOTT. I say, I began, to my best recollection, to work in 1947, in late summer or early fall.

Mr. TAVENNER. In Washington?

Mrs. CLOTT. And I worked part time as a secretary in the office of the International Union, Mine, Mill and Smelter Workers of America, CIO.

Mr. TAVENNER. Now, you said you had several employments, types of employment.

Mrs. CLOTT. That was all for 1947, Mr. Tavenner.

Mr. TAVENNER. I meant for you to go on and tell us the rest of the employment you had in Washington.

Mrs. CLOTT. For all subsequent years?

Mr. TAVENNER. Yes, as long as you were in Washington.

Mrs. CLOTT. I understand now.

Mr. TAVENNER. As long as you were in Washington.

Mrs. CLOTT. 1948, I continued to work on a part-time basis in the office of the International Union, Mine, Mill and Smelter Workers of America. I ceased there, to my best recollection, in the early spring. I think it was March. Then in April and May, for about 2 months, I worked for the Progressive Party of the District of Columbia as an officeworker. Then I left that and around the end of June I went to work for the Hungarian Legation.

Mr. TAVENNER. Hungarian Legation?

Mrs. CLOTT. I remained at the Hungarian Legation through 1949 until around the end of August, I think it was about the 31st of August. Then in September, I went to work for the, on a part-time basis, for the Washington Cooperative Book Shop.

Mr. SCHERER. What book shop is that?

Mrs. CLOTT. The Washington Cooperative Book Shop.

Mr. TAVENNER. What was the nature of your work there?

Mrs. CLOTT. Well, there I sold books, typed any letters that were necessary to be typewritten.

Mr. TAVENNER. Did you have anything to do with the maintenance of the record of membership of that organization?

Mrs. CLOTT. No, I didn't have anything to do with that.

Mr. TAVENNER. In what year was that?

Mrs. CLOTT. That I went to work for them?

Mr. TAVENNER. Yes.

Mrs. CLOTT. I just stated it was, I think, around September of 1949. That was my best recollection.

Mr. TAVENNER. You were aware at that time that it had been cited by the Attorney General as a Communist-front organization, were you not?

Mrs. CLOTT. Yes, I was aware of it.

Mr. TAVENNER. That made no difference to you?

Mrs. CLOTT. I never did accept the right of the Attorney General to tell people what organizations they can or cannot belong to, and I still don't.

Mr. TAVENNER. Did you also belong to the Communist Party in Washington at that time?

Mrs. CLOTT. I decline to answer that question on the grounds of the first amendment and the fifth amendment privilege.

Mr. TAVENNER. Were you a member of the Communist Party at the time you were working in various capacities in Chicago—let's confine it to district 7 of the UE.

Mrs. CLOTT. I decline to answer that question on the first and fifth amendment privilege.

Mr. TAVENNER. While in Washington, did you become acquainted with Mary Stalcup Markward?

Mrs. CLOTT. It has been well known in the papers that Mrs. Markward, according to what I read, is a professional paid informer and under the circumstances I must invoke the first amendment and the fifth amendment.

Mr. TAVENNER. By refusing to answer whether you were acquainted with her or not?

Mrs. CLOTT. By refusing to answer that question.

Mr. SCHERER. Markward, for the record, was an undercover agent for the FBI for a number of years in the District of Columbia.

Mrs. CLOTT. I think it could be noted for the record, too, from what I read in the papers that Mrs. Markward—

Mr. SCHERER. If the witness please—

Mrs. CLOTT. Lied.

Mr. SCHERER. There is no question before you.

Mrs. CLOTT. She has never been prosecuted for perjury. She said she worked—

Mr. SCHERER. Witness, I have instructed you not to answer.

Mrs. CLOTT. Yes, Mr. Chairman.

Mr. SCHERER. There is no question before you. You refused to answer the question.

Mrs. CLOTT. I merely felt if you inserted some knowledge of her I could also insert some knowledge of her.

Mr. CLARDY. Witness, you heard the chairman's instructions.

Mrs. CLOTT. I was merely explaining. I will be quiet.

Mr. TAVENNER. Were you a member at any time while in Washington of the Community Club of the Communist Party?

Mrs. CLOTT. I decline to answer that question on the grounds of the first amendment and the fifth amendment privilege.

Mr. TAVENNER. According to the testimony of Mrs. Markward, you were dropped from the Communist Party rolls at the time that you were an employee in the Legation that you spoke of. I believe you said it was the Hungarian Legation. Will you tell the committee about that?

Mrs. CLOTT. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. SCHERER. Were you, when you were employed by the Hungarian Legation, were you required to sign any application of employment or any form which required you to state whether or not you were a member of the Communist Party?

Mrs. CLOTT. You mean something from the Hungarian Legation?

Mr. SCHERER. Yes.

Mrs. CLOTT. Oh, no.

Mr. SCHERER. You didn't sign any application?

Mrs. CLOTT. No.

Mr. SCHERER. Were you asked by anyone when you sought employment with the Hungarian Legation whether you were a member of the Communist Party?

Mrs. CLOTT. Never asked such a question.

Mr. WALTER. Who recommended you to the Hungarian Government for employment?

Mrs. CLOTT. I don't know anyone recommended me. I heard about a job being available there, and I was extremely——

Mr. WALTER. Do you remember who told you about the job?

Mrs. CLOTT. I don't recall. I have tried to recall that. I don't recall.

Mr. WALTER. At the time you were employed there, was the Hungarian Government a Communist, behind-the-Iron-Curtain government?

Mrs. CLOTT. At the time I was employed there, the Government of Hungary was made up of a coalition of different political parties, including the Hungarian Communist Party.

Mr. TAVENNER. It was known as the Hungarian Peoples Republic, was it not?

Mrs. CLOTT. Yes.

Mr. TAVENNER. I didn't mean to interrupt you.

Mr. WALTER. That is all right. Go ahead.

Mr. SCHERER. Didn't they ask you any questions at all with reference to your background at the time you sought employment or obtained employment with the Hungarian Legation?

Mrs. CLOTT. No, Mr. Scherer. The only questions were, had I had experience. I took a little shorthand test to be sure I could take the dictation and understand people with a foreign accent, but there were no questions——

Mr. SCHERER. Concerning the background?

Mrs. CLOTT. Of the type you have in mind, none whatsoever.

Mr. WALTER. No loyalty oaths, in other words?

Mrs. CLOTT. No.

Mr. SCHERER. You evidently came well recommended?

Mrs. CLOTT. I don't know what you mean.

Mr. WALTER. Well, when people obtain employment from the Federal Government of the United States, they take a loyalty oath. I am just wondering whether or not the Communists require the same type of loyalty commitment.

Mrs. CLOTT. Well, there were no loyalty oaths asked of me, which is the question the committee has placed to me. I signed no statements to be obedient to Moscow.

Mr. CLARDY. Were you assigned to do any work that was of a secret or confidential nature while you were working for that legation?

Mrs. CLOTT. No, sir.

Mr. CLARDY. What kind of work did you do?

Mrs. CLOTT. What do you mean by secret or confidential?

Mr. CLARDY. Anything that has to do with the secrets of any embassy or legation.

Mrs. CLOTT. No, only the people who are officials in the embassy deal with matters of an important nature, and I had no such connection with anything of that type or character of which you speak. I was really just an office worker.

Mr. CLARDY. No matter how secret a matter may be, if it has to be reduced to paper, you have to call in someone with competence in shorthand and typewriting in order to get it. My question is whether or not, when you were working for the Hungarian Legation, any secrets of the Communist government were brought to your attention by virtue of the dictation you had to take?

Mrs. CLOTT. There were other people employed. There were Hungarians employed there. If there were such things, it would really be ridiculous to call on an American. It seems to me on the face of it—

Mr. CLARDY. Not necessarily.

Mrs. CLOTT. At any rate, that is my opinion. It doesn't have any place here. But I had nothing of this type. But there were other people employed there, and there were people who were Hungarian nationals, sent over as a part of the Embassy staff.

Mr. SCHERER. While you were so employed, did you have any contact at all with the Communist Party of the United States?

Mrs. CLOTT. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. CLARDY. Did you ever have any discussions with any of the other people at the Legation concerning the Communist Party? You were right in the middle of a hotbed of Communists. My question is, while you were there did the subject of communism ever come up and did you have any discussion about it?

Mrs. CLOTT. Not to my recollection. We discussed, I discussed sometimes with people, the Embassy. I was very interested in their country. I was very interested in what had happened in Eastern Europe, and I was interested in seeing their viewpoint, and I read the the pamphlets and leaflets, and things which they published, and which were permitted to be circulated in the United States by our Government.

Mr. SCHERER. Why would you refuse to answer—

Mrs. CLOTT. But everybody at the Legation, there was not an intimate or real close relationship.

Mr. SCHERER. Why then, Witness, do you—

Mrs. CLOTT. I think they were very careful, as a matter of fact, not to talk about American affairs. They were very anxious, it was my impression, to not in any way give any impression of sticking their noses into our affairs. If I felt differently, I wouldn't work there.

Mr. SCHERER. Did they know you were or had been a member of the Communist Party of the United States?

Mrs. CLOTT. How do I know what they know or what they heard, or what somebody said? How do I know? How can I know what somebody else knows?

Mr. SCHERER. Did you ever discuss with them the fact you had been a member of the Communist Party?

Mrs. CLOTT. No; that is a tricky question, Mr. Scherer. Did I discuss with them that I had been a member of the Communist Party? I decline to answer that question on the same grounds of the first and fifth amendments.

Mr. SCHERER. And you also decline to answer the question as to whether or not you ever had any communication or contact with the Communist Party of the United States while you were employed in the Hungarian Legation?

Mrs. CLOTT. I did answer that question, I believe. Didn't I?

Mr. SCHERER. You didn't answer it. You took the fifth amendment.

Mrs. CLOTT. That is an answer.

Mr. SCHERER. That is a declination to answer.

Mr. TAVENNER. Are you a native of the State of Ohio?

Mrs. CLOTT. Yes, I am.

Mr. TAVENNER. Where were you born?

Mrs. CLOTT. I was born in Toledo, Ohio.

Mr. TAVENNER. Will you tell the committee briefly what your formal educational training has been?

Mrs. CLOTT. I graduated from high school, in Parnell, Ohio, a suburb of Cleveland, and my family moved to Columbus, Ohio, and there I attended Ohio State University for 2 years, not consecutively. And that is the extent of my formal education.

Mr. SCHERER. Were you ever on the Communist Party payroll?

Mrs. CLOTT. I decline to answer that question on the grounds of the first and fifth amendment privilege.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mrs. CLOTT. The same answer, Mr. Tavenner.

Mr. TAVENNER. I have no further questions.

Mr. SCHERER. Did you ever pass any information from the Hungarian Legation to anybody connected with the Communist Party?

Mrs. CLOTT. I would never—what is that question? I am confused by it. Did I ever pass any information from the Hungarian Legation to someone who was a member of the Communist Party?

Mr. SCHERER. Yes.

Mrs. CLOTT. Was I an agent between the Communist Party of the United States and an Eastern Europe country? No, never.

Mr. SCHERER. Did you ever pass any—

Mrs. CLOTT. Never. I never passed any information to anybody. I just went to work.

Mr. SCHERER. Mr. Tavenner asked whether or not you didn't resign as a member of the Communist Party a few days prior to the time that you were employed by the Hungarian Legation. Is that correct?

Mrs. CLOTT. I declined to answer that question on the grounds of first and fifth amendments when Mr. Tavenner asked me, I believe. That is my recollection.

Mr. SCHERER. Did you rejoin the Communist Party then after you received your employment with the Hungarian Legation?

Mrs. CLOTT. I decline to answer that question also on the same grounds.

Mr. TAVENNER. I have no further questions.

Mr. CLARDY. You say you were at one time employed and worked in the Washington Cooperative Book Shop in Washington, D. C.?

Mrs. CLOTT. Yes, sir.

Mr. CLARDY. Were you ever a member of the board of directors or of the group that directed the activities of that shop?

Mrs. CLOTT. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. SCHERER. I am going to direct the witness to answer that question.

Mrs. CLOTT. I am not just clear on the procedure.

Mr. CLARDY. He has directed you to answer the last question.

Mrs. CLOTT. And I decline to answer that question on the grounds of the first and fifth amendment privilege.

Mr. CLARDY. Isn't it a fact that you were actually elected to the board of directors of that Communist bookshop in the month of July 1948?

Mrs. CLOTT. I decline to answer that question on the grounds of the first and fifth amendment privilege.

Mr. CLARDY. You said you knew that the bookshop had been placed on the subversive list. Since you had that knowledge at that time, I think I should ask you whether or not the subject of communism and the activities of the Communist Party was not the subject of frequent discussions between you and the others at the bookshop while you were employed there?

Mrs. CLOTT. I decline to answer that question on the grounds of the first and fifth amendment privilege.

Mr. CLARDY. You know, do you not, that the literature which that bookshop distributes is primarily Communist Party literature, do you not? You know that of your own experience, having been there and sold it, don't you?

Mrs. CLOTT. Well, it would certainly not be my impression, bulk. You mean numbers?

Mr. CLARDY. I think you understand the question. You have a good education, and you speak very well, I must say.

Mrs. CLOTT. It is merely secretarial training. It is no brilliance. You are a past attorney general, or assistant attorney general for a State, aren't you, and you know much more about this than I do. I have a little white-collar training.

Mr. CLARDY. Now, my question, come back to you.

Mrs. CLOTT. I asked you a question for clarification.

Mr. CLARDY. I will give it to you again.

Mrs. CLOTT. You said everything sold in this bookshop, everything, published in the United States.

Mr. CLARDY. I know they have a few books by people who are not Communists. I said a few. But did not the heavy majority of the literature and the books sold and distributed through that bookshop consist of Communist Party books and literature, designed to further the cause of communism?

Mrs. CLOTT. The vast majority of the material in that bookshop was not Marxist material.

Mr. CLARDY. What percentage applies?

Mrs. CLOTT. What percentage?

Mr. CLARDY. Yes.

Mrs. CLOTT. This was a good many years ago. There was a vast section on cooking, a vast section on children's books, vast sections of literature, current novels, history.

Mr. CLARDY. But with practically all of them having the left-wing Communist slant?

Mrs. CLOTT. No, absolutely not.

Mr. CLARDY. Did you know that the Communist Party, according to testimony taken before us in Los Angeles, actually has gotten down so low that they use the nursery rhymes to promote the Communist line? Now, did you have—

Mrs. CLOTT. We had Mother Goose in our bookshop. We didn't have—

Mr. CLARDY. With a Communist slant to it?

Mrs. CLOTT. No, Mother Goose, published by Simon & Shuster, I believe.

Mr. CLARDY. They sort of used that subtly—let me get to something else.

Was this located at 916 17th Street NW.?

Mr. PREAR. I realize I have no standing before the committee—

Mr. CLARDY. Please do not intervene. We have been very generous and kind to you. Please subside.

Mr. PREAR. So have I.

Mr. CLARDY. Was the bookshop located at 916 17th Street NW., Washington, D. C.?

Mrs. CLOTT. I think that is a matter of record, telephone book.

Mr. CLARDY. I want to know where you were.

Mrs. CLOTT. I don't remember the exact number, but it was 17th Street.

Mr. CLARDY. And is it not a fact that Communist meetings were held in that bookshop while you were employed there?

(At this point Mrs. Clott conferred with her attorney, Mr. Prear.)

Mrs. CLOTT. I decline to answer the question on the grounds of the first and fifth amendments privilege.

Mr. CLARDY. Were you aware of the fact that the citation mentioned by Congressman Walter was in 1942?

Mrs. CLOTT. What was your question?

Mr. CLARDY. The citation by Attorney General Biddle was in September 1942. I say, Were you aware of the fact it had been cited that early?

Mrs. CLOTT. I don't have any recollection about the date of when it was cited.

Mr. CLARDY. You went there in 1948 or 1949?

Mrs. CLOTT. I must consult my notes again. 1949, in late 1949.

Mr. CLARDY. And were you also aware of the fact that, on March 29, 1944, the House Committee on Un-American Activities had also cited it as a Communist-controlled bookshop, Communist-front organization?

Mrs. CLOTT. I am not sure that I knew that.

Mr. CLARDY. That is all I have, Mr. Chairman.

Mr. WALTER. No questions.

Mr. SCHERER. The witness is excused.

Mr. TAVENNER. Mr. Chairman, I believe I failed to complete the record of employment because of getting out into some of these other questions.

I believe you completed your statement of employment up until the time you came to Columbus. I would like for you to continue from that point on.

Mrs. CLOTT. Yes, sir.

Well, when I came to Columbus, I soon found work as a secretarial worker, and that was the 15th of December, I believe. That would be 1953, and then all of 1954 I have continued to work at that same place right up until September 1, when Mr. Jones, who faces me there, came into the office where I work. He might at least have come to my home, in my opinion, and 1 hour later I was fired. At 3:30 he came, and at 4:30 I was fired. But, nevertheless, I have no reluctance to give the committee the name of my employer, but I would not like it if I can avoid it that it be in the newspapers, because it would hurt this man's business very much. I am sure it would. He had no knowledge that I had worked for labor unions before. It would be a shame for him to lose his business.

Mr. TAVENNER. There is nothing wrong about working for labor unions, nothing wrong in the world.

Mrs. CLOTT. Do you know, Mr. Tavenner, as long as I put labor unions on my applications for jobs here I couldn't get one, and the day I left it off I was offered three jobs? It may be coincidence, and it may not. But it is a fact.

Mr. TAVENNER. The only thing that could possibly affect you in that situation was whether or not you were a member of the Communist Party. You have the opportunity now to state whether or not you had been, whether you withdrew from the Communist Party. If you had withdrawn from the Communist Party, and would tell the committee the truth and the facts about it, it shouldn't, you should not be in any way discriminated against because of it.

Mrs. CLOTT. You know as well as I do, if a person were a member and said so, they would be incriminating themselves, and if they were not a member and said so, some stool pigeon would say they were, and you would be up on a perjury rap. I decline to answer on the grounds of the first and fifth amendment privilege.

Mr. TAVENNER. You stated that when you put on your application for work, that you had been employed by labor unions, did you state on your application that they had been labor unions which had been ousted from the national organizations because of Communist control and domination?

Mrs. CLOTT. I worked for a large number of labor unions from 1937. I worked for nothing but labor unions.

Mr. TAVENNER. How many labor unions did you work for that have been expelled from the national organization because of Communist direction and control?

Mrs. CLOTT. Of course, the committee has the record of what the Electrical Workers Union said it was expelled from the CIO for.

Mr. CLARDY. What the CIO said?

Mrs. CLOTT. Yes, and you also have on record what the UE has to say about it because Mr. [Russell] Nixon, of the UE, testified before this committee last spring, and he told you. You have a record on that. So I simply wrote down the exact name of the union for which I had worked.

Mr. TAVENNER. Did that include the United Mine, Mill, and Smelter Workers Union?

Mrs. CLOTT. Did I put on my application I had worked for them?

Mr. TAVENNER. Yes.

Mrs. CLOTT. The application didn't ask, as I recall it, for that far back. I don't recall.

Mr. TAVENNER. That is one that you gave, wasn't it?

Mrs. CLOTT. On what? On my application—

Mr. TAVENNER. On your application.

Mrs. CLOTT. For employment at my place I was just fired from?

Mr. TAVENNER. No, information as to what prior employment you had had.

Mr. CLARDY. So it will be clear, are you asking her now about those instances where she claims when she disclosed her union activities in the past she was not given employment?

Mr. TAVENNER. That is right.

Mr. CLARDY. Confine your answer to that.

Mrs. CLOTT. On those applications, I simply listed United Electrical, Radio and Machine Workers of America, Washington, D. C.

Mr. CLARDY. UE.

Mrs. CLOTT. And I was not given employment. And when I left it off, I was. Now, anybody can come to their own conclusion, and nobody can prove why I wasn't hired. When I left it off, I was.

Mr. CLARDY. You don't suspect that the listing of the name or initials UE had anything to do with it?

Mrs. CLOTT. Lots of employers don't like union people. You know that.

Mr. CLARDY. I am asking about the specific one. Do you suspect that might have had something to do with it?

Mrs. CLOTT. I don't think so at all.

Mr. CLARDY. You don't?

Mrs. CLOTT. I don't think that many employers know the difference from one union to another or distinguish between them. That is a matter of my opinion.

Mr. WALTER. You would be surprised how many employers know all about UE.

Mrs. CLOTT. Well, there are some who don't. These may well not have ever heard of it, particularly if they were nonindustrial people, see.

Mr. TAVENNER. I have no further questions.

Mr. WALTER. No questions.

Mr. SCHERER. Now the witness is excused.

Mrs. CLOTT. May I ask for my witness fees, because I had to travel from Columbus here?

May I also place one thing in the record? I think that you would grant me this particular privilege since I did work for a foreign legation, for that 1 year. The question could arise because it has been asked of other people before: Did you commit any acts of sabotage or espionage, or were you a spy or something like that? I would want to make it clear—

Mr. WALTER. We are not investigating that sort of thing. That comes within the authority and jurisdiction of the FBI.

Mrs. CLOTT. I mean within the record it looks like, as this record is written—

Mr. WALTER. You left it here. We will examine it.

Mrs. CLOTT. I want it known I would never in any way do anything like this against my country, which I dearly love.

Mr. CLARDY. May it not occur to you that we did not raise that question, and by your injecting it into the record you may have raised a suspicion founded or ill-founded in people's minds. We deliberately stayed away from it. I am sorry that you saw fit to bring it up at all.

Mrs. CLOTT. You can understand why I did.

Mr. SCHERER. The witness is dismissed.

(Witness was excused.)

Mr. TAVENNER. Mr. Charles H. Marcum.

Mr. SCHERER. Will you raise your hand?

You do solemnly swear that the testimony you are about to give in this hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MARCUM. I do.

Mr. SCHERER. Be seated.

Mr. TAVENNER. What is your name, please?

TESTIMONY OF CHARLES H. MARCUM

Mr. MARCUM. Charles H. Marcum.

Mr. CLARDY. Spell that.

Mr. MARCUM. M-a-r-c-u-m.

Mr. TAVENNER. Mr. Marcum, according to the rules of the committee you are entitled to have counsel with you if you so desire.

Mr. MARCUM. I understand.

Mr. TAVENNER. Now, when and where were you born?

Mr. MARCUM. Dayton, Ohio, August 1911.

Mr. TAVENNER. Where do you now reside?

Mr. MARCUM. Dayton, the village of Kittridge, a suburb of Dayton.

Mr. TAVENNER. How long have you lived in Dayton?

Mr. MARCUM. Forty-three years.

Mr. TAVENNER. Will you tell the committee, please, briefly, what your formal educational training has been?

Mr. MARCUM. Well, I went as far as the eighth grade, and I started in the ninth grade, quit school, and went to work, and in 1942 I took an advanced course in machine shop, map, and blueprint.

Mr. TAVENNER. What has been your employment, Mr. Marcum, since 1945?

Mr. MARCUM. Well, I can give you my life employment about as easy. I started to work at—

Mr. TAVENNER. That is not necessary. Cover the period from 1945.

Mr. MARCUM. Since 1945, I worked at the Master Electric Co. up until June of 1952. I left the Master Electric Co., I went to work at Wright-Patterson Air Force Base, and stayed there until January of 1953. Then I went to work at the International Tool Co., at which I am now employed.

Mr. TAVENNER. You have been identified in testimony here, Mr. Marcum, as having been at one time a member of the Communist Party. Is that identification of you correct?

Mr. MARCUM. By who?

Mr. TAVENNER. By Mr. Arthur Strunk.

Mr. MARCUM. If you will excuse me, Mr. Chairman, I want to say he is a liar.

Mr. TAVENNER. You have never been a member of the Communist Party?

Mr. MARCUM. I have not.

Mr. TAVENNER. Well, have you ever attended Communist Party meetings?

Mr. MARCUM. Not that I know of.

Mr. TAVENNER. During the period from 1947 to 1949, how were you employed?

Mr. MARCUM. The Master Electric Co.

Mr. TAVENNER. Located in—

Mr. MARCUM. Dayton, 125 Davis Avenue.

Mr. TAVENNER. Dayton, Ohio.

During that period of time, did you make any donations to the Communist Party, knowing that you were doing so?

Mr. MARCUM. Not to my knowledge. I might correct that. I worked a part time job for Mr. R. H. Cowden, construction company.

Mr. TAVENNER. Who?

Mr. MARCUM. C-o-w-d-e-n. It was a part-time job. I worked at nights, repairing his road equipment.

Mr. TAVENNER. Well, your answer to the statement that you were identified as a Communist Party member at one time is that you have never been a member of the Communist Party?

Mr. MARCUM. I never have been and I am not now, and I wish that statement to be stricken from the records, to clear me, that I haven't been.

Mr. CLARDY. Were you here when Mr. Strunk testified?

Mr. MARCUM. I was not. I was working.

Mr. CLARDY. Have you had any report given to you of what he said in some detail?

Mr. MARCUM. Only in the papers.

Mr. CLARDY. You haven't talked with anyone who was present at the hearing?

Mr. MARCUM. I have talked to nobody concerning Mr. Strunk.

Mr. SCHERER. Do you know Mr. Strunk?

Mr. MARCUM. I don't believe I ever met the man.

Mr. CLARDY. And you are telling us now not only that you never have been a member of the party, but that you have never contributed to the funds or ever paid dues to the Communist Party?

Mr. MARCUM. To my knowledge, no.

Mr. CLARDY. What do you mean, to your knowledge? Wouldn't you know it if you did?

Mr. MARCUM. I would think so.

Mr. CLARDY. Did you ever give any funds to anyone for transmission to Mr. Strunk?

Mr. MARCUM. No.

Mr. CLARDY. Did you ever give any money to him?

Mr. MARCUM. No.

Mr. CLARDY. Or to any other person whom you knew to be collecting dues for the Communist Party?

Mr. MARCUM. I knew of no one collecting dues for the Communist Party.

Mr. CLARDY. Were you acquainted with anyone that you knew to be a member of the Communist Party?

Mr. MARCUM. To my knowledge, no.

Mr. CLARDY. You have worked at the present location for how long did you say?

Mr. MARCUM. At the International Tool, I have been there since January of 1953.

Mr. CLARDY. I believe you were the first president of the UE, local 754?

Mr. MARCUM. Absolutely I wasn't.

Mr. CLARDY. Sir?

Mr. MARCUM. No, sir.

Mr. CLARDY. You were not?

Mr. MARCUM. No, sir.

Mr. CLARDY. Is there anybody else by the name of Charles H. Marcum in this community?

Mr. MARCUM. Well, there is, yes.

Mr. CLARDY. By the same identical name?

Mr. MARCUM. Charles H., but there is a trust officer at the Third National Bank by the name of Charles Marcum. Remember, the union was in Master Electric before 1942. I went to work in 1942. So I couldn't be the first president.

Mr. CLARDY. You were a president?

Mr. MARCUM. Yes, sir.

Mr. SCHERER. Do you know of any other Charles Marcum?

Mr. MARCUM. The only one I know is the one I mentioned.

Mr. TAVENNER. Were you ever a subscriber to the Daily Worker?

Mr. MARCUM. I was.

Mr. TAVENNER. When?

Mr. MARCUM. I can't tell you the year. I don't know. It must have been somewhere around 1945.

Mr. TAVENNER. Over what period of time?

Mr. MARCUM. Approximately a year, I believe. I wouldn't say for sure.

Mr. TAVENNER. Do you recall who sold the Daily Worker to you, your subscription to you?

Mr. MARCUM. No; I don't.

Mr. CLARDY. Did you ever attend any meetings that you knew to be meetings of the Communist Party?

Mr. MARCUM. Absolutely not, and if I would have, I would have turned them over to the proper authorities, the FBI, years ago; not now.

Mr. SCHERER. If there has been any mistake in this case, of course, we want to correct it. I am ordering the staff to make an investigation with reference to this matter.

Mr. CLARDY. We don't have available, we didn't get daily copy, so we may go over the testimony in detail, of Mr. Strunk, to ask him specific questions, have we? Do you have any notes there?

Mr. SCHERER. Well—

Mr. MARCUM. I have been president of UE Local 754; I was president from about 1945 until 1952, other than 1 year.

Mr. CLARDY. And in another year, 1949, were you president of a local at another point?

Mr. MARCUM. Absolutely not.

Mr. CLARDY. You were not?

Mr. MARCUM. No, sir.

Mr. SCHERER. Well, this man has made his denial under oath. I think there should be complete and further investigation, and if it is

found that there was some mistake in this instance, the committee should and will acknowledge it publicly.

Mr. CLARDY. Of course, if there is no mistake, and we are saying this without prejudging anything at all, if there is no mistake, we may summon you again to confront you with some of the specific details of the further investigation—

Mr. MARCUM. I am willing—

Mr. CLARDY (continuing). And give you an opportunity to say what you wish.

Mr. MARCUM. I am willing to appear in front of this committee or any other committee, I don't care what it is, and tell them I am not a Communist. I never have been, and I hope I never have to be.

Mr. WALTER. Well, it is very refreshing to me to hear somebody sit there and say that, instead of hiding behind the Constitution that they would destroy if they had an opportunity.

Mr. MARCUM. I think you people owe me and my family an apology, and you are going to give it to me one way or the other.

Mr. CLARDY. May we assure you, Witness, that if a witness has been mistakenly identified, we will do a great deal more than you probably wish us to do.

Mr. MARCUM. It is a poor thing to mistake a person's name.

Mr. CLARDY. We have no assurance yet that he has.

Mr. MARCUM. I have. I have a job, and I am going to keep that job some way. I am a foreman.

Mr. SCHERER. We will see that you keep your job.

Mr. MARCUM. I didn't lie when I took my job. You can look at my application at Wright Field. I told everything on it that I have ever done, from the time I was a kid, and there is no use lying about it.

Mr. SCHERER. You are excused. The staff will contact you.

(Witness was excused.)

Mr. TAVENNER. Elizabeth (Betty) Nelson.

Mr. SCHERER. Do you solemnly swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. NELSON. I do.

Mr. TAVENNER. What is your name, please?

TESTIMONY OF ELIZABETH L. NELSON, ACCOMPANIED BY HER COUNSEL, J. PAUL PREAR

Mrs. NELSON. My name is Elizabeth L. Nelson.

Mr. TAVENNER. Are you accompanied by counsel?

Mrs. NELSON. Yes, I am.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. PREAR. I think the stenographer has it, J. Paul Prear.

Mr. TAVENNER. Where do you now reside?

Mrs. NELSON. I reside at 520 Edison Street.

Mr. TAVENNER. Dayton?

Mrs. NELSON. Dayton, Ohio.

Mr. TAVENNER. How long have you lived in Dayton?

Mrs. NELSON. My parents brought me here from Herrodsburg, Ky., when 4 months old, and I have lived here 36 years.

Mr. TAVENNER. Are you now employed?

Mrs. NELSON. I am employed at Delco Products, plant 11, of Kitteridge. It is not in Dayton. It is still a part of Delco Products, General Motors.

Mr. TAVENNER. Have you at any time held an official position in a union which required you to file a non-Communist affidavit under the Taft-Hartley Act?

Mrs. NELSON. Wouldn't that be a matter of record.

Mr. TAVENNER. Well, whether it is or not, I am asking you the question.

Mrs. NELSON. I decline to answer that on the first and the fifth amendment.

Mr. TAVENNER. I request she be directed to answer, Mr. Chairman.

Mr. SCHERER. I am sorry. I didn't hear the question.

Mr. TAVENNER. The question was whether or not she at any time held a position in a union under which she was required by the Taft-Hartley Act to file a non-Communist affidavit?

Mr. SCHERER. Yes, you are directed to answer the question.

Mrs. NELSON. I don't know what went on in the proceedings here yesterday. I know there was a paid FBI informant, and under those circumstances, and where I might be put in jeopardy of my life, my liberty, and my property, I will have to and I wish to assert the first and fifth amendments.

Mr. TAVENNER. How were you employed in 1948?

Mrs. NELSON. I started at Delco in 1936. I was laid off in 1939 for 9 months. No, I will take that back. I started at McCrory's in the 10-cent store, worked part time. I went every day. I have been there 18 years in November, except the time I was laid off in 1939, approximately. I worked at Loose-Wiles Biscuit Co., a division of Sunshine Biscuit Co.

Mr. TAVENNER. During that period of time were you a member of a union having a contract with your employer?

Mrs. NELSON. Yes, I was.

Mr. TAVENNER. What was the name of the union?

Mrs. NELSON. It was the United Electrical, Radio and Machine Workers of America, CIO.

Mr. TAVENNER. What number was the local?

Mrs. NELSON. 755.

Mr. TAVENNER. Did you hold a position at any time in that local?

Mrs. NELSON. First I started out as a steward, and I worked in that plant, trying to get a union into Delco, because we didn't have one at that time. When I was laid off, I realized that you weren't in if you didn't have seniority. Some could have 6 months, maybe some a year and one-half. When I got back, I made up my mind I would go down there and try to help the people that were trying to get a union in Delco to get one. I have been second vice president of that local. I have been a delegate to Montgomery County Council. I have been elected to go to the State CIO convention. I have also been alternate committeewoman for my department.

Mr. TAVENNER. Well, as an official in that union you were required to file a non-Communist affidavit; were you not?

Mrs. NELSON. I said I declined to answer that under the first and fifth amendments.

Mr. TAVENNER. Well, what was the office that you held in that union?

Mrs. NELSON. Which union?

Mr. TAVENNER. The UE.

Mrs. NELSON. The UE?

Mr. TAVENNER. Local 755.

Mrs. NELSON. I told you I was second vice president, and I don't remember whether it was 1941 or 1942. I wouldn't say exactly.

Mr. TAVENNER. All right. What union were you a member of in 1947 and 1948?

Mrs. NELSON. If I am not mistaken, it was UE-CIO.

Mr. TAVENNER. And what position did you hold in the union at that time?

Mrs. NELSON. If I am not mistaken, I think I was alternate committeewoman in my department.

Mr. TAVENNER. Did you hold any other position in that union besides that at any time?

Mrs. NELSON. In the UE-CIO?

Mr. TAVENNER. Yes.

Mrs. NELSON. Not that I can recollect.

Mr. TAVENNER. Well, what other unions were you a member of besides the two you have mentioned?

Mrs. NELSON. Well, I can't say I really was a member of any other one, but except when they tried to raid and come in and bring IUE into our shop, and naturally I stood up, and I think I have a right to vote my convictions, and I did vote at that membership meeting not to secede from the CIO.

Mr. TAVENNER. It was testified here that Mr. Joe Brant, accompanied by Mr. Arthur Strunk, came to see you at your home, and that you had advised them that you had resigned from the Communist Party, and had not gotten any reply to your resignation. Do you recall that having happened?

Mrs. NELSON. I decline to answer on the first and fifth amendments.

Mr. TAVENNER. Were you a member of the Communist Party at any time you held any of the various positions that you have described in your union?

Mrs. NELSON. I assert the privilege of the first and fifth amendments.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. NELSON. I assert the privilege of the first and fifth amendments.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mrs. NELSON. I assert the privilege of the first and fifth amendments.

Mr. TAVENNER. Were you acquainted with Roger Dunham?

Mrs. NELSON. I assert the privilege of the first and fifth amendments.

Mr. TAVENNER. Were you acquainted with Mr. John C. Mitchell?

Mrs. NELSON. I assert the privilege of the first and fifth amendments.

Mr. TAVENNER. Both Mr. Dunham and Mr. Mitchell have also identified you as having been a member of the Communist Party here in Dayton. Is that identification of you correct, or is it false?

Mrs. NELSON. I assert the privilege of the fifth amendment.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. SCHERER. Mr. Walter?

Mr. WALTER. No questions.

Mr. SCHERER. No questions.

The witness is excused.

(Witness was excused.)

Mr. SCHERER. The committee will have a 15-minute recess.

(A recess was taken at this point.)

Mr. SCHERER. The city commission is going to meet in this room approximately at 2:30, so the committee will adjourn or recess until tomorrow morning at 10 o'clock instead of 9 o'clock, because the city commission also meets tomorrow morning between 9 and 10.

(Whereupon, at 2:05 p. m., the hearing was adjourned until 10 a. m., Wednesday, September 15, 1954.)

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7335. 4A 505
F. C. W.

**INVESTIGATION OF COMMUNIST ACTIVITIES IN THE
DAYTON, OHIO, AREA—Part 3**

*U. S. Congress Naval Committee on
Un-American Activities.*

HEARING
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-THIRD CONGRESS
SECOND SESSION

SEPTEMBER 15, 1954

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KIT CLARDY, Michigan

GORDON H. SCHERER, Ohio

FRANCIS E. WALTER, Pennsylvania

MORGAN M. MOULDER, Missouri

CLYDE DOYLE, California

JAMES B. FRAZIER, Jr., Tennessee

ROBERT L. KUNZIG, *Counsel*

FRANK S. TAVENNER, Jr., *Counsel*

THOMAS W. BEALE, Sr., *Chief Clerk*

RAPHAEL I. NIXON, *Director of Research*

COURTNEY E. OWENS, *Chief Investigator*

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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], chapter 753, 2d session, 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.

RULES ADOPTED BY THE 83D CONGRESS

House Resolution 5, January 3, 1953

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees :

* * * * *

(q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time, investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) 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 (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE DAYTON, OHIO, AREA—Part 3

WEDNESDAY, SEPTEMBER 15, 1954

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Dayton, Ohio.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to adjournment, at 10:05 a. m., in city commission room, Municipal Building, Dayton, Ohio, Hon. Gordon H. Scherer (chairman) presiding.

Committee members present: Representatives Gordon H. Scherer and Kit Clardy.

Staff members present: Frank S. Tavenner, Jr., counsel; Courtney E. Owens, chief investigator; W. Jackson Jones, investigator; and Thomas W. Beale, Sr., chief clerk.

Mr. SCHERER. The committee will be in session. Call the first witness of the morning.

Mr. TAVENNER. I would like to call Mr. Lee Lorch. Mr. Lorch, will you come forward, please?

Mr. SCHERER. Before you are seated, will you raise your right hand, sir? Do you solemnly swear the testimony you are about to give at this hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LORCH. I do.

Mr. SCHERER. Will you be seated.

TESTIMONY OF LEE LORCH

Mr. TAVENNER. Will you spell your name, please, Mr. Lorch?

Mr. LORCH. That is my name, Lee—

Mr. TAVENNER. What is your full name?

Mr. LORCH. Lee Lorch.

Mr. TAVENNER. Mr. Lorch, it is the rule of the committee that every witness is entitled to have counsel with him if he desires, or to consult with counsel at any time during the course of his testimony if he so desires. Do you desire counsel?

Mr. LORCH. Yes, I do.

Mr. TAVENNER. Do you have counsel here?

Mr. LORCH. No.

Mr. TAVENNER. How long will it take you to obtain your counsel?

Mr. LORCH. I don't know. I was notified, I received a summons to appear here only on the 7th of September, a week ago. I have con-

sulted counsel in the city of Dayton, whom I located after some delay due to the fact I have never lived or to my recollection ever been in the city before in my life.

Mr. SCHERER. You received your subpoena on September 7?

Mr. LORCH. In the afternoon on that date.

Mr. SCHERER. And this is the 15th.

Mr. LORCH. That is right.

Mr. SCHERER. And you haven't had time to get counsel during the week?

Mr. LORCH. Well, let me put it this way: I have sought counsel, but as an attorney I am sure you know that lawyers have other things to do and they can't pick themselves up on a week's notice and come to a place.

Mr. SCHERER. You say you have already talked with counsel?

Mr. LORCH. I have.

Mr. SCHERER. When did you talk to counsel?

Mr. LORCH. Yesterday.

Mr. SCHERER. Was that the first effort you made to obtain counsel?

Mr. LORCH. Oh, no.

Mr. SCHERER. The first time you talked to counsel, though?

Mr. LORCH. The first time I talked to this counsel.

Mr. SCHERER. Did you talk to other counsel before that?

Mr. LORCH. Not to receive advice, but merely to find out if they are available, which turned out not to be.

Mr. CLARDY. May I ask him a question, Mr. Chairman?

Is it your intention, regardless of whether or not counsel is present, to answer such questions as the committee may propound to you?

Mr. LORCH. Well, this committee has not informed me in any way as to the reason for my presence here. I have received no statement of any kind concerning the purpose of this hearing, nor what my testimony could contribute to it. Therefore, Mr. Clardy, I am sure you understand I cannot, being in ignorance of the nature of the questions you plan to ask, be prepared to answer the question you have just asked.

Mr. CLARDY. I understand. I am sure you apprehend the general nature of the authority and the duties conferred upon this committee by the statutes and by the order of the Congress, and with that generally in mind, and with a copy of the rules which you just produced from your pocket there, I am sure you must have at least a pretty fair knowledge of what it is we are seeking to get at.

Now, with that in mind, all I want to know is whether you will answer the questions that we propound on the subject within the scope of our authority, or whether you would intend to do otherwise.

Mr. LORCH. I can only repeat what I have just said to you. I have no knowledge whatsoever what questions you intend to propound.

Mr. CLARDY. That is not a very frank answer. I am sure you know more than that.

Mr. LORCH. The committee has had ample opportunity to inform me more than that.

Mr. SCHERER. Have you attempted to contact or had your lawyer contact us for any information that you want since you have been served?

Mr. LORCH. No, I haven't.

Mr. SCHERER. You were served, however, with a copy of the rules of the committee?

Mr. LORCH. That is true.

Mr. SCHERER. Which you have in front of you?

Mr. LORCH. Yes.

I might state further, Mr. Scherer, if I may—

Mr. SCHERER. I am going to grant you a continuance but not for very long. This happens to be perhaps the last day of the hearing. I will grant you a continuance until this afternoon at 2 o'clock.

Mr. LORCH. May I say this, sir?

Mr. SCHERER. Yes.

Mr. LORCH. The reason that counsel I consulted is not—

Mr. SCHERER. That is between you and your attorney, and the reason he might have for not being here—

Mr. LORCH. But I have no way of—I don't know how to find counsel between now and 2 o'clock. I am a stranger in this city.

Mr. SCHERER. I thought you said you talked to counsel.

Mr. LORCH. One man, yes, and if he feels he cannot be prepared by 9 o'clock in the morning, I doubt if he can be prepared by 2 o'clock in the afternoon of the same day. That is what I tried to explain to you, why counsel was not available.

Mr. SCHERER. This witness will be continued to 2 o'clock to enable you to consult further with counsel to whom you have talked. Is that agreeable to you?

Mr. LORCH. I don't see what good it is going to do.

Mr. SCHERER. You don't see what good it is going to do? Do you want to proceed now rather than at 2 o'clock?

Mr. LORCH. I have no preference. I don't want to—well, I have no preference.

Mr. CLARDY. Mr. Chairman, I think under the circumstances that we should proceed. A week, better than a week's time is ample for anybody, and I should suggest this to you, Mr. Witness, that if the matter should be put over from today you might be put to the trouble and inconvenience at your own expense of coming to Washington.

Now, that is a matter that you should give some consideration to.

Mr. SCHERER. Mr. Clardy, I am going to let the witness decide. I will grant you a continuance until 3 o'clock this afternoon.

Mr. LORCH. Mr. Chairman, I really see no useful purpose to be served by the continuance.

Mr. SCHERER. You see no useful purpose? Proceed, Mr. Counsel.

Mr. TAVENNER. When and where were you born, Mr. Lorch?

Mr. LORCH. I was born in New York City, September 20, 1915.

Mr. TAVENNER. Where do you now reside?

Mr. LORCH. Nashville, Tenn.

Mr. TAVENNER. What is your profession or occupation?

Mr. LORCH. I am a teacher.

Mr. TAVENNER. Where?

Mr. LORCH. Fisk University.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. LORCH. I hold a degree of bachelor of arts from Cornell University; master of arts—

Mr. TAVENNER. Just a moment. When did you receive your B. A. at Cornell?

Mr. LORCH. 1935.

Mr. SCHERER. Pardon me just a moment, Mr. Counsel. Would you, Mr. Terry, move the microphone a little closer to the witness?

Mr. TAVENNER. Will you proceed, please? You received your B. A. at Cornell in 1935?

Mr. LORCH. Yes.

Mr. CLARDY. The answer is yes, you nodded your head.

Mr. LORCH. Sorry. The answer is yes. Master of arts degree and doctor of philosophy degree in math at the University of Cincinnati.

Mr. TAVENNER. In what year?

Mr. LORCH. The former degree in 1936; the doctor of philosophy in 1941.

Mr. TAVENNER. Very well. Will you tell the committee, please, what employment you have had since 1938, or say since 1936?

Mr. LORCH. Since 1936? Well, during the year 1936-37 I was a student.

Mr. TAVENNER. Were you an instructor at any time while you were a student obtaining your master's degree at the University of Cincinnati?

Mr. LORCH. No, I was on a scholarship.

Mr. TAVENNER. Now, you have spoken of 1936-37.

Mr. LORCH. Yes. During the following year I worked a few weeks as an educational director for some locals of the Furriers Union.

Mr. TAVENNER. Where?

Mr. LORCH. In New York City. Most of the rest of the year I was unemployed and living at home. The following year—

Mr. TAVENNER. What local of the Furriers Union was that?

Mr. LORCH. I don't recall.

Mr. TAVENNER. But it was in New York City?

Mr. LORCH. It was in New York City, yes.

Mr. TAVENNER. And for what period of time?

Mr. LORCH. A few weeks, I don't remember how long.

Mr. TAVENNER. A few weeks in the year 1937?

Mr. LORCH. Well, it was, as a teacher, I always think in terms of school years. It was sometime during the school year 1937-38 when I was out of school.

Mr. TAVENNER. Very well.

Mr. LORCH. From 1938 to 1941, I was a student at the University of Cincinnati, engaged also as a part-time assistant in the department of mathematics in that university.

Following 1941, when I left Cincinnati, I returned to New York; had employment again for a few weeks as a recreational director, I believe it was, in some cooperative housing project. This was only a few weeks while I was locating mathematical employment.

Following that I became assistant mathematician for the National Advisory Committee for Aeronautics located at Langley Field, Va., which is a Federal research agency engaged in aeronautical studies.

Mr. SCHERER. Were you on the payroll of the Federal Government at that time?

Mr. LORCH. Yes.

Mr. SCHERER. For what period were you on the payroll of the Federal Government?

Mr. LORCH. Well, I was on the payroll of the Federal Government for rather a long period of time. I was on the payroll there for 1 year. Then I resigned to volunteer for the Army of the United States, in

which I remained on the payroll of the Federal Government for another 3 years, being honorably discharged some time in January, I believe it was, 1946.

Mr. SCHERER. 1946?

Mr. LORCH. Yes.

Mr. SCHERER. In what capacity did you serve in the Army?

Mr. LORCH. As an enlisted man.

I served some months in various camps in the United States; approximately 1 year in India; and approximately 6 months on Okinawa.

Mr. TAVENNER. What was the nature of your assignment to the National Aeronautics Commission, or Commission for Aeronautics?

Mr. LORCH. National Advisory Committee for Aeronautics.

Mr. TAVENNER. Thank you, sir.

Mr. LORCH. I have given the nature of the assignment. I was assistant mathematician. As such I was assigned to research in one of the divisions of that agency, where I was expected both to carry on independent research in the general field of aeronautics and also to render whatever mathematical advice the engineers around the place needed.

Mr. SCHERER. Did you engage in classified work during that time?

Mr. LORCH. Well, I presume so. I don't recall.

Mr. SCHERER. Were you cleared to handle classified material?

Mr. LORCH. I must have been. I have no recollection.

Mr. SCHERER. Was the work you were doing of a highly confidential and secret nature? Wasn't it?

Mr. LORCH. I presume so, and I did it.

Mr. SCHERER. I understand that.

Mr. LORCH. And so treated it.

Mr. SCHERER. You know so, don't you, Doctor?

Mr. LORCH. 1942 is 12 years back. Just exactly what stamps there happen to have been on the studies I made, I don't recall in all honesty at this moment.

Mr. SCHERER. Generally the work you were doing was of such an important nature that practically all of it was classified?

Mr. LORCH. You flatter me. I am afraid my own contribution was not of such an important nature. The work of the agency, of course, was important.

Mr. SCHERER. Right. But you were working on that important work, were you not?

Mr. LORCH. On some phases of it, yes.

Mr. SCHERER. There were a lot of people working on it?

Mr. LORCH. Yes.

Mr. SCHERER. But that work was classified as a whole?

Mr. LORCH. As a whole, I suppose it must have been.

Mr. SCHERER. All right. That is all I want to know.

Mr. TAVENNER. You say you were part-time instructor from 1938 to 1941 at the University of Cincinnati?

Mr. LORCH. No, sir. I did not say that. I said I was assistant in the department in that period.

Mr. TAVENNER. Well, will you tell us the distinction?

Mr. LORCH. Well, an instructor teaches classes. My task was to assist one of the professors in preparing for his classes, to take copious notes, to write them up so that they made a coherent presentation, to type them, to hectograph them, to secure their further distribution, and also to do the same for his research articles.

Mr. SCHERER. What counsel obviously means, you were part of the instructing staff?

Mr. LORCH. No, I was not engaged in instruction.

Mr. SCHERER. You weren't a student anyhow?

Mr. LORCH. I was. I was getting a Ph. D. He asked me what I was doing when I was a student. That was his question. Is that right?

Mr. TAVENNER. That is right.

Mr. SCHERER. What were you doing?

Mr. LORCH. I just stated.

Mr. SCHERER. I am sorry. Would you restate it?

Mr. LORCH. Yes. My task was to assist one of the professors in the department, to take his advance courses, to write up his lectures, to put them in elegant a form as was within my power, to type them, hectograph them, to distribute them, and also to do the same for his research work.

Mr. SCHERER. Assistant then to a professor?

Mr. LORCH. I beg your pardon?

Mr. SCHERER. You were assistant then to a professor?

Mr. LORCH. That is right. That is what I say.

Mr. TAVENNER. During this period of time you performed those duties while engaged in your graduate work, was there an organization at the University of Cincinnati of the American Federation of Teachers?

Mr. LORCH. Yes.

Mr. TAVENNER. Were you a member of it?

Mr. LORCH. Yes.

Mr. TAVENNER. How long were you a member of it?

Mr. LORCH. During the approximate time of my work there.

Mr. TAVENNER. Did you retain your membership in that organization after you left the University of Cincinnati?

Mr. LORCH. I was no longer engaged in teaching for the next several years, so membership would not have been appropriate.

Mr. TAVENNER. Well, you did—I do not believe we completed the history of your record of employment because you have continued in the teaching profession.

Mr. LORCH. Well, I have returned to the teaching profession.

Mr. TAVENNER. When did you return to the teaching profession?

Mr. LORCH. Upon the receipt of my discharge from the Army in 1946.

Mr. TAVENNER. 1946?

Mr. LORCH. Yes.

Mr. TAVENNER. Where did you teach then?

Mr. LORCH. The College of the City of New York.

Mr. TAVENNER. How long did you teach there?

Mr. LORCH. Three and one-half years.

Mr. TAVENNER. Was that still in the field of mathematics?

Mr. LORCH. Oh, yes.

Mr. TAVENNER. Then what other positions of teaching have you held?

Mr. LORCH. Subsequently, I was assistant professor at the Pennsylvania State College, and then associate professor and later professor of mathematics at Fisk University.

Mr. TAVENNER. When did you first assume your duties at Fisk University?

Mr. LORCH. September 1950.

Mr. TAVENNER. And you have been there since that time?

Mr. LORCH. Continuously.

Mr. TAVENNER. Did you renew your membership in the American Federation of Teachers after you resumed your teaching career on return from the service?

Mr. LORCH. No, sir.

Mr. TAVENNER. While at the University of Cincinnati, did you hold any position in the Federation of Teachers?

Mr. LORCH. I assisted in securing memberships and such. I don't know whether that constitutes a position or not.

Mr. TAVENNER. Speak a little louder. It is hard to hear you.

Mr. LORCH. I recall no specific official position which I held.

Mr. TAVENNER. Did you attend any State conventions of the American Federation of Teachers as a delegate?

Mr. LORCH. I attended the national convention as a delegate.

Mr. TAVENNER. Where was that convention held?

Mr. LORCH. Buffalo, N. Y.

Mr. TAVENNER. Were you from time to time appointed as a delegate from the American Federation of Teachers to meetings in which that organization was interested?

Mr. LORCH. Well, 13 years is a long time, Counsel.

Mr. TAVENNER. I know, and I am just asking that you give us the best of your recollection.

Mr. LORCH. I have no recollection to that effect.

Mr. TAVENNER. Do you recall having attended the American Youth Congress in Philadelphia from July 3d to the 5th, 1941, as a delegate from the American Federation of Teachers?

Mr. LORCH. I believe that I was present at that convention. I do not recall whether or not I was a delegate.

Mr. TAVENNER. Dr. Lorch, the reason I am asking you these questions, at least one of the reasons, is that this committee has received considerable evidence about the activities of the Communist Party in endeavoring to infiltrate the American Federation of Teachers at approximately the period we are inquiring about.

The first witness that the committee heard on February 25, 1953, in the field of education was Dr. Robert C. Davis. Dr. Davis testified he had been a member of the Communist Party at Harvard University, and at Harvard at that time there was organized within the faculty a group of the Communist Party; and that one of the chief objectives of that organization was to infiltrate the American Federation of Teachers. Similar testimony has been received at several other places in the United States, including Los Angeles.

I would like to ask you whether to your knowledge there was any effort made by the Communist Party to infiltrate the American Federation of Teachers at the University of Cincinnati while you were there?

Mr. LORCH. Not to my knowledge.

Mr. TAVENNER. Not to your knowledge?

Mr. LORCH. Certainly not to my recollection.

Mr. SCHERER. What was your answer?

Mr. LORCH. And certainly not to my recollection.

Mr. SCHERER. Not to your recollection, that is your answer?

Mr. LORCH. Yes.

Mr. TAVENNER. Were you a member of the Communist Party at the time you attended the American Youth Congress on July 3, 4, and 5, 1941, at Philadelphia?

Mr. LORCH. Before proceeding to the answer to this question, I desire to enter objections now to the proceedings.

Mr. TAVENNER. My question was whether or not at the time you attended the American Youth Congress in Philadelphia, July 3-5, 1941, you were a member of the Communist Party.

Mr. LORCH. Such a question is somewhat loaded, as I am sure counsel appreciates.

Mr. SCHERER. I will state as a matter of fact it is not a loaded question. It is a simple question. Were you a member of the Communist Party at that time? You can either say yes or no, or—

Mr. LORCH. Well, or some other thing.

Mr. SCHERER. Invoke the fifth amendment.

Mr. LORCH. Well, I realize that you are an attorney, Mr. Scherer, but you are not acting as my counsel at the present time.

Mr. CLARDY. I can't hear you, Witness.

Mr. LORCH. I said I realize that Mr. Scherer is an attorney, but he is acting not as my counsel at the present time.

Mr. SCHERER. I will refrain from trying to help you. I wanted to take exception to your statement that that simple question was a loaded question, particularly for a man of your education.

Mr. CLARDY. Before you answer it, I want to ask you one thing: Were you here at either of the 2 previous days we have been conducting hearings?

Mr. LORCH. No, sir.

Mr. CLARDY. Have you ever attended any other hearing of our committee?

Mr. LORCH. No, sir.

Mr. CLARDY. I am going to tell you, if you had, you would understand better what the chairman was trying to explain to you.

Mr. LORCH. Let me ask this: The rulebook, which is my only guide at the present time, states, rule 2, page 1:

The subject of any investigation in connection with which witnesses are summoned or shall otherwise appear shall be announced in an opening statement to the committee before the commencement of any hearing; and the information sought to be elicited at the hearings shall be relevant and germane to the subject as so stated.

Since this apparently is the last day, or next to the last day of these proceedings, I would like to have the benefit of having read to me what statement was made in this connection before I proceed any further.

Mr. SCHERER. An opening statement was made by the chairman on behalf of the committee, which the chairman and most other people consider too long. It was all inclusive. It is the ruling of the Chair that it did include the subject under investigation at this time.

Mr. LORCH. I think that it would still help—

Mr. CLARDY. May I add something? Furthermore, that rule is for the internal work of the committee. While the public statement is invariably made, when we open our hearings at a given place, that rule is for our own guidance and is not intended in any way to excuse you from answering the question that was asked.

Mr. LORCH. Now, this confuses me still further.

Mr. SCHERER. Your first objection is overruled because the statement was made.

Mr. LORCH. But it is a statement—

Mr. SCHERER. Complete and in detail.

Mr. LORCH. It is a statement of which I have no knowledge, and which I could not be expected to have any knowledge of. I was summoned to appear here this morning.

Mr. SCHERER. We will take a 5-minute recess. Will you furnish him with a copy of the statement and let him read it.

(A recess was taken from 10:35 to 10:40 a. m.)

Mr. SCHERER. The committee will reconvene. Now, Mr. Tavenner, will you proceed with the questioning?

Mr. TAVENNER. Do you recall my question, Dr. Lorch?

Mr. LORCH. I recall the question.

Mr. TAVENNER. Will you answer it, please?

Mr. LORCH. I would like to recall, also, that this is a question concerning 13 years ago.

Mr. SCHERER. I am sorry. Again, I didn't hear you. You said the question, this is a question of how many years ago?

Mr. LORCH. Thirteen years ago. In fact, a little more than 13 years ago.

Mr. SCHERER. Keep in mind the question was whether you were a member of the Communist Party.

Mr. TAVENNER. Will you answer the question, please?

Mr. LORCH. The stated purpose of this investigation—

Mr. SCHERER. Just a minute, Doctor. I have given you an opportunity to read the statement that was made at the opening of this hearing. The Chair has ruled that the question is competent and that the statement covers it. Your exception will be noted in the record, if you have such an exception.

Mr. LORCH. I do have such an exception.

Mr. SCHERER. It will be noted. I can begin to see that you didn't need a lawyer.

Mr. LORCH. I assure you I have no intention of practicing law without a license.

Mr. SCHERER. Go ahead.

Mr. LORCH. I should like to enter the objection to this question and all similar questions on several grounds.

Mr. TAVENNER. Now, just a moment. You say you object. Do you mean by that really that you refuse to answer the question on the ground that you are now proposing to state?

Mr. LORCH. Well, let me see how I put it and you decide. I am not a lawyer. You are. I wish I had a lawyer. I don't.

Mr. TAVENNER. I assure you counsel would advise you that you have a right to refuse, but the mere matter of objection isn't material.

Mr. LORCH. I am being asked now concerning matters of 13 years and more ago. The rules of procedure—

Mr. SCHERER. Well, now Witness, I understand what you are attempting to do. The question is merely were you a member of the Communist Party at that time, and you are directed to answer the question.

Mr. LORCH. I should like to state my reasons for not complying with your directive.

Mr. SCHERER. The Chair will recognize only one reason, and that is if you claim to answer that question would incriminate you.

Mr. LORCH. I have no intention of so claiming.

Mr. SCHERER. Then I instruct you to answer the question.

Mr. LORCH. I desire to state my reasons for not answering this question.

Mr. CLARDY. Can it be very brief or do you want a lot of time so you can make a speech? Now, if you could make it brief, I think the Chair would bear with you. Otherwise, not.

Mr. LORCH. Well, may I proceed, Mr. Chairman?

Mr. SCHERER. Yes, go ahead.

Mr. LORCH. I have long had the feeling that——

Mr. SCHERER. You understand, Doctor, I am not going to permit you to make a speech. If you have any legal reasons that you want to advance, all right. I am not recognizing any. The courts have so held, except that if you claim to answer that question would tend to incriminate you.

Mr. CLARDY. In other words, if you want to invoke the privilege of the fifth amendment, you are within your rights to do so. Whether we agree that you have raised it properly or not is another question. Any other reason will not be given weight by this committee.

Mr. LORCH. But, Mr. Chairman, isn't such an objection a little previous, to say in advance you will not give weight to whatever else I say? It seems to be prejudging the situation.

Mr. SCHERER. We have heard dozens and dozens of witnesses who have taken the same position that you are taking.

Mr. LORCH. But I haven't stated my position.

Mr. SCHERER. I know what position you are going to take.

Mr. LORCH. How can you?

Mr. SCHERER. Using the same delaying tactics. You go ahead and briefly state your reasons. I am just saying that we will listen to whatever legal reasons you might advance.

Mr. LORCH. I should like to state here that I object to the prejudging of what you have no way of knowing what I am going to say, whatever other people may have said, and I should like to object to the coloration which that lends to whatever I am about to say. I think it is not a fair hearing. You have interrupted me long enough so I could have probably been done by now.

Mr. CLARDY. I asked you if it would be brief. I want to ask you a question ahead of the others. Do you intend to advance any legal ground upon which you will base your refusal?

Mr. LORCH. Yes, sir.

Mr. CLARDY. All right.

Mr. SCHERER. Proceed.

Mr. LORCH. I advance first the first amendment to the Constitution of the United States. I advance that on the grounds that a committee planning, investigating for the purpose of securing legislation cannot take the standpoint that it is wholly an investigation which

can lead to a violation of any of the rights protected by this first amendment.

I wish to state further that I believe that I am entitled to the protection of the rules of procedure of this committee which were given to me, and stated to me to be the procedure which would govern this committee, and this committee is bound by it.

Mr. CLARDY. I interrupt you to tell you you have been and are being given all of the protection the rules afford to any witness. Now proceed.

Mr. LORCH. One of the protections states that :

Witnesses shall be subpoenaed at a reasonably sufficient time in advance of any hearing, said time to be determined by the committee, in order to give the witness an opportunity to prepare for the hearing and to employ counsel should he so desire.

I state I have not been given such time. I state further that no amount of time could have been given me to prepare for this hearing because the committee did not furnish me at any time any statement as to why my testimony was required at this hearing. I was furnished with no statement, brief, or law, of any description concerning the purpose of this hearing, and all I was told was that I was supposed to be here.

Presumably, if you have an opportunity to prepare, you have an opportunity to prepare for something. So my opinion is that this, that I have just been summoned here without an opportunity to be protected by item 3-B on page 2 of the committee rules.

I note also that I have been unable to secure counsel to be present with me because of the vagueness—

Mr. SCHERER. Witness, we have settled the issue of counsel.

Mr. LORCH. No, sir, we haven't. That is part of this.

Mr. SCHERER. All right.

Mr. LORCH. I have been unable to secure counsel to be present with me, for these very reasons, that in the absence of anything specific to prepare for, the counsel would have to study the entire history of the committee, the nature of the hearings, and refresh himself on all aspects of constitutional law. Surely one week's notice is not going to permit any attorney, and certainly not me as a layman, to do that.

Further, on page 5, section X of these same rules of procedure—before I go into that, sir, I would like to make this observation. For me to know what to prepare for was actually a very difficult thing. I am 10-State vice president of the NAACP. As such, I might be presumed to be interested in bringing before this committee any information which might be available concerning efforts being made to subvert the Constitution of the United States in accordance with its decision of May 17 as to antisegregation in education.

Mr. CLARDY. You know you are going deliberately far afield. Come back to the beam.

I call your attention to something which you have not read, apparently.

Mr. LORCH. O. K.

Mr. CLARDY. On the opening pages of that rule, IV, V, and VI, are set forth in explicit detail, the power of the committee, the subject into which we may explore. We do not go into extraneous matters as you have been doing.

Mr. LORCH. I am in no position to judge whether it is extraneous or not.

Mr. CLARDY. We are, and we are telling you it is extraneous. Come back to the beam.

Mr. LORCH. The IV, V, and VI include such things as any effort to subvert the Constitution of the United States. That would include such things as remarks which have been made on the floor of the Senate of the United States by Senator Eastland of the State of Mississippi, quoting the Governor of Georgia—

Mr. CLARDY. I ask he be instructed to stop that kind of an answer.

Mr. LORCH. Quoting the Governor of the State of Georgia—

Mr. CLARDY. Subside while the chairman rules on my request.

Mr. SCHERER. I will give you one more minute.

Mr. LORCH. It is no speech. I am trying to indicate things that have been troubling me.

Mr. SCHERER. We have gotten to the floor of the Senate now, in your remarks. Go ahead.

Mr. CLARDY. I may tell you there is nothing new in what you have said. We have heard it ad nauseam from Communist after Communist that have occupied the same seat you have occupied.

Mr. LORCH. I am sure you have also heard it time after time from every decent American in the country. The oppression of the Negro people is a disgrace to the entire country.

Mr. SCHERER. I will give you one more minute.

Mr. LORCH. I have no reason to share my time with Mr. Clardy.

Mr. SCHERER. I have given you one more minute.

Mr. LORCH. I believe that the fact that I have not been given anything concerning which to prepare shows that I have not been summoned in good faith, and that this therefore simply is a fishing expedition beyond the proper functions of this committee. I have other reasons I would like to refer to. It is only limitations of time which prevent me from so doing. Since I am bound by a ruling of the Chair, I cannot help but state that I shall insist that I have at any future time the right to add reasons which the chairman is now denying me the privilege of asserting.

Mr. SCHERER. All right. Now, there is a direction from the Chair that you answer the question.

Mr. LORCH. I have stated some of my reasons for—

Mr. SCHERER. Have you stated all of the reasons?

Mr. LORCH. No, sir, you have not allowed me to.

Mr. SCHERER. Are you going to invoke the fifth amendment or not?

Mr. LORCH. I have told you that I am not.

Mr. SCHERER. Proceed with the next question.

Mr. LORCH. I have not stated all of my reasons. I would like that to be clear.

Mr. CLARDY. You heard the admonition of the Chair. Will you subside, and Mr. Tavenner will proceed with the investigation.

Mr. LORCH. Sir, who is the chairman?

Mr. CLARDY. Proceed.

Mr. TAVENNER. Dr. Lorch, how did you make your trip to the convention in Philadelphia, do you recall?

Mr. LORCH. No, sir.

Mr. TAVENNER. You do not recall?

Mr. LORCH. No, sir.

Mr. TAVENNER. After you went to that convention, did you return to Cincinnati, do you recall that, immediately?

Mr. LORCH. I believe no. I had already completed my work, and the fact of the matter is I have not been in the State of Ohio except for a weekend meeting of the American Mathematical Society in all of the 13 years that have elapsed since then, until I was summoned by this committee.

Mr. TAVENNER. Now, do you recall having attended a meeting of the Communist Party in Cincinnati on July 1, just 3 days prior to the holding of the convention in Philadelphia of the American Youth Congress?

Mr. LORCH. While I could conscientiously answer that question in the negative, I desire to point out again that this question is directed toward associations and such like, and therefore is in violation of the first amendment.

Mr. SCHERER. I direct you to answer the question. The witness remains mute. Proceed with the next question.

Mr. LORCH. I will answer that no, under protest.

Mr. TAVENNER. You say that you could answer it? As a matter of fact, weren't you at a meeting at the Odd Fellows Hall in Cincinnati on July 1, 1941?

Mr. LORCH. Counsel, where were you on July 1, 1941?

Mr. SCHERER. Witness—

Mr. LORCH. Excuse me. That was intended—I apologize.

Mr. TAVENNER. If you don't recall—

Mr. LORCH. I don't recall. I phrase my answer in that way merely to point out that to be asked a question about 13 years ago is—

Mr. SCHERER. Witness, you answer the questions and don't lecture counsel. If you don't know, say you don't know.

Mr. LORCH. All right. I have no experience with these things.

Mr. CLARDY. The witness said he could answer in the negative.

Mr. TAVENNER. That is what I was trying to develop, whether he really intends to answer in the negative or not.

Mr. LORCH. Your question was whether or not I recalled having been there?

Mr. TAVENNER. Yes. Do you?

Mr. LORCH. This subpoena reached me just after I had returned from a 3,000 mile motor trip, and I am still exhausted.

Mr. TAVENNER. Did you ever attend a meeting of the Communist Party at the Odd Fellows Hall in Cincinnati?

Mr. LORCH. I have no such recollection, and I desire also to add I object to the question on the ground of the first amendment. I might as well—

Mr. TAVENNER. Your answer is you do not recall?

Mr. LORCH. Yes. My answer is not only that. My answer was, as I stated it, that I do not recall and also I object to the question on the ground that it violates the first amendment to the Constitution of the United States.

Mr. CLARDY. Again, so we may be certain that you are not invoking the provisions of the fifth amendment—

Mr. SCHERER. Witness, I am advising you that you are clearly in contempt, legal contempt of the Congress now under the two answers that you have given. There is no question about it.

Mr. LORCH. No; I am not an attorney. I have no attorney.

Mr. CLARDY. I am asking you so that you will clear the record. Let's find out if he is raising it on this particular one.

Mr. LORCH. I had in mind also earlier at the time——

Mr. SCHERER. There is no question before you, Witness. Proceed with the next question, Mr. Tavenner. I am going to run the hearing.

Mr. LORCH. I am not attempting to run the hearing.

Mr. TAVENNER. Now, you have stated you do not recall having attended a meeting, whether you attended a meeting of the Communist Party on July 1, 1941, in the Odd Fellows Hall, or that you had ever attended a meeting of the Communist Party at that place. I shall endeavor to refresh your recollection.

Were you acquainted at any time with John J. Edmiston?

Mr. LORCH. Would you care to refresh my memory on who he is, sir?

Mr. SCHERER. I am directing you to answer the question.

Mr. LORCH. I am trying to be helpful.

Mr. SCHERER. Mr. Counsel, I have directed him to answer the question. I don't want you to help him any more. It is a typical pattern of attempting to evade the committee's questions.

Mr. LORCH. I am not trying to evade the committee. I am trying to be refreshed.

Mr. SCHERER. I am directing you to answer the question.

Mr. LORCH. Repeat the question.

Mr. TAVENNER. Read the question, please.

(The pending question was read by the reporter.)

Mr. LORCH. I do not recall ever having met such a person.

Mr. TAVENNER. Were you acquainted at any time with his wife, Martha Edmiston?

Mr. LORCH. Mr. Chairman, may I ask again to be refreshed?

Mr. SCHERER. We will refresh your recollection. Mrs. Edmiston, will you step forward?

(At this point a woman came to the front of the hearing room.)

Mr. SCHERER. Will you look at this lady here?

Now, you may retire.

(At this point the woman who had proceeded to the front of the room resumed her seat.)

Mr. SCHERER. Now that your recollection has been refreshed, will you state whether you ever knew that woman?

Mr. LORCH. Mr. Chairman, it would be much more helpful to refresh my recollection if counsel would inform me as to the circumstances under which I am supposed to have known this woman.

Mr. SCHERER. Witness, I am directing you to answer the question.

Mr. LORCH. I do not recognize now the woman who was just before me.

Mr. SCHERER. Proceed with the next question.

Mr. TAVENNER. Dr. Lorch, Mr. John J. Edmiston testified before the Committee on Un-American Activities on July 12, 1950, in Washington. At that time he described a meeting of the Cincinnati section of the Communist Party as follows:

Mr. TAVENNER. Did the Cincinnati section of the Communist Party hold a meeting in the Odd Fellows Hall on July 1, 1941, and if so, what was its purpose?

Mr. EDMISTON. There was a rather important meeting of the Communist Party in Cincinnati.

Mr. TAVENNER. July 1, 1941?

Mr. EDMISTON. 1941. And that meeting was held at the Odd Fellows Hall, Room 405. It was the first meeting of the Cincinnati section membership since

the party line had changed on June 22. We remember that on that date Hitler took matters in his own hands and invaded the Soviet Union. The party line had instantly changed.

We were in Cincinnati on that date and saw the general confusion of the party members at that time which was a rather interesting thing. This then was the first meeting of the Cincinnati membership of the Communist Party since the change of the party line. Up until that time we had been against convoys. We had been against conscription. We had been for world peace. We had been against aid to imperialistic Britain. We had taken every step to discourage the American production for assistance to the allies. Now all of a sudden it changed. Now we were on the side of Soviet Russia, and we were going to work very hard as allies, and were going to bolster everything that America did to make this country the storehouse of democracy.

So at that meeting known Communist Party members in attendance were the chairman, Marjorie Dowers, the speaker, Robert Gunkel. Known Communist Party members identified by name to us and by attendance in the meetings were: Larry Moore—

Quite a few other persons are named, and among them is the name of Lee Lorch.

Does that refresh your recollection?

Mr. LORCH. I desire now to enter an objection again, Mr. Chairman, if I may, based on rule 10, page 5, of your Rules of Procedure.

Mr. SCHERER. Your objection is overruled.

Mr. LORCH. May I state it?

Mr. SCHERER. You are directed to answer.

Mr. LORCH. I desire to refuse to answer that question on the ground which I should like to have an opportunity to state briefly.

Mr. SCHERER. Your objection is overruled. You will answer the question.

Mr. CLARDY. You may take it for granted we are familiar with the rules. You need not read them to us.

Mr. LORCH. I am not attempting to lecture you on your own rules. I am seeking their protection.

Mr. SCHERER. Proceed with the next question.

Mr. LORCH. I want to be sure, Mr. Chairman, there is entered into the record my objection to this question, as well as the objection to the whole proceedings to which I am being subjected, and I add now with particular reference to section 10 of the rules as protecting me at this point. Section 10 provides that persons who had been named should be so informed, which I have never been. I have never been informed as having been named before this committee, and these rules provide that a person so named is entitled to be notified by registered mail within 15 days afterward. I have never had any communication from this committee until I was summoned before it today without any statement as to why I was to be here or matters as to which I was to testify.

Mr. TAVENNER. Had you prior to this time learned that you had been identified before the Committee on Un-American Activities as having been a member of the Communist Party? Didn't you know that? Didn't you? Please answer the question.

Mr. LORCH. I learned that night before last.

Mr. TAVENNER. For the first time?

Mr. LORCH. Yes, sir.

Mr. TAVENNER. You had never heard of it before?

Mr. LORCH. Sir, I wish to make this observation. This committee is not responsible for what I may or may not hear. This committee is responsible to protect me by the proper observance of its own rules.

These rules prescribe that the committee shall notify me. The committee has never so done.

Mr. TAVENNER. Now, will you answer my question? Didn't you know prior to night before last, or prior to your being subpoenaed, that you had been named as a former Communist Party member before the Committee on Un-American Activities?

Mr. LORCH. I do not recall having had such information at an earlier date.

Mr. SCHERER. Now, you say you do not recall having such information.

Mr. LORCH. 1950 is more than 4 years ago.

Mr. SCHERER. A few minutes ago, Witness, you said you did not know that you had been so identified before this committee prior to last night.

Mr. LORCH. No, sir; I did not so—

Mr. SCHERER. I submit the record speaks for itself.

Mr. LORCH. Have him read the record.

Mr. SCHERER. Proceed with the next question.

Mr. TAVENNER. You also stated in the earlier part of your testimony that you had no recollection of the means of travel to the convention which you admitted having attended of the American Youth Congress just a few days after the Communist Party meeting I had referred to. Mrs. Martha Nichols Edmiston, the person who came forward here just a moment ago, and whom you saw, testified before this committee on July 13, 1950.

Mr. LORCH. What year was that?

Mr. TAVENNER. July 13, 1950.

Mr. TAVENNER. Did you attend a meeting of the American Youth Congress held in Philadelphia July 3, 4, and 5, 1941?

Mrs. EDMISTON. Yes; I did.

Then she proceeded to describe the manner and the means of travel that she had.

In the car in which I went, there were Joanne Moore, Young Communist League, Communist Party member; Lee Lorch, Communist Party member who went as a delegate from the Teachers' Union to which he belonged in Cincinnati. Lee, according to his own statement, stood high in the party.

Mr. LORCH. Whew!

Mr. TAVENNER. Now, is there anything incorrect about that statement? You expressed amazement or concern. Is there anything incorrect?

Mr. LORCH. The last sentence strikes me as most amazing.

Mr. TAVENNER. Is there anything untrue about it?

Mr. LORCH. I certainly could never have made such a statement. I have no recollection.

Mr. CLARDY. You certainly what?

Mr. LORCH. I certainly have no recollection that I could have ever made such a statement even, "stood high."

Mr. SCHERER. May I interrupt? Is anything that Mrs. Edmiston said in her testimony, as just read to you by Mr. Tavenner, untrue?

Mr. SCHERER. Is anything she said untrue? I ask you to say yes timony.

Mr. SCHERER. Is anything she said untrue? I ask you to say yes or no, and then you will have a right to say which portion of it is untrue.

Mr. LORCH. I believe that probably most of it is untrue.

Mr. SCHERER. You said that you believe that most of it is untrue?

Mr. LORCH. Yes, sir.

Mr. SCHERER. Is there any part of that statement untrue and, if so, what part is untrue?

Mr. LORCH. This woman made some allegations about some people that I certainly have no information about. For example, she ascribed—

Mr. SCHERER. Witness, you are not answering my question.

Mr. LORCH. I am. I am trying to state the statement as I remember it.

Mr. SCHERER. I am asking if any portion of that statement is untrue, and state what portion of it is untrue. Read it again, carefully, Mr. Tavenner.

Mr. TAVENNER (reading):

In the car in which I went, there were: Joanne Moore, Young Communist League, Communist Party member; Lee Lorch, Communist Party—

Mr. LORCH. Would you stop, please?

Mr. SCHERER. All right. He asked to stop. Is any part of that statement untrue?

Mr. LORCH. I have no reason to believe that her statement concerned the person named is true. I certainly have no recollection that it is true, nor would I have had any way of knowing whether it was true or not.

Mr. TAVENNER. You just don't know?

Mr. LORCH. Yes, but I don't want to be put in a position here of appearing to agree to statements that are just by default. I certainly cannot vouch for any, for the accuracy of that statement.

Mr. TAVENNER. Let me break it down.

Mr. LORCH. O.K.

Mr. TAVENNER. You were acquainted with Joanne Moore, were you not?

Mr. LORCH. I have met such a person, yes.

Mr. TAVENNER. Was she a member of the Communist Party, to your knowledge?

Mr. LORCH. Not so far as I know.

Mr. TAVENNER. Did you ever attend a Communist Party meeting with her?

Mr. LORCH. I am in an awful fix here—

Mr. SCHERER. If you know that—

Mr. LORCH. Mr. Chairman—

Mr. SCHERER. Wait a minute, witness, I don't want a speech. Did you or did you not, or don't you recall?

Mr. LORCH. I certainly don't recall ever having attended such a meeting—

Mr. SCHERER. You don't deny that you attended such a meeting?

Mr. LORCH. I still would like to point out—

Mr. SCHERER. Witness, do you deny that you attended such a meeting?

Mr. LORCH. Do I deny that I attended a meeting with her?

Mr. SCHERER. Yes.

Mr. LORCH. I am in a position to make no denials of allegations concerning these events, 13 years ago, hatched up on 1 week's notice, concerning testimony already 4 years old.

Mr. SCHERER. Ask him the next question.

Mr. TAVENNER. Did you go to the place of this convention in an automobile with Joanne Moore?

Mr. LORCH. I don't remember whether Joanne Moore was in the automobile or not. I believe I did go by automobile. A student doesn't have much money for other kinds of travel.

Mr. CLARDY. Your voice became inaudible again.

Mr. LORCH. Did counsel hear it?

Mr. TAVENNER. Yes, I heard it.

Mr. CLARDY. It is fairly important. Repeat what you said.

Mr. LORCH. Perhaps the record—

Mr. CLARDY. Repeat it, I said.

Mr. LORCH. It is hard to give the identical words again.

Mr. CLARDY. Put it in your own words again.

Mr. LORCH. I do not recall whether I went to that convention in company with Joanne Moore or not. I do believe I went by automobile, that being the way the students customarily traveled.

Mr. TAVENNER. You recall that the lady who appeared here in answer to the name of Martha Edmiston was in that car also, don't you?

Mr. LORCH. No; I don't recall.

Mr. TAVENNER. You don't remember that?

Mr. LORCH. No, sir.

Mr. TAVENNER. Do you remember her now after having refreshed your recollection by this testimony?

Mr. LORCH. I believe I do.

Mr. TAVENNER. You believe you do. Did she attend the convention of the American Youth Congress in Philadelphia?

Mr. LORCH. I don't recall whether I saw her there or not. I believe I must have, or else this would not have refreshed my recollection.

Mr. TAVENNER. Was she a member of the Communist Party to your knowledge?

Mr. LORCH. Not so far as I know.

Mr. TAVENNER. Did you ever attend a Communist Party meeting at which she was present?

Mr. LORCH. No, sir.

Mr. TAVENNER. No?

Mr. LORCH. My acquaintance with that woman, if any, is so vague that I don't even recall her face when I see her here.

Mr. TAVENNER. All right. Now, the next part to this question—

Mr. SCHERER. Did you ever attend a Communist Party meeting with anybody?

Mr. LORCH. I don't—I am going to object again to that question, sir.

Mr. SCHERER. Your objection is overruled and the same objections that you have made before will be noted in the record.

Mr. LORCH. Yes, sir; including the ones you did not allow me to state before.

Mr. SCHERER. We will include any objections you want to make. Answer the question.

Mr. LORCH. I decline on the grounds that I have advanced, and on the objections that you would not permit me to advance.

Mr. SCHERER. That did not include the fifth amendment, though?

Mr. LORCH. Well, the fifth amendment has a number of clauses in it. I presume the one you are getting at is the incrimination clause, is that right?

Mr. SCHERER. We certainly are.

Mr. LORCH. It certainly does not include that clause of the fifth amendment.

Mr. SCHERER. You are not refusing to testify on the grounds that it might tend to incriminate you?

Mr. LORCH. No, sir; I am not.

Mr. SCHERER. You are not basing your refusal on that part of the fifth amendment?

Mr. LORCH. No, sir.

Mr. CLARDY. Mr. Chairman, I think I should also tell you something at this time that you may not have noticed.

The testimony identifying you, as you have correctly stated, was given about 4 years ago. That was approximately 3 years before the rules which you are referring to, these rules were adopted. In other words, at the time you were identified, none of these rules were in existence. In fact, this was not put out until July of last year. I tell you that so you won't waste our time and your time in bringing that up again.

Mr. LORCH. I still feel entitled to the protection of these rules. I still feel the committee is bound by this, and did not act in good faith in bringing me here on a blanket subpoena without any reference to the matters concerning which I was to testify.

Mr. CLARDY. We dispute that. You are given the same protection of the rules that we give to everybody.

Mr. TAVENNER. I was directed by the chairman to read each part of this testimony to you.

The next part which I read was this:

Lee Lorch—

meaning that Lee Lorch was one of the occupants of the car

—Lee Lorch, Communist Party member, who went as a delegate from the Teachers' Union.

Now, what, if anything, is erroneous or false about that statement, if anything?

Mr. LORCH. Well, there are two items in there on which I would like to observe. As I stated before, I do not recall whether I was a delegate from the Teachers' Union or not, so I am in no position to confirm or deny that section of the testimony. Now, I presume that could easily happen.

Mr. TAVENNER. This does not refresh your recollection on that?

Mr. LORCH. No, sir, it doesn't. Further, I repeat again, I am unwilling to entertain or comment or answer anything that deals with the other clause in that sentence on the ground of numerous amendments to the Constitution of the United States, and particularly amendment No. 1.

Mr. SCHERER. But not the fifth amendment?

Mr. LORCH. Not that section of the fifth amendment.

Mr. SCHERER. Not that section of the fifth amendment.

Mr. CLARDY. That section—

Mr. SCHERER. You are not relying on that part of the section which says that it tends to incriminate you?

Mr. LORCH. That is true. I am not relying on that.

Mr. CLARDY. Witness, I think in fairness to you that I ought to interject at this time, even though I am not attempting to act as your

counsel, I think I should tell you that failure to invoke the fifth amendment when pertinent questions are asked by the counsel or by the members of the committee may get you into serious difficulty. I suggest, sir, that the only real effective legal protection that you may have, if you have any apprehensions whatever, is to invoke that section of the fifth amendment we have been discussing.

Now, I don't ask for any comments on it from you at all. I am merely making that suggestion to you so that you will understand what we are getting at. If you would like to retrace your steps and invoke that on any of the questions that have been propounded thus far, I am sure the chairman will permit you to do so.

Mr. LORCH. Thank you.

Mr. TAVENNER. Were you acquainted with a person by the name of Leonard Brooks?

Mr. LORCH. The name is not familiar.

Mr. TAVENNER. Continuing with Mrs. Edmiston's testimony, she named as a person who also occupied the car on the trip to the convention, Leonard Brooks, Communist Party member, attended as a delegate from the American Students' Union. Does that refresh your recollection as to the occupants of the car with you?

Mr. LORCH. Well, I think I understand, counsel; I have made no comment, affirmative or negative, on the occupants of the car since I am unwilling to trust my memory over a 13-year break, which has incidentally also been accompanied by a complete change of locale, method of life, and everything.

Mr. TAVENNER. I understand that. I am trying to refresh your recollection about it.

Mr. LORCH. You have been unsuccessful in refreshing my recollection.

Mr. TAVENNER. Well, do you recall now having met a person by the name of Leonard Brooks?

Mr. LORCH. I may have. I have no recollection.

Mr. TAVENNER. Do you recall a person by the name of Jean Pilver?

Mr. LORCH. No, sir.

Mr. SCHERER. The witness shook his head.

Mr. LORCH. I also added "No, sir." I remembered about the verbal side of it, too.

Mr. CLARDY. You what?

Mr. LORCH. I also said "No, sir," after I shook my head.

Mr. TAVENNER. You stated that you do recall now having known a person by the name of Martha Edmiston?

Mr. LORCH. No, sir.

Mr. TAVENNER. I understood you to so state.

Mr. LORCH. I stated that I had the impression that I may have known such a person.

Mr. TAVENNER. You still are uncertain that you have known her?

Mr. LORCH. As to whether I had actually known such a person.

Mr. TAVENNER. Now, as a matter of fact, Doctor, didn't you take her to the home of some friend of yours in Philadelphia at the time of this convention, in Philadelphia, of the American Youth Congress?

Mr. LORCH. I have no recollection of ever having done so.

Mr. CLARDY. Do you deny that you did that?

Mr. LORCH. Congressman, how can I deny something of which I have no recollection?

Mr. CLARDY. I am not answering your questions. Suppose you answer mine.

Mr. LORCH. I neither affirm nor deny. I simply do not remember.

Mr. TAVENNER. Were you acquainted with a Mr. Sidney Fox in Philadelphia?

Mr. LORCH. I believe I did know people by that name.

Mr. TAVENNER. What was his wife's name?

Mr. LORCH. I don't know.

Mr. TAVENNER. Genieve?

Mr. LORCH. I don't know.

Mr. TAVENNER. Let me see if this refreshes your recollection. Mrs. Edmiston, continuing with her testimony, was asked this question:

Did you attend a meeting at the home of Sidney and Genieve Fox, 2022 Pine Street, Philadelphia, while at this convention?

Mrs. EDMISTON. Yes; they were identified to me by Lee Lorch as Communist Party members, as were the other people who were gathered in their house, to whom I was only introduced by their first names. Sidney and Genieve Fox had just returned from Russia, and we assembled to hear Soviet news. Lee Lorch took me in tow because I was more or less a martyr in Ohio on the petition fraud deal.

Does that refresh your recollection?

Mr. LORCH. I have no recollection of the episode to which she refers. I will state this: I believe she lied in making the statement that I had asserted, that persons you mentioned are Communists.

Mr. TAVENNER. You believe she did?

Mr. LORCH. I believe she must have lied, yes.

Mr. TAVENNER. Now, there can't be any in-between position on this thing. You either know she lied in your own opinion, or you don't know it, because you don't admit even having gone to the place.

Mr. LORCH. That is true, and that is why I have the opinion she lied, among other things.

Mr. TAVENNER. What other things?

Mr. LORCH. I could certainly not have made such a statement about another person.

Mr. CLARDY. May I ask another question?

Mr. SCHERER. You certainly may.

Mr. CLARDY. Witness, you have failed to recollect practically all of the circumstances that have been related by counsel. Now, having failed to recollect, at least you say you did, as the chairman reminds me, and assuming that that is the fact, that you do not recollect—

Mr. LORCH. It is the fact, sir.

Mr. CLARDY. Very well. Then, on what basis do you slander this good woman by saying you believe she lies?

Mr. LORCH. You have a number of observations in that remark that—

Mr. CLARDY. It isn't a remark. It is a question.

Mr. LORCH. You have asserted that I slandered a person.

Mr. CLARDY. You surely have. You would be the first to object if some witness took the stand and said that you lied, and you would howl from the housetops that you were being smeared and slandered. You have done that, sir, and I want to know upon what solid foundation of fact you make that statement in view of your admission that you now have no recollection of any of the incidents concerning it. It convinces me you do have a recollection or you would not have ventured the assertion that you did.

Now, my question, I will come back again: Having said you had no recollection, upon what other basis did you find that wild statement?

Mr. LORCH. Well, I am not going to answer that question because I am not willing to concede it was a wild statement.

Mr. CLARDY. All right, we will strike the word "wild."

Mr. LORCH. It certainly was a loaded question. Now, may I have the question in the form in which I am to answer it, sir?

Mr. SCHERER. I direct you to answer the question.

Mr. LORCH. May I have the question which I am to answer?

Mr. SCHERER. No; you heard the question.

Mr. CLARDY. It has been repeated at least three times.

Mr. LORCH. No, sir. It has been repeated—

Mr. CLARDY. I will put it again. I will preface it by this: You have unequivocally stated you had no recollection of any of the pertinent facts surrounding the incident about which inquiry has been made.

My question is this: What other fact, if any, did you found your statement on that she was lying?

Mr. LORCH. That fact was solely my own impression because I do not believe that I would then or now make a remark about a person's political affiliations which might endanger that person's economic status or other status in the community.

Mr. CLARDY. You do not recollect, and you will not deny, but you are willing to let stand the accusation that she lied?

Mr. LORCH. What I said was I am firmly convinced that she must have been lying.

Mr. SCHERER. Mr. Counsel, I think it should be stated for the record that Martha Edmiston and her husband were both undercover agents for the FBI, who joined the Communist Party at the request of the Federal Bureau of Investigation, and rendered a valuable service over many years to their country.

Mr. CLARDY. And whose sworn testimony has been most helpful to other efforts of the Government.

Mr. SCHERER. And has been sustained in every place and every instance in which it was used.

Mr. TAVENNER. I think, too, Mr. Chairman, I should make some reference to her statement in her testimony about being considered a martyr in Ohio on the petition fraud deal, because she had explained it earlier in her testimony. Mrs. Edmiston had been indicted along with other persons for circulation of a Communist Party petition in Franklin County, Ohio, in which there was some question about the means of concealment of the real purposes of it. As a result of that, she and other persons were indicted.

Mr. SCHERER. And at that time the authorities in Cuyohoga County did not know she was an undercover agent for the FBI within the Communist Party.

Mr. TAVENNER. That is correct.

Dr. Lorch, did you become acquainted with a person by the name of David H. Levison?

Mr. LORCH. Yes, sir, I believe I knew him, although I do wish at the present time to repeat objections on the grounds of questions going to freedom of association.

Mr. SCHERER. You are directed to answer the question, witness.

Mr. LORCH. I have.

Mr. SCHERER. Proceed, Counsel.

Mr. TAVENNER. Mr. Levison testified before the Committee on Un-American Activities, on August 8, 1950, and during the course of his testimony admitted his own former Communist Party membership, and identified you as having been a member of the Communist Party during the same period of time which we have been discussing. Do you desire to deny the identification made by him or explain it in any way?

Mr. LORCH. Your question was, do I deny the——

Mr. TAVENNER. Do you desire to deny or comment upon his identification of you?

Mr. LORCH. Well, this is a repetition only with the name of certain persons which I have refused to answer on the grounds I have already stated and not stated. I rest again on that.

Mr. TAVENNER. What were the circumstances under which you became acquainted with Mr. Levison?

Mr. LORCH. I don't recall.

Mr. TAVENNER. Did you ever attend a Communist Party meeting with him?

Mr. LORCH. Again, Mr. Counsel, I must respectfully decline to answer on the grounds that these questions go to the freedom of association clauses concerning which this committee has no right to legislate.

Mr. SCHERER. The witness is directed to answer the question. The witness is directed to answer the last question.

Mr. LORCH. I have already stated my reasons for not so answering.

Mr. CLARDY. And again on these last 2 questions, you were not, as I understand it, invoking that clause of the fifth amendment dealing with the possible self-incrimination?

Mr. LORCH. That is true.

Mr. SCHERER. Mr. Counsel, what was Mr. Levison's first name?

Mr. TAVENNER. David H. Levison.

Mr. SCHERER. You knew David H. Levison, did you not?

Mr. LORCH. I new a Levison. I presume that is the same one.

Mr. SCHERER. How long did you know David Levison?

Mr. LORCH. I don't recall how long I knew him.

Mr. SCHERER. You knew him fairly well, didn't you?

Mr. LORCH. I don't think so. This is a matter of judgment, what constitutes fairly well. I don't know. I knew him over part of the period when I was in Cincinnati, a rather short period, I might mention.

Mr. SCHERER. Over how long a period was that that you knew Levison?

Mr. LORCH. I don't remember. It was during the period I was a graduate student at the university.

Mr. SCHERER. You associated with him, did you not?

Mr. LORCH. Not intimately, sir.

Mr. SCHERER. Again that is a relative word, intimately, but you did associate with him?

Mr. LORCH. I knew him.

Mr. SCHERER. Socially?

Mr. LORCH. Well, what does the word socially mean? I presume so.

Mr. SCHERER. You mean to tell me you don't know what the word socially means with all of those degrees after your name?

Mr. LORCH. You know, when I get up before a bunch of lawyers, I begin to feel I don't know what so many words mean.

Mr. CLARDY. This is a rather small bunch. There are only two of us here.

Mr. LORCH. There is counsel.

Mr. TAVENNER. Counsel doesn't count.

Mr. SCHERER. Did you associate with Mr. Levison socially?

Mr. LORCH. Well, I believe I did in a casual way.

Mr. SCHERER. Was Mr. Levison lying as you said you believed Mrs. Edmiston was, when he identified you as a member of the Communist Party?

Mr. LORCH. This is just another repetition of the same question which I declined to answer on the same grounds.

Mr. SCHERER. Let's assume it is a repetition. Will you answer the question?

Mr. LORCH. I refuse on the same grounds stated and unstated as before.

Mr. SCHERER. You may proceed.

Mr. TAVENNER. At the time that you accepted employment with the National Advisory Committee for Aeronautics were you asked any question as to whether or not you had been a member of the Communist Party or any organization dedicated to the overthrow of the Government of the United States by force and violence?

Mr. LORCH. I recall no such questions being asked.

Mr. TAVENNER. Were you a member of the Communist Party at the time you were employed, I believe you said, for a period of 1 year, by that organization?

Mr. LORCH. I enter the same objections as before to these questions. I am not willing to have this committee in the position of being able to assail the Constitution and its safeguards for the citizenry in this fashion.

Mr. SCHERER. The witness is directed to answer.

Mr. LORCH. I refuse to answer on the ground I have just stated.

Mr. TAVENNER. Dr. Lorch, we have the testimony of Mr. John Edmiston, Martha Edmiston, David H. Levison, which up to this point has been undenied, and as to which there has been no contrary explanation, that you, while a graduate student at the University of Cincinnati, were a member of the Communist Party. Now, this committee, knowing that you have continued in the teaching profession from the time of your return from the service up until the present time, is of course anxious to know whether or not that membership in the Communist Party was continued or whether it was broken off. If it was broken off, we would like to know it.

Mr. LORCH. This committee has no confirmation from me that it ever existed, so the question should be rephrased in order to take out some of the load.

Mr. TAVENNER. I shall be glad to rephrase it. Are you a member of the Communist Party now?

Mr. LORCH. I answer that question although I regard it in violation of the Constitution of the United States. I answer it solely because I have been forced into a public hearing which might cause my institution some embarrassment. I answer that question in the negative, but under very vehement protest, sir.

Mr. TAVENNER. Were you a member of the Communist Party when you accepted your position at Fisk University in 1950?

Mr. LORCH. Again, for the purpose of safeguarding my institution, against the barrage of newspaper publicity which might accompany this, and which is intended to, by virtue of the public nature of these hearings, I answer that question, too, in the negative, but again with a protest that the committee has no right to pose such a question because of constitutional safeguards and because also of its own rules.

Mr. TAVENNER. Now, you have refused to answer the question as to whether or not you were a member of the Communist Party while employed in a very sensitive position by the Government prior to your entering the service.

Mr. LORCH. I have refused to answer it on grounds which are intended to protect the Constitution of the United States, sir.

Mr. TAVENNER. Let me ask you, whether on your return from the Army in 1946 you became also identified at any time with the Communist Party or became a member of the Communist Party after 1946?

Mr. LORCH. I am going to refuse again, sir, and I am sure you must have anticipated, to answer this question on the ground stated before. I will not answer any such questions prior to my association with my present employment. As I told you, I answered that not because I regard it, that the question was a legitimate question, but solely in order to minimize the unfortunate publicity which this committee knows will result from this public hearing.

Mr. TAVENNER. Now, you were employed in a university in Pennsylvania, I believe—

Mr. LORCH. Pennsylvania State College.

Mr. TAVENNER. Pennsylvania State College, prior to your employment at Fisk?

Mr. LORCH. Yes.

Mr. TAVENNER. Were you a member of the Communist Party at any time while you were teaching at Pennsylvania State College?

Mr. LORCH. Well, I submit that I have already answered that question, or rather indicated that I will not answer it on the grounds that I have stated, and the chairman has occasionally allowed me to state.

Mr. TAVENNER. Were you a member of the Communist Party at any time while you were a member of the faculty at New York City College?

Mr. LORCH. I repeat my declination, sir.

Mr. TAVENNER. For the same reason?

Mr. LORCH. Yes.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. SCHERER. Pardon me?

Mr. CLARDY. No questions.

Mr. SCHERER. The witness is excused.

(Witness was excused.)

Mr. TAVENNER. Mr. Robert Metcalf, will you come forward, please?

Mr. SCHERER. Before you sit down, will you raise your right hand?

Do you solemnly swear that the testimony you are about to give at this hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. METCALF. I do.

Mr. SCHERER. Be seated.

Mr. TAVENNER. Now, what is your name, please, sir?

TESTIMONY OF ROBERT M. METCALF

Mr. METCALF. Robert M. Metcalf.

Mr. TAVENNER. Mr. Metcalf, you are familiar with the rules of the committee with respect to the right of a witness to have counsel—

Mr. SCHERER. Pardon me just a moment. Let the press get their pictures, and then you will kindly desist, gentlemen of the press.

Mr. TAVENNER. Mr. Metcalf, you are familiar, are you not, with the rule of the committee that the witness is entitled to have counsel with him if he so desires or consult counsel during the course of the investigation?

Mr. METCALF. That is correct.

Mr. TAVENNER. When and where were you born?

Mr. METCALF. Springfield, Ohio, December 23, 1902.

Mr. TAVENNER. Where do you now reside?

Mr. SCHERER. Just a moment. It is hard to hear.

Mr. TAVENNER. I am not certain whether he answered the question.

Mr. METCALF. I said December 23, 1902.

Mr. TAVENNER. Where do you now reside?

Mr. METCALF. Yellow Springs.

Mr. TAVENNER. What is your profession?

Mr. METCALF. I am both a stained glass artist and a professor at the college, Antioch College.

Mr. TAVENNER. What department of the college is it in which you teach?

Mr. METCALF. Art and esthetics.

Mr. TAVENNER. How long have you been a teacher at that college?

Mr. METCALF. Since 1945.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. METCALF. I went to Wittenberg College in Springfield part of the time, and the Pennsylvania Academy of Fine Arts in Philadelphia.

Mr. TAVENNER. What has been your major employment since the completion of your educational training?

Mr. METCALF. Up until 1934 I was a stained glass artist primarily. In 1934 I went to the Art Institute in Dayton, and head the Decorative Arts Department there. More?

Mr. TAVENNER. Well, we want a fairly accurate background.

Mr. METCALF. I was at the institute up until, I was in Europe 14 months, the better part of 2 years in 1938 and 1939. on a special project, traveling around and photographing all the old windows in color.

I returned, was at the institute for a while, and then at the start of or after the war started, I was at Wright Field in the capacity of an artist. When I left Wright Field I went to Antioch College.

Mr. TAVENNER. Will you state whether or not, to your knowledge, there has been at any time an organized group of the Communist Party in Yellow Springs?

Mr. METCALF. It is a difficult question to answer. Technically, I suppose you would say "yes."

Mr. TAVENNER. Will you explain you answer, please?

Mr. METCALF. I could really expedite your whole questioning if you would let me give you a picture of something, and then it would be—

Mr. TAVENNER. You may give a full and accurate picture.

Mr. METCALF. It will be full and accurate, I assure you.

Mr. SCHERER. I think he should be given full opportunity to explain his answers.

Mr. TAVENNER. Of course. In any event you would be given an opportunity to explain any answer.

Mr. METCALF. I think you will understand after I make the statement, you will understand why it is difficult to answer certain questions that you ask.

Mr. SCHERER. I think in this case you should ask the questions in the normal way and give him an opportunity to fully explain the answer. We have not allowed other witnesses to make statements, and I think we should abide by the procedures. I am sorry.

Mr. TAVENNER. You have stated that technically speaking you considered there was a Communist Party?

Mr. METCALF. That is correct.

Mr. TAVENNER. Were you a member of it?

Mr. METCALF. I was. I still would like to explain that, though.

Mr. TAVENNER. Surely.

Mr. SCHERER. You may now.

Mr. METCALF. In the latter part of 1945, or the early part of 1946, I became involved with a small group. As I understood, it would be a Marxist discussion group and not an organized part of the Communist Party. Some time later, and this information didn't come through to me personally, but there was an effort to make or to suggest that this group affiliate with the student group. I did not approve of this at all. I never do approve of indoctrination of any kind. I would have nothing to do with it.

I said that I would then immediately withdraw from any activity in such a thing, and there was one Marxist meeting held at which the whole business was disbanded, largely because, I think, all of the people felt that we were not involved with what we had started with at all. These people I never heard make any subversive remarks, and as far as I know personally those people got out of that organization at the same time that I did.

Mr. CLARDY. You said something about some student group. What was that?

Mr. METCALF. That I honestly cannot tell you. I am not refusing to tell you. I don't know whether that was a group that was in existence or about to be in existence. I knew nothing about who they were. I had no connection with that student organization.

Mr. CLARDY. What did they intend to call themselves, or what did they call themselves?

Mr. METCALF. I don't know. I honestly don't.

Mr. CLARDY. On the many campuses, there have been the Young Communist League groups.

Mr. METCALF. I would answer it, if I knew, but I don't really know what it was to be called.

Mr. SCHERER. Did you pay dues to this group?

Mr. METCALF. I guess I did. If I did, it was a very small amount, and only once. I don't know actually. Nine years is a long time. I can't really remember.

Mr. TAVENNER. Did any outside organizer come in and confer with the members?

Mr. SCHERER. As far as he knows.

Mr. METCALF. As far as I know, no. I wouldn't want to be committed to that because I might be inadvertently saying something. But I don't think so. I can't say there was or wasn't.

Mr. SCHERER. Doctor, that group was in existence at the time you joined?

Mr. METCALF. It was.

Mr. SCHERER. It was in existence?

Mr. METCALF. It was.

Mr. SCHERER. And how long it continued after you left it you don't know?

Mr. METCALF. I am not positive, but I am almost convinced that that was the very end of it, but again, I can't prove that.

Mr. CLARDY. What year was that again?

Mr. METCALF. It was somewhere in the period of 1945 and 1946. You see, it was at the end of 1945 and the beginning of 1946.

Mr. CLARDY. Did you know or did you learn as to the identity of the people who originated that group?

Mr. METCALF. Frankly, no, I didn't. You see, I was very new there at the time. I didn't know much about it. I still don't.

Mr. CLARDY. Were these all faculty members, students?

Mr. METCALF. They were a varied group of people.

Mr. CLARDY. Townspeople and others. Can you tell us who they were?

Mr. METCALF. I am afraid at this point I will have to ask you to put a letter, read it into the record. I don't know whether you want me to read it or whether you refer to it.

Mr. SCHERER. Is that your reason?

Mr. METCALF. That is my reason.

Mr. SCHERER. Would you like to read it?

Mr. METCALF. I would like to.

Mr. SCHERER. All right.

Mr. METCALF (reading):

SEPTEMBER 15, 1954.

CHAIRMAN, COMMITTEE ON UN-AMERICAN ACTIVITIES OF THE HOUSE OF
REPRESENTATIVES OF THE UNITED STATES,
City Commission Room, Municipal Building, Dayton, Ohio.

DEAR MR. CHAIRMAN: I have accepted service of the subpoena signed by you, calling for my appearance to testify at a hearing to be held by your committee on Wednesday, September 15. I assume that my testimony is required in aid of the inquiry which your committee has been conducting with reference to the beliefs, associations, and activities of individuals connected with educational institutions.

If this is the purpose of the questions which your committee proposes to put to me, I am obliged to state, most respectfully, that there is grave question whether your committee is authorized by Congress, or entitled under the Constitution, to conduct such an inquiry. This question has been underlined by the recent decision of the Supreme Court of the United States in *United States v. Rumley* (345 U. S. 41). That decision has made it clear, if indeed there ever was doubt, that the investigative process, like the legislative power to which it is an adjunct, is bound by the limits of the Constitution, including the first amendment. In the light of this decision, therefore, and for other reasons, the authority of your committee to inquire into the beliefs, associations, and activities of individuals connected with educational institutions is certainly not unlimited.

The basis and scope, if any, of your committee's authority to investigate educational institutions, and individuals connected therewith, presents a fundamental and far-reaching legal question. I have no desire to restrict my testimony before your committee for the purpose of precipitating a judicial test. Believing as I do, however, that the inquiry is beyond the powers of your committee, and,

in any event, restricted by the Bill of Rights, I shall be constrained to decline to reply to unauthorized questions, in case answering might cause other individuals unnecessary harm or embarrassment, or would otherwise cause me to lose self-respect.

Very truly yours,

ROBERT M. METCALF.

Mr. SCHERER. Well, Doctor, with due deference to what you have read, I am going to ask you some questions and you can decline to answer on the basis of what you have stated in the memorandum.

Were there members of the faculty in this group that you have just described to us other than yourself?

Mr. METCALF. Yes.

Mr. SCHERER. Will you tell us the names of those?

Mr. METCALF. I am afraid that I will have to refer to my statement on that.

Mr. SCHERER. Well, now, I am going to have to direct you to answer.

Mr. METCALF. I then will have to refuse to answer.

Mr. SCHERER. Were there other townspeople involved in this group?

Mr. METCALF. There were.

Mr. SCHERER. Do you know who those individuals were?

Mr. METCALF. Yes, sir.

Mr. SCHERER. Will you tell us the names of those individuals?

Mr. METCALF. I will refuse to answer on the same grounds as before.

Mr. SCHERER. I am going to have to direct you to answer.

Mr. METCALF. I refuse.

Mr. SCHERER. Were there any students connected with the group?

Mr. METCALF. I will have to refuse to answer that question.

Mr. SCHERER. I have not asked the names of the students. Were there any students connected with it?

Mr. METCALF. On the same basis I will refuse since it would be a leading question.

Mr. SCHERER. I will have to direct you to answer whether there were any students.

Mr. METCALF. I refuse.

Mr. SCHERER. Do you know the names of the students that were in the group?

Mr. METCALF. I will have to refuse to answer the question. It still applies to the original question.

Mr. SCHERER. Do you know who the officers were of the group?

Mr. METCALF. There were no officers.

Mr. SCHERER. Mr. Clardy reminds me, do you know the names of the other faculty members?

Mr. METCALF. I think I will have to refuse to answer that, too.

Mr. SCHERER. I will have to ask you to answer whether you knew the names or not. This question doesn't ask you to tell us the names. I have asked you that question.

Mr. METCALF. O. K. Yes, I know.

Mr. SCHERER. Doctor, I can appreciate your feelings, but every day in hundreds of courtrooms and in hearings such as this, individuals are called to give testimony, subpoenaed to give testimony. I imagine most of those witnesses dislike to give the testimony that they are asked to give under oath. But you can see that our whole judicial procedure and the procedures of the investigating committees of Congress would fail if individuals would say that they do not want to give in-

formation for whatever reason it might be. When you are subpoenaed, either in a hearing such as this or in a courtroom, the responsibility then passes from you to the people represented by the court, in this case the people represented by this congressional committee.

I respectfully advise you that there is no basis for your refusing to answer with reference to information that you have concerning the activities about which we ask you, or the identity of individuals connected with such activities, and that it amounts to contempt. You understand that?

Mr. METCALF. I understand it thoroughly.

Mr. SCHERER. I believe that it was suggested to you that you consult counsel about your position before coming here today.

Mr. METCALF. I consulted counsel.

Mr. SCHERER. You still want to maintain that position?

Mr. METCALF. I still have the only possible moral position I can maintain.

Mr. SCHERER. All right.

Mr. TAVENNER. How many persons were in this group or unit that you have described?

Mr. CLARDY. Mr. Chairman, may I ask the question be withdrawn? I have a question I would like to put to the witness.

Mr. SCHERER. Is that all right with counsel?

Mr. TAVENNER. Yes, sir.

Mr. CLARDY. Witness, I am constrained to say at the outset that your calm demeanor and your refusal to engage in the histrionics some of them do when they take the stand is refreshing, and appreciate it. I think I understand probably more than you may think I do what is running through your mind, even though I may differ from every standpoint. But, I am wondering whether the information which we consider would be most helpful to your Government, I wonder if you would be willing to give that to us in an executive session.

Mr. METCALF. No, this is purely moral basis. Let me put it this way: If I felt for a minute or had any information that would indicate that these people involved were a danger to the country, subversive in any way, you wouldn't have to ask me. I would volunteer that information.

Mr. CLARDY. May I interrupt you, sir?

Mr. METCALF. Yes, sir.

Mr. CLARDY. You are unquestionably a man of integrity, a man of honor and honesty, a man of some importance in your community and in your profession. But, may I point out to you, sir, that when you arrogate to yourself the problem of deciding that which is confined to your Government and to your Congress, namely, to decide whether or not the movements or the persons or the ideas about which you have knowledge are or are not dangerous to your country, you are getting far out of your field. It is not within your province to make that decision. And if what you say and if the reason you advance should be accepted universally, then law enforcement in this Nation would completely collapse. It would be anarchy because it would amount to each individual saying and announcing I shall abide by those laws I wish to abide by; I shall interpret them as I see fit; I shall live under them as I think proper, and no man, not even the constituted authorities of the Nation may challenge me.

Now, you are a man of considerable education, sir. You have had the advantage, as we have, of going to college, but your field was entirely different from our own. I submit that you should reexamine your conscience and your mind and give us the information that we seek.

I say that because, distasteful as this is, many times we are compelled to do that which we dislike when a witness as you in this instance have indicated, actually knows the identity of persons and information about movements, but refuse, after admitting that, to go beyond it and give us the identities. You place us in a position where we are forced and compelled to take steps that we dislike very much to take, and especially in your case because of your behavior and because of your attitude generally, and because of the kind of person that I think you are.

Now, I beg you to reconsider and it could be done in executive session. It would be just as helpful to us there as in an open session.

Mr. METCALF. I am afraid I will have to explain my own moral point of view slightly to you.

Mr. CLARDY. Before you do so, may I point out that courts of the United States have utterly, absolutely, and completely rejected any claim of a moral compulsion as justification for refusal to answer questions of the kind that have been propounded to you.

Mr. METCALF. In that case, then, I will refuse to give any testimony even in executive session.

Mr. SCHERER. Did you say in executive session also?

Mr. METCALF. I will refuse to do that.

Mr. SCHERER. Do you have any more questions?

Mr. TAVENNER. The question I asked a moment ago was, How many persons constituted this group in its entirety?

Mr. METCALF. About 10. I am not positive. Ten, I think it was.

Mr. TAVENNER. You may be in error by a few one way or the other?

Mr. METCALF. Yes, but it is not important, the difference.

Mr. TAVENNER. As nearly as you can estimate it, it was 10?

Mr. METCALF. That is correct.

Mr. TAVENNER. I have no further questions.

Mr. CLARDY. I have no further questions.

Mr. SCHERER. That is all. You are excused.

(Witness was excused.)

Mr. TAVENNER. Mr. John Ober, will you come forward, please?

TESTIMONY OF JOHN OBER

Mr. SCHERER. Do you solemnly swear the testimony you are about to give at this hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. OBER. Yes, I do. I ask that the rule be invoked.

Mr. CLARDY. We will take care of that.

Mr. SCHERER. No more pictures now.

Mr. TAVENNER. What is your name, please, sir?

Mr. OBER. John Ober.

Mr. TAVENNER. When and where were you born, Mr. Ober?

Mr. OBER. I was born on January 8, 1918, in Brooklyn, N. Y.

Mr. TAVENNER. Where do you now reside?

Mr. OBER. I reside in Chagrin Falls, Ohio.

Mr. TAVENNER. What is your profession?

Mr. OBER. I am an attorney at law.

Mr. TAVENNER. Will you tell the committee, please, briefly, what formal education has been?

Mr. OBER. My education has gone through college, graduating with a bachelor of science and mechanical engineering, and then after that, law school with a law degree.

Mr. TAVENNER. Where did you take your academic work, your engineering work?

Mr. OBER. That was at Antioch College.

Mr. TAVENNER. And where did you take your law work?

Mr. OBER. That was at the University of Cincinnati.

Mr. TAVENNER. Were you a member of the Armed Forces during the period of the war?

Mr. OBER. Yes, I was.

Mr. TAVENNER. When did you enter the Armed Forces and when were you discharged?

Mr. OBER. I entered approximately, sometime in March 1941, and was discharged in the spring of 1946.

Mr. TAVENNER. What rank did you attain?

Mr. OBER. I was a major.

Mr. TAVENNER. The committee has received evidence here, and you have indicated a willingness and desire to tell the committee the facts regarding it, as to former Communist Party membership on your part.

Were you a member of the Communist Party at any time?

Mr. OBER. I was, sir.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. OBER. I certainly ain not.

Mr. TAVENNER. When did you withdraw from the Communist Party?

Mr. OBER. I will have to answer the question this way. I made no active demonstration of a method of withdrawal. I just ceased to attend any meetings of any kind or to give any credence whatsoever to that particular doctrine.

Mr. TAVENNER. When did that take place? I mean the time when you—when would it be correct to say that you dropped out of the Communist Party?

Mr. OBER. I would say the latter part of 1946.

Mr. TAVENNER. 1946. And you have not been affiliated in any way with the Communist Party since that time?

Mr. OBER. I have not, sir.

Mr. TAVENNER. Well, the committee would like to know whether your withdrawal from the Communist Party has meant an absolute severance of all connections and associations with the party as such?

Mr. OBER. It has.

Mr. TAVENNER. What group of the Communist Party was it of which you became a member?

Mr. OBER. The only way I can classify it is by saying it was the Communist Party that was in existence here in Dayton.

Mr. TAVENNER. When did you become a member of the Communist Party in Dayton?

Mr. OBER. That would be some time in the spring of 1946.

Mr. TAVENNER. Did you engage in any particular activity of the Communist Party while you were a member?

Mr. OBER. No, sir.

Mr. TAVENNER. Well, now, if I understand this correctly, you became a member in 1946?

Mr. OBER. That is true.

Mr. TAVENNER. And you dropped out in what year?

Mr. OBER. I would still say that would be 1946.

Mr. TAVENNER. 1946.

Do you know whether or not, or did you learn that Communist Party dues had been paid for you for a period of time after you had actually dropped out of the party?

Mr. OBER. Yes, I do know that fact, by having it told to me.

Mr. TAVENNER. That will appear later on in the testimony, I think, here before the committee.

Mr. OBER. It is something I cannot testify.

Mr. TAVENNER. There is no mystery about that. We will explain it. Now, did you have any association with communism in any form prior to your becoming a party member here in Dayton in 1946?

Mr. OBER. Yes, sir, I did.

Mr. TAVENNER. What was that?

Mr. OBER. That was an association with the Young Communist League that was in existence at Antioch College when I was there.

Mr. TAVENNER. When were you a student at Antioch College?

Mr. OBER. I left Antioch in 1941.

Mr. TAVENNER. How many years while you were at Antioch were you affiliated with such an organization?

Mr. OBER. All of that would have occurred during my last year at Antioch as a student.

Mr. TAVENNER. During your senior year?

Mr. OBER. That is correct, sir.

Mr. TAVENNER. Do you know whether an organization, the Young Communist League, was in existence there as an organized group prior to your senior year?

Mr. OBER. I have no information on that other than to say that of course it was in existence at the time I became affiliated with it.

Mr. TAVENNER. What part of the school year was it that you became a member?

Mr. OBER. My best judgment of that would be sometime in the fall of 1940.

Mr. TAVENNER. In the fall?

Mr. OBER. Late fall, the winter almost, probably.

Mr. TAVENNER. Have you had any occasion to learn or to acquire any facts regarding the continued existence of that organization after your graduation in 1941?

Mr. OBER. No, sir, I know nothing about that organization whatsoever as it existed in Yellow Springs after I left.

Mr. TAVENNER. May I ask you this: What bearing did your membership in that Young Communist League while a senior at college have in your later becoming a member of the Communist Party in Dayton?

Mr. OBER. I can only assume that is where my name was obtained originally, from the year of 1940 or 1941, and that is where I was contacted later on in 1946. I don't know that, but that is my assumption.

Mr. TAVENNER. Who was it that contacted you to become a member in Dayton?

Mr. OBER. 1946?

Mr. TAVENNER. Yes.

Mr. OBER. I will have to answer the question this way: I was contacted twice with reference to that subject. Now, it could be that I have gotten the individuals reversed. One could have been first and I am saying that it was second, or the other way around. To the best of my knowledge, I was contacted originally in 1946 by a man by the name of McMurphy or McMurray. I am not certain.

Mr. TAVENNER. One man was named McMurray and the other McMurphy?

Mr. OBER. No, this is the man in 1946.

Mr. TAVENNER. You are uncertain as to the exact name?

Mr. OBER. That is correct.

Mr. TAVENNER. What was the name of the other person?

Mr. OBER. The name of the other person was Louis Secundy.

Mr. CLARDY. You had better spell that.

Mr. OBER. I am sorry. Your guess is as good as mine.

Mr. TAVENNER. He was the paid functionary of the Communist Party in this area at that time, was he not?

Mr. OBER. That was his information to me.

Mr. TAVENNER. Mr. Chairman, the spelling of the first name, as we have it is L-o-u-i-s, and S-e-c-u-n-d-y.

Mr. CLARDY. Does that sound all right? Does that sound all right to you?

Mr. OBER. I am willing to accept it.

Mr. TAVENNER. Let us go back to your experience in the Young Communist League group in Yellow Springs. What was the strength of the membership of that group?

Mr. OBER. My best recollection would probably be somewhere between 7 or 8, or around that number.

Mr. TAVENNER. Will you tell the committee, please, how you became interested in that, in joining that organization, or how you were induced to become a member of it, if you recall?

Mr. OBER. I wasn't induced in any way, actually. The story of how I originally became interested was strictly nonpolitical. I was interested in a girl that happened to be a member of it, period.

Mr. TAVENNER. That is a better reason than a great many have had for joining.

Mr. SCHERER. That is the first time we have heard that reason.

Mr. CLARDY. It is the only good one we have heard.

Mr. OBER. I thought it was a good one, sir.

Mr. TAVENNER. Will you tell the committee what you can about the activities of that group, where they met, and how they met, and what functions they performed?

Mr. OBER. The activities of the Young Communist League at Antioch College when I knew it were simply one thing. That was the conduct or conduction of a so-called Marxist study group, which was a group gathered for the purpose, or stated purpose, and avowed, actually, of going through the doctrine of Marxian economics. They used books and reference material in that connection. The meetings occurred at what was known then as the main girls' dormitory. I have no knowledge of what it is now. It was held in the girls' parlors,

which parlors were used frequently as public meeting places for all types of meetings, and also used for social purposes.

The conduct of those classes was entirely open. They were advertised as open meetings, posted as such on the bulletin boards, and I never knew them to be conducted in any other way.

Mr. CLARDY. Did that study group go into the Communist Manifesto and the other things that followed along since then?

Mr. OBER. All I can say to you, Mr. Congressman, is there were various Communist writers. I assume, although I have no specific memory, that the manifesto was.

Mr. CLARDY. Das Kapital?

Mr. OBER. Kapital was certainly included.

Mr. TAVENNER. Was this group supervised by any functionary of the Communist Party from the outside?

Mr. OBER. It was, sir. It was completely, to my knowledge, completely organized, run and operated by one particular individual who had no connection whatsoever with Antioch College that I know of.

Mr. TAVENNER. Who was that individual?

Mr. OBER. A man by the name of Herbert Reed.

Mr. TAVENNER. He was an organizer of the Communist Party, I believe.

Mr. OBER. That is the way he identified himself.

Mr. TAVENNER. Did he attend many of the meetings that were held?

Mr. OBER. As far as I can remember, he attended all of them.

Mr. TAVENNER. Did he on occasions bring in lectures on subjects of communism for your meetings?

Mr. OBER. There were 1 or 2 instances of such a thing; yes.

Mr. TAVENNER. Can you recall at this time who those speakers were?

Mr. OBER. No, sir; I cannot tell you who those persons might be.

Mr. CLARDY. Pretty dull stuff, wasn't it?

Mr. OBER. Well, if I had a better memory of the individual speakers, I might be able to answer you better on that.

Mr. CLARDY. I gather you had your mind on something else most of the time anyway?

Mr. OBER. That is a good assumption.

Mr. CLARDY. I trust that you are not getting into trouble at home by what you say here?

Mr. OBER. I will have to leave that to the lady, sir.

Mr. TAVENNER. Did you pay dues?

Mr. OBER. I have no specific memory of paying any dues to the Young Communist League. The only memory I have on money whatsoever is I know that collections were taken presumably for the purpose of paying Mr. Reed's expenses for the trip coming and going from the college.

Mr. SCHERER. Coming from where?

Mr. OBER. I am not certain of that. It was a town around this neighborhood, that is all I can tell you.

Mr. TAVENNER. Was your group organized in the sense that it had a president or chairman, and a secretary and a treasurer?

Mr. OBER. I would say this, it had a nominal chairman. As far as I know, his functions were practically nonexistent. Mr. Reed was the real functionary and leader of the group.

Mr. TAVENNER. I believe there is not a graduate department of the college, is there?

Mr. OBER. During the time I was there, Antioch had no graduate school.

Mr. TAVENNER. Was there any member of the faculty who engaged as a counselor of this group?

Mr. OBER. No, sir; I never saw a faculty member at any meeting whatsoever of that type that I attended, nor did I have any knowledge whatsoever of the faculty or the administration of Antioch College being in any way connected with that group.

Mr. TAVENNER. Was this group of 10 confined purely to students in the college?

Mr. OBER. Students, plus Mr. Reed.

Mr. TAVENNER. I am not going to ask you to give at this time in public session the names of all the students who were members of that group without our having had an opportunity to conduct further investigation, see what has become of them, where they are, and whether they, like yourself, drifted off into the Communist Party after leaving school.

Mr. OBER. I would like to say this right now, Mr. Chairman, as far as Mr. Tavenner's remark is concerned, I appreciate that remark very much, because I must say I have no knowledge whatsoever of what has happened to any of these people in the succeeding years. They may be as far from the subject as I am.

Mr. SCHERER. They will be taken in executive session.

Mr. TAVENNER. Yes. I do think that we are justified in asking the witness to give us the names of the leaders of this group. I think that is a different thing from the rank-and-file membership. However, whatever the committee says about it.

Mr. SCHERER. I think until we conduct——

Mr. CLARDY. Have you listed all of the hard core professionals, so to speak, so far?

Mr. SCHERER. Just the one leader, only a group of 10.

Mr. OBER. Less than that, I would say.

Mr. SCHERER. I direct that they be given in executive session until we have had time to check on each one.

Mr. TAVENNER. Will you tell the committee, please, what Communist Party activities you observed while a member of the party during the year 1946 in the city of Dayton?

Mr. OBER. I have no great observation of any Communist Party activities during that period other than the fact that I remember specifically a meeting that I attended, and at least by the statement of the person who originally asked me to come, he was conducting similar classes to those that had been conducted at Antioch, namely, about economic and political classes.

Mr. TAVENNER. How many meetings did you attend, do you think?

Mr. OBER. I hesitate to give any statement on that. The only specific memory I have of a particular meeting is this one where it was accompanied by somewhat of a turmoil, and simply for that reason it is more or less marked in my memory.

Mr. TAVENNER. Was this group of the party to which you were assigned, did it have a name or designation?

Mr. OBER. I have to answer that somewhat indefinitely, because I believe, in my memory, it was called the City Branch. I am not too certain about that.

Mr. TAVENNER. Well, our testimony has been that some time during the year 1946 the Communist Party of Dayton was divided into five sections. Prior to that it had all been 1 group, and those 5 sections consisted of the city group, the amalgamated group, the Frigidaire group, and others.

Now, had it been broken down into groups at the time you were a member?

Mr. OBER. I can only say "Yes." I have no knowledge of other organizations other than the fact I was, by somebody's order, assigned to one branch. I assume there were others to go with it.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. SCHERER. Do you have any questions?

Mr. CLARDY. No questions.

Mr. SCHERER. Thank you very much for your cooperation.

(Witness was excused.)

Mr. TAVENNER. Bebe Ober.

Mr. SCHERER. Will you raise your hand, please?

Do you solemnly swear the testimony you are about to give at this hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. OBER. I do.

Mr. SCHERER. Please be seated.

You may proceed, Mr. Counsel.

Mr. TAVENNER. Will you state your name, please?

TESTIMONY OF BEBE OBER

Mrs. OBER. Bebe Ober.

Mr. TAVENNER. Are you accompanied by counsel?

Mrs. OBER. I am not too sure what he is doing over there.

Mr. OBER. I am not appearing as counsel.

Mrs. OBER. No, I don't think so.

Mr. TAVENNER. Are you a native of Dayton?

Mrs. OBER. I have lived here for some years.

Mr. TAVENNER. During what period of time did you live here?

Mrs. OBER. From about 1941—in 1941 to the very early part, I think, of 1949.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mrs. OBER. I have had only a year and one-half of college, freshman year and half my sophomore year at Antioch.

Mr. TAVENNER. After the completion of your college work did you take a position?

Mrs. OBER. Yes, I did. I had wanted to be a social worker when I was in college. I had not been able to stay to attain the degrees necessary to do that, and so when I left I came to Dayton to the union.

Mr. TAVENNER. By what union were you employed?

Mrs. OBER. I was employed by Local 801 of the UE, as an office girl.

Mr. TAVENNER. As a what?

Mrs. OBER. As an office girl.

Mr. TAVENNER. How long did that employment continue in that capacity?

Mrs. OBER. About, I would judge, and I can't be completely accurate on this, I would say a few months, maybe 6 months, something like that. I can't be real sure. It is a long time ago.

Mr. TAVENNER. As a result of your industry and your work were you elevated in the union?

Mrs. OBER. Well—

Mr. TAVENNER. To higher positions?

Mrs. OBER. I later came back to the UE in another capacity, but I worked in a shop here in Dayton also for a number of months.

Mr. TAVENNER. Will you speak just a little louder?

You worked in a shop?

Mrs. OBER. Yes. I left the 801 office to work in a plant. Then later—

Mr. TAVENNER. What was the period that you worked in a plant?

Mrs. OBER. I can only guess at that as being a few months also. I would say maybe 6 months in the 801 office, and perhaps 6 months in the plant, although I could well be off a little bit on that. That is my memory of it—about that time.

Mr. TAVENNER. When you left the shops and came back to the staff, what position did you have?

Mrs. OBER. I was called a field organizer. Now, as closely as I can place that, that would be some time, I think, in 1942. Field organizer to me meant doing a lot of what I call membership activity work. The war was then, there was a war then, and so—I don't know if you want all of this. The work which I doing was not what one would call straight organizing.

Mr. TAVENNER. Yes. We do want to understand the character of work that you were doing. Just what was the general type of work you did as an organizer during that period? I am not certain I understand.

Mrs. OBER. Well, at that time there was a considerably different climate than there is now in terms of thinking and everything else. The war was in full force, and the United Electrical Workers, the UE, for whom I was working, was I think quite proud of its war record, and I was told there were a number of Army and Navy E awards for maintaining a no-strike program, and so on. As a part of that program in the union, one of the things that I recall having worked with here in Dayton was something called a Keep Them Smiling Club, which was essentially a social group. There were a lot of women in the shops then. It gave the women some way of both having recreation and doing something for the servicemen as well, so there were servicemen's dances given, also parties of just girls which sent packages, and so on, to some of the union members who had gone to the service, and that sort of thing. That was a part of this.

I also did some help—I don't know how helpful—but it seems to me some time during that period there was an effort to organize the National Cash Register plant. I remember being out in that office some. I don't place it as to date.

Mr. TAVENNER. How long were you engaged in that type of organizational work?

Mrs. OBER. You mean working for the UE?

Mr. TAVENNER. Yes.

Mrs. OBER. As a staff member?

Mr. TAVENNER. Yes.

Mrs. OBER. Until the end of 1945.

Mr. TAVENNER. 1945. Was your work during that period confined to the city of Dayton from 1942 to 1945?

Mrs. OBER. No, it wasn't. In fact, I think more out than in Dayton.

Mr. TAVENNER. Over what area, territory, were you working?

Mrs. OBER. Well, in 1944—

Mr. TAVENNER. Just briefly.

Mrs. OBER. I worked in the upstate part of Ohio, Warren, Canton, and Mansfield, during 1944, PCA, political action campaign. I worked briefly in Indiana, briefly in Chicago, and I think in Minneapolis. Yes, in fact I know I did.

Mr. TAVENNER. Now, after that work as a field organizer was completed in 1945, what type of work did you engage in?

Mrs. OBER. I didn't do any work for the year 1946. I stayed home where I should have stood longer and had some children, and at the end of 19—let's see—approximately at the end of 1946 I again went to work on a part-time basis, part of the time a few evenings a week, and all of the time restricted hours. That is, not a full day's work. I worked in the evenings when it was possible to do so, possible to be away from home, for the Amalgamated Local of UE.

Mr. TAVENNER. What number is that?

Mrs. OBER. Local 768.

Mr. TAVENNER. Local 768 of the UE. That was in the latter part of 1946. And how long did you remain—

Mrs. OBER. In the beginning of 1947. I don't think I worked in 1946 at all, not that I recall.

Mr. TAVENNER. For how long a period of time?

Mrs. OBER. Off and on up until the early part of 1949.

Mr. TAVENNER. I think it was during that period that the Univis Lens strike occurred.

Mrs. OBER. Yes, it did.

Mr. TAVENNER. That is between 1947 and 1949. I believe it was in 1948.

Mrs. OBER. I guess so. I don't remember exactly, but I guess so.

Mr. TAVENNER. You were employed by local 768 at that time?

Mrs. OBER. Yes, on a part-time basis.

Mr. TAVENNER. The committee has received testimony that you were a member of the Communist Party in Dayton from a rather early period during—I should correct that—that you became a member of the Communist Party in Dayton. I am not certain as to the time. Is that correct?

Mrs. OBER. Yes, that is correct.

Mr. TAVENNER. When did you become a Communist Party member?

Mrs. OBER. As closely as I can pin it, I would say it would be in 1942.

Mr. TAVENNER. In 1942?

Mrs. OBER. I can't—

Mr. TAVENNER. Is that about the beginning of your employment with the UE?

Mrs. OBER. I guess it is. I don't recall that they coincided. I did go to work for the UE also in 1942.

Mr. TAVENNER. Do you recall whether you became a Communist Party member before employment or after employment?

Mrs. OBER. I would guess before, but I don't recall actually the two in relation to each other. I would think before.

Mr. TAVENNER. You would think before?

Mrs. OBER. Yes.

Mr. TAVENNER. In your judgment your membership in the Communist Party had nothing to do with your employment by the UE?

Mrs. OBER. No, not that I would know about at all. No, I couldn't say that. Other than my interest, I think that the interest in working in the plant was what gained me my employment with the UE. I don't know whether it was connected in any way.

Mr. TAVENNER. How long did you remain a member of the Communist Party?

Mrs. OBER. Well, I had no contact at all during the periods when I was away from Dayton, during the times when I worked in these other locations which I have mentioned to you. I had absolutely no contact, knew nothing about any affiliation or anything during those periods. So that as closely as I can pin it, I would say that off and on during the period when I was in Dayton, that would be a short period in 1942 when I was here, then I was away the better part of 2 or 2½ years.

Then the next recollection of any kind that I have is at the end of the war, which would be around 1945, I guess, wouldn't it?

Mr. TAVENNER. Yes.

Mrs. OBER. Being back here in Dayton on any kind of a consistent time.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. OBER. No, I am not.

Mr. TAVENNER. When did you withdraw from the Communist Party?

Mrs. OBER. I believe it was 1948, to the best of my recollection. That is the time.

Mr. TAVENNER. The committee will want to know fully the circumstances under which you terminated your Communist Party relationship. But I will not go into that at this time. We will do that a little later in your testimony.

Now, will you tell the committee, please, the circumstances under which you became a member of the Communist Party here in Dayton? What was it that led you into the Communist Party?

Mrs. OBER. Well, it was Herbert Reed who asked me to join.

Mr. TAVENNER. Herbert Reed asked you. Well, had Herbert Reed—Herbert was a functionary of the Communist Party, wasn't he?

Mrs. OBER. So I believe, yes.

Mr. TAVENNER. Had Herbert Reed gotten to the position where he had any influence over your judgment in matters of this kind prior to his asking you to become a member of the Communist Party in Dayton?

Mrs. OBER. I don't know that I understand that. Really, I think I would have to be held responsible for my own actions. I don't know that I can blame that on anybody.

Mr. TAVENNER. Yes, but what had been the opportunity prior to your joining the party here in Dayton to become acquainted with Herbert Reed?

Mrs. OBER. Well, I will be glad to tell you how he would have known me and that he would be able to be received. There is a little bit of an innuendo in that that I don't believe I agree with as being the case.

Mr. TAVENNER. Then I would like for you to explain it.

Mrs. OBER. All right.

I did meet Herbert Reed at Antioch in these Marxist study group classes. I don't think it is correct to say that because I met him there that my meeting of him there made possible the latter mistake other than I just met him as a person, if you see what I mean—

Mr. TAVENNER. I am very much interested in that. I would like to know to what extent the first mistake at Antioch might have been responsible for the second mistake in Dayton.

Mrs. OBER. That would be a very hard thing for me to pin, too. I would like to say this: It is actually in defense of the college because I feel quite strongly that the college is not responsible for the fact that Herbert Reed appeared on that campus or that certain of us went to listen to him. I don't think the college is responsible for that. The college maintained what I think was a very fair policy, and that was that students could meet any place at any time they chose on the campus of that college so long as and if they wished to advertise, so long as they had open meetings. That was the right of a student to investigate to pry into and to pursue any kind of thinking or investigation that he wanted to, and there were many, many different types of groups on that campus, everything from camera clubs and all kinds of interest groups to those which did have a certain social interest and political interest. But it was only one of many.

Mr. SCHERER. May I interrupt? Did these other groups have organizers come in and organize the students?

Mrs. OBER. Now, let me see if I can think of outside speakers.

Mr. SCHERER. I am not talking about outside speakers. All groups have outside speakers. Did other campus organizations have somebody from the outside come in and organize the groups on the campus? I agree with what you say about the university. I have no dispute about that at all. Reed was not connected, as you point out, Reed was not connected in any way with the university?

Mrs. OBER. That is right.

Mr. SCHERER. He was a Communist Party functionary. He didn't even live in Yellow Springs, did he?

Mrs. OBER. Not to my knowledge he didn't.

Mr. SCHERER. He was a paid organizer for the Communist Party, was he not?

Mrs. OBER. I believe so.

Mr. SCHERER. He came to the campus for the purpose of organizing a group of students on the campus, is that right?

Mrs. OBER. Yes, I think that would be right.

Mr. SCHERER. I was wondering whether you had a similar situation with one or more of the many other campus organizations.

Mrs. OBER. I am trying to think. I don't think of another one that I could say was identical, but I do know—I don't recall there was. I don't know that I could be real sure about it. I don't know.

Mr. SCHERER. You don't recall. Proceed.

Mr. TAVENNER. Yes. Let us inquire a little more fully about that group of the Young Communist League at the college. How many years did you belong to it?

Mrs. OBER. Well, I don't think it was years. The best of my recollection is that those study group classes were in the winter and spring, I believe. It is pretty hard. I don't know I can be that definite about the dates. My freshman year, which would have been the year of

1939 and 1940, yes, I think—I don't recall the exact number of weeks that it ran. It wasn't all of the time. It was a certain number of weeks and—

Mr. TAVENNER. How many composed the group while you were there?

Mrs. OBER. Of the study group?

Mr. TAVENNER. Yes.

Mrs. OBER. I don't know.

Mr. TAVENNER. Are you drawing a distinction between the study group and the Young Communist League, or is it all the same thing?

Mrs. OBER. I would say the study group had no kind of membership. That is, it was a group to which anyone could go and did go and listen, talk and argue, if they wanted to. It didn't have any connotation of membership, I don't believe.

Mr. TAVENNER. But it was organized and operated by the Young Communist League there, is that what you mean to say?

Mrs. OBER. Well, it was organized and operated by Herb Reed, and I don't know of the existence of a Young Communist League as such until a crisis appeared on the campus.

Mr. TAVENNER. You mean that something prior to the time that you were in this study group, there was no organization known as Young Communist League?

Mrs. OBER. Not that I knew of. Anything I know anything about was in the latter part of the year.

Mr. TAVENNER. Tell us fully about the matter that you have in mind.

Mrs. OBER. The matter that I have in mind is the fact that someone in the name of Young Communist League circulated some kind of a petition, and I do not recall the exact contents of the petition on campus, and there was a great furor about it. The college administration was quite concerned, disturbed, and disapproved of this petition which had been circulated, and it was the cause of this crisis on campus.

At that time, approximately about that time, maybe a little in advance of it, the college administration asked to have the Young Communist League represented at a meeting where they would proceed to try to straighten up this matter which they were criticizing. It was at that time that to the best of my recollection there was any attempt at organization other than the study group. Naturally, Herb Reed could not, didn't circulate the petition, although he may have introduced it, and could not appear before the faculty.

So it was an effort to have representation made, and I am one of the people who went to that meeting with the faculty and represented what was supposed to be the Young Communist League on campus to answer the questions about this petition.

Mr. TAVENNER. Now, what was the nature of this petition?

Mrs. OBER. I don't recall the actual petition from that time. I don't recall exactly what it was. I am certain there had been two petitions mentioned as of this time. One had to do with civil rights, and the other had to do with the Communist Party on the ballot, and I don't recall any more what was what.

Mr. TAVENNER. You mean to say that the administration of the school took exception to the circulation of whatever petition it was?

Mrs. OBER. They did.

Mr. TAVENNER. With the result that the Communist Party leaders were called before it, the administrative group of the college?

Mrs. OBER. Well, they weren't up until that time, as much as I recall, there weren't any leaders on campus. Up until that time the study groups had been run in the name of YCL which to my knowledge was not in existence. Therefore when somebody had to appear, when the college wanted to see what was the YCL that was doing this, then the appearance was made, and I was one of the people who appeared.

Mr. TAVENNER. What took place at that meeting?

Mrs. OBER. I don't remember very much about it other than the general tenor of the thing was disapproval on the part of the college for the circulation of whatever had been circulated and publicized. The school was taking exception to this and—would you call it chastisement—I think so, criticizing quite severely this activity.

Mr. TAVENNER. Did the organization continue to exist during your attendance at the college after that?

Mrs. OBER. I don't recall after that of being in attendance. I don't recall the rest of that year there being a group in existence.

Mr. TAVENNER. Was that your last year at the college?

Mrs. OBER. No, I was back the next fall then.

Mr. TAVENNER. Did you affiliate with the Young Communist League the next year?

Mrs. OBER. I must have, but I don't recall. The dates between—I don't know that there was one there. I don't believe there was. I don't think there was anything next year but study groups again.

Mr. TAVENNER. I am not certain whether I have asked you to tell us the number who were in the Young Communist League group there or not. If I have, answer it over again, please.

Mrs. OBER. I don't recall. There were 2 or 3 others that went at the same time I did to this meeting with the faculty, or representatives of the faculty. I think there may be 1 or 2 others, but not more than that. I don't recall.

Mr. TAVENNER. Now, I am not going to ask you to give the names in a public session of the other young people at college who were members of that group until we have had an opportunity to make further investigation.

Mrs. OBER. I am glad to hear that is the case, because I would like feel that many of those young people have come a long way away from any interest or association since then, and I think it is—

Mr. TAVENNER. It is a very disturbing thing that very shortly after your completion of that work the very people who were sponsoring it, the very person who was sponsoring the work in the college sought your membership in the Communist Party in Dayton and succeeded.

Mrs. OBER. I would call it coincidence. I again say that nobody other than myself is responsible for my mistakes. I wouldn't feel that the college or even Mr. Reed were responsible for my errors.

Mr. TAVENNER. You are personally responsible for your decision, but you may not be responsible for the chain of events which was almost certain to bring about that decision. That is one reason we are investigating these things.

Mrs. OBER. Well, I don't know. Some people grow up sooner and other people grow up later. I again feel that the fact it took me a long time to come around and grow up is not something that the college is responsible for or any other particular individual.

Mr. SCHERER. There is no attempt whatsoever to blame the college in any degree for what happened to you.

Mrs. OBER. Good.

Mr. SCHERER. I don't think that is indicated here. I think I pointed out by my questions just a few minutes ago there was an outside organizer that came in.

Mrs. OBER. Well, that is true. That is true.

Mr. TAVENNER. I am giving the credit to the ingenuity of the Communist Party in trying to organize college students.

Mr. SCHERER. That is a different thing with the faculty.

Mrs. OBER. All right.

Mr. CLARDY. It is akin to the incident that took place immediately prior to our coming to town.

By the way, I would like to get in the record—we forgot to put it in—the letter in the file from—and the envelope—may I see it? This becomes apropos to what you have just said there because it is right down the same line. We are not in any way attacking the college or blaming the college or anything of the sort any more than we are blaming the ministers in town who were sucked in, so to speak.

Mr. Chairman, I would like to have marked as an exhibit the letter of September 2, 1954, and the attached sheet which went along with it which was in this case addressed to one of the ministers and which to our knowledge was sent to the ministers generally throughout this area, the letter being signed by Sterling O. Neal, district president of district council No. 7 here in Dayton, of the UE.

I want that marked and made a part of the record because that is the letter which transmitted to the ministers in town the suggestion which in turn led to the statement that was printed, which was the subject of some testimony the other day. I want the envelope marked also.

Mr. SCHERER. It will be so received in evidence and made a part of the record.

United Electrical, Radio &
Machine Workers of America (UE)
District Council No. 7
365 W. First St., Dayton 2, Ohio

Rev. Clayton T. Rammler
212 Cushing Ave.
Dayton, Ohio

UNITED ELECTRICAL, RADIO & MACHINE WORKERS OF AMERICA (UE)

DISTRICT COUNCIL NO. 7

365 West First Street, HEMlock 5503, Dayton 2, Ohio

SEPTEMBER 2, 1954.

DEAR FRIEND: Enclosed you will find a statement adopted by the leadership of UE district No. 7 in reference to the announced investigation by the Un-American Committee in Dayton, Ohio, beginning September 13.

It is our feeling that this so-called investigation is an attempt on the part of big business and corrupt politicians to destroy the labor movement and silence the voice of the democratic forces in America.

Some expression on your part might serve to guarantee that democracy prevails instead of reaction. Let us realine our forces and give one solid blow to the enemies of the people.

Fraternally yours,

STERLING O. NEAL, *District President.*

STATEMENT OF LEADERSHIP OF DISTRICT NO. 7, UNITED ELECTRICAL, RADIO & MACHINE WORKERS OF AMERICA

In face of increased unemployment, short workweeks, inadequate housing, and the threat of an economic crisis, the Cadillac Cabinet finds itself in more and more difficulty as a result of its backward foreign policy. More and more sections of the American people are condemning the employer controlled politicians and turning their faces toward the 1954 congressional elections, to guarantee representatives for labor, the farmers, and the Negro people, small business, and others.

The planned investigation by the House Un-American Committee in the vicinity of Dayton on September 13, runs counter to the aspirations of the people for jobs, peace, and a rising standard of living in a democratic framework, and is designated to distract from their numerous grievances and drive into submission all those who challenge the disgraceful record of the 83d Congress under the Eisenhower administration.

After giving billions of dollars of the peoples' money to the huge monopolies and trusts in the form of natural resources and tax kickbacks, and refusing to enact one piece of legislation in the interest of the working people and the community as a whole, such as repeal of Taft-Hartley, \$1.25 minimum wage law, increased tax exemptions for individual income, and adequate housing program, public-works program, etc., these lawmakers fearing the wrath of the people in November, seek to distract their attention by conducting hysterical witch hunts among the labor movement and the progressive forces in America.

The recent enactment of the Butler-Brownell-Humphrey legislation, designed to give power to big business to control labor unions, behind phony jockeying around outlawing the Communist Party is proof of their sinister designs.

The labor movement and the people of Dayton and of Ohio generally must see these attacks for what they are, a drive toward monopoly control, the destruction of labor, and the people's movement. They are an attempt to give more strength to the employers in their drive for more and more profit through wage cuts and speedup in order that the threatening depression may be dumped onto the back of the working people.

In view of the fact that it was not long after this committee conducted hearings in the Detroit-Flint area, that the Kaiser-Willys and Studebaker workers were forced to take wage cuts up to 45 cents per hour. It is highly possible that General Motors and other monopolies in and around Dayton have similar plans for their workers.

Therefore, this leadership meeting of UE district No. 7, composed of its officers, executive board, staff, and local presidents, call upon the entire labor movement, the Negro people, farm organizations, professionals, small-business men, clergymen, and all other sections of the community, to put an end to these witch-hunt hearings in the interest of democracy and the welfare of the people.

We further call for all-out mobilization for political action in the coming congressional elections to defeat Congressmen Schenck, Scherer, and all their kind who serve the interest of GM and other employers as opposed to the interest of the people.

Mr. CLARDY. We don't figure that it is either fair or that it would be correct to say in the case of the college that they are responsible for your actions, Mr. Reed, or the others, or that these ministers that have been put upon, so to speak. It is important for everybody to note the devious and cunning methods that the Communist Party uses to use people of good name and good repute, as they did in the case of the ministers, to do their bidding and do their work, unconsciously many times, as happened in the instance that I was just referring to. About all you can say about the college is that, well, maybe they should have been a little more alert.

They finally got around to it, from what you said, and put the clamps on, so to speak. But even then you can't say too much about that.

Mrs. OBER. No, I think that it would be wrong for the college to say, well, people can't meet and discuss. It is right that it be open.

Mr. CLARDY. No, any college should say that no subversive group, no group advocating the overthrow of the Government by force and violence, shall have the privilege of assembling and meeting and proselytizing on the campus. The Communist Party, some of the left-wingers like Americans for Democratic Action, several of the others, advocate that the students shall have the right to be Communists, have the right to organize Communist groups, have the right to get others into it, have the right to be teachers and professors and teach our youth, and to speak on the subject of communism any way they please, despite the fact that it is a subversive movement. That is the only point that we can criticize any institution on, if they do it today.

Of course, we have had no testimony and we are not producing testimony here dealing with your college or the college that you attended, as of today. We are talking about the dead past, thank goodness.

Mr. TAVENNER. Mr. Chairman, this witness has fully cooperated with the staff by giving information within her knowledge. I don't believe she has any information beyond what she has brought out here except as to the names of those young people at the school who were members of that group with her. So I will not question her further on that subject.

Mr. SCHERER. You say she has already given the names to the staff?

Mr. TAVENNER. Yes.

Mr. SCHERER. It won't be necessary to take it in executive session.

Mr. TAVENNER. It will not be necessary to go any further with it.

I know that to the committee time is quite of the essence, and I will hurry along as rapidly as I can and not go into some matters I could have very well gone into with this witness.

Mr. CLARDY. You understand that prior commitments make it necessary for me to leave very shortly.

Mr. TAVENNER. I know that.

I believe, because of the circumstances, I will ask her to tell the committee the circumstances which led up to her decision to leave the Communist Party.

Mr. SCHERER. About how long will that take?

Mr. TAVENNER. About 10 minutes.

Mr. SCHERER. Go ahead, Mr. Tavenner.

Mr. TAVENNER. There is one matter I think I should clear up. I made the statement in the course of the testimony of Mr. Ober that I would show later on how his dues were paid at a time when he thought he dropped out of the Communist Party definitely.

Mrs. OBER. I think I am responsible for that.

Mr. TAVENNER. Tell the committee in what way.

Mrs. OBER. Well, I was approached to renew my membership or bring it up to date, or whatever it might be, and, well, I didn't know I was going against his wishes. I was straightening up the whole situation, so I did both, which I am very sorry that I did, but I did.

Mr. TAVENNER. You told the committee that it was in 1949 that you terminated your relationship with the Communist Party?

Mrs. OBER. I think it is 1948.

Mr. TAVENNER. I believe you said 1948. What led up to that action on your part?

Mrs. OBER. Well, may I say something as I answer this that will kind of—it may not be exactly—in fact, I doubt whether it is the same

opinion that the committee will hold, but it is my opinion, and in answering it I would try to clarify it.

Mr. TAVENNER. Whatever took part in your decision to leave the Communist Party we would like to know.

Mrs. OBER. All right. I think I can best clarify it by saying this: I think there were other people, too, like myself, and therefore it might clarify some of the thoughts that have gone on in their minds, and that is that I was one of the people who for a certain period when I was really tremendously interested in the union, felt that the Communist Party would help build the union. There are other people, I am sure, who have had that feeling as well. My point of departure came when I found that there is another kind of member of the Communist Party, and that is the kind that is interested in advancing the Communist Party, not the union. And when it came to show itself as being not as constructively interested in the welfare and the advancement of the union as I had believed it to be, and there became an effort to have issues brought into the union which I personally did not feel helped the union or maintained its unity, in other words, it would provoke disunity, I came to a difference of opinion with Louis Secundy, who happens to be the person I remember approaching me; at the time, I think it was close to this 1948 period, and the result was that I got into quite a violent fight and my leaving of the party at, I believe, the end of 1948.

I only recall the specifics of it because I had difficulty getting into the meeting where I wanted to go and announce my disagreement. I was told I was a year delinquent in dues and couldn't be admitted, and I don't recall just how I did achieve admittance. I got admittance, said my piece, and left, and I haven't been back since.

Mr. CLARDY. A fellow by the name of John L. Lewis thought the Communist Party could help organize and unionize. He soon discovered that it was a boa constrictor that would swallow him if he didn't do something about it, and he did.

Mr. TAVENNER. You stated that it occurred to you that the Communist Party was bringing issues into your union that didn't belong there. That is the way I understood it.

Mrs. OBER. The result of those issues, the result of it was disunity in the membership because there were issues upon which the membership were not necessarily unified or didn't necessarily need to be unified.

Mr. TAVENNER. Can you recall any specific type of issues they did bring in in which the union itself was not particularly interested?

Mrs. OBER. I don't recall the specific point that I am talking about, the specific issue, but my memory of it is that it didn't have to do with wages, hours, working conditions, or immediate legislation of the union and so on, and my recollection is that it was something about the Marshall plan, some kind of an opinion on foreign policy in which the union membership would not be united.

Mr. TAVENNER. But in which the Communist Party considered it had a great stake?

Mrs. OBER. Evidently.

Mr. TAVENNER. Mr. Chairman, I am not certain whether you were at that part of the Michigan hearings in which that very same problem was involved. The committee was successful in being able to docu-

ment that very point that this witness is making. There was discovered, as you recall, a document known as Johnson exhibit No. 1.

Mr. SCHERER. That was at Detroit.

Mr. TAVENNER. At Detroit, which was a blueprint for Communist Party action beginning in 1948. It was a result of 9 months of study by the State organization of the Communist Party for Michigan. The very point was raised in that document that the Communist Party should not concern itself so much with the issues of the union as it should consider the political questions.

Now, that is a statement that is very hard to conceive of, but here is the document. I would like to take time to read it into the record at this point, but due to the lateness of the hour I don't know whether to do it or not.

Mr. CLARDY. If you have a sentence or two, then we will have the reporter put it in in its entirety, if that is agreeable to the chairman. We were both there at the time that it was put in. We are familiar with it.

Mr. TAVENNER (reading):

Many comrades would be encouraged to volunteer to change their jobs to seek employment in large auto plants. Hundreds of additional comrades would be reenrolled in an evergrowing brigade to go out early in the morning, in the afternoon and late evenings, to sell the Michigan worker, party literature, or distribute leaflets at shops and in communities where auto workers work and live. To organize and influence the wives and children of auto workers through activities in the committee. In short, the activities of every club, section, department, commission, progressive mass organization would be directed toward helping in every way to achieve our objectives of auto concentration. No club or group of our party can grow and develop if its plans, perspective, and activity are not constantly related to reaching, influencing, and recruiting auto workers.

The key link to accomplishing our objectives in auto concentration, is a forthright recognition of the need to struggle against and overcome strong tendencies of economism which have weakened our activity. This is a deep-rooted problem of long duration which has plagued us for many years. The recent period has not been distinguished by a vigilant struggle against it.

Mr. SCHERER. In other words, the Communist Party was complaining about their membership within the union paying too much attention to the problems of the union and the welfare of the union members.

Mr. TAVENNER. Yes.

Continuing, the directive stated this:

It reveals itself most sharply in the neglect and underestimation of the party organization, unstable status of shop clubs of our party, and the alarmingly low rate of recruitment of auto workers into the party. Further evidence is our failure to fully utilize the major instruments of the party for mass education, and our acceptance of low standards of performance as our accepted norm. Our work is characterized by a continuous hesitation to undertake energetic action to move the workers into struggle on any questions outside of the immediate "practical" trade-union issues, particularly the struggle for Negro rights, defense of the 12, activity in opposition to the North Atlantic pacts and so forth. The sporadic activity to help build the Progressive Party, the poor attendance of auto workers at the Marxist Michigan School of Social Science, all flow from economist tendencies which pervades our organization. One has but to analyze the subjects of discussion at the club meetings in the past months to realize that political education, which would lead to action on the major political questions of the day, are not always the predominant feature of our meetings. All this requires an intense ideological campaign against economism through systematic study and discussion of Lenin's What Is To Be Done.

Mr. SCHERER. I think that we can substitute the entire directive at this point in the record.

RESOLUTION ON CONCENTRATION FOR DISCUSSION AT ALL CLUBS, SECTIONS, COMMISSIONS, AND DEPARTMENTS

Our Party in Michigan has a great responsibility to move the auto workers into struggle against their exploiters—the auto barons and their stooges in government. The auto monopolists are a key section of American imperialism, which seeks political and economic domination of the world, and the crushing of the People's Democracies and the Soviet Union through a predatory war.

To carry through these objectives in the face of a rapidly developing economic crisis (deepened by the Marshall plan and the reactionary foreign policy) the bourgeoisie of our country, more and more travels along the road of instituting one fascist measure after another.

An aroused, conscious working class and trade-union movement, can rally the rest of the population to defeat the drive to hunger, war, and fascism. The bourgeoisie concentrates its efforts on weakening the labor movement. It strikes out in the first place against the Communist Party seeking to behead and paralyze labor's will to struggle.

Never before has there been such a direct, ideological offensive on the part of the bourgeoisie to convince the American worker that his interests and the interests of the billionaire finance capitalists are identical. They are attempting to sell their imperialist program as a "just, noble, and necessary mission" of America which will benefit the workers. This propaganda barrage exalts the "Free Enterprise" system, as the finest, though not perfect, development of mankind. In contrast, Socialism is presented by them as a horrible prison camp, which at its best, is never equal to American capitalism with all its weaknesses.

The main instrument in their ideological campaign to divide the labor movement and corrupt sections of the white working class, is their attempt to intoxicate the American workers with attitudes of "Anglo-Saxon" chauvinist nationalism. White chauvinism has merged with and become the spearhead of the preparation and organization of fascist violence against labor and the people. They are moving every propaganda medium, spending millions to try to convince the American workers that the Communists are "foreign agents" who are trying to provoke "chaos and disorder," to destroy democratic rights, etc.

To facilitate this ideological offensive from the outside, Social Democrats, Trotskyites, labor reformists carry on simultaneously a supporting ideological offensive within the labor movement. Lenin, long ago, pointed out the role of the Social Democrats as *agents of the bourgeoisie within the ranks of the labor movement*. They are the bribed section of the labor movement who sacrifice the interests of the immense majority for a minority of the labor movement. They receive the praise, buildup, and support of the bourgeoisie in order to enhance their role.

The American bourgeoisie knows that tremendous rank and file movements can break through and move even a Social Democratic leadership. Therefore, they carry through simultaneously more direct attacks. These take the following forms:

1—Promoting divisions within the labor movement, particularly along racial lines (Negro vs. white) through a carefully executed policy of throwing Negroes out of industry, and refusing to upgrade Negroes and refusing to hire Negroes.

2—Attempting to separate the militant leadership from the trade union movement through the Taft-Hartley law, deportations, penalties within the shop, of militant committeemen, etc.

3—Direct attacks, such as fines, injunctions, protection of scabs.

4—Softening up through reduction in size, of committeemen, umpire system, no strike clauses in contract, company security clauses, etc.

Yet the bourgeoisie, assisted by the Social Democrats, have not been able to stam-pede millions of workers into hysterical mass support for their program of hunger, war and fascism. Every experience has indicated that where workers are given the proper leadership, the will to struggle breaks through and tremendous rank and file movements develop, despite the efforts of the Social Democratic leadership.

The concentration work of the Party must result in real and substantial contributions by the Party to the fight for:

1—*The people's livelihood*, including the defense of the union.

2—*People's liberty*, above all the case of the 12 and the fight for Negro rights, plus mass reactions to each attack on the liberties of the people.

3—*People's peace*, above all a mass campaign against military appropriation to supplement the North Atlantic military alliance, for friendship with

the Soviet Union, and for the opening of trade channels with the People's Democracies, China, and the Soviet Union.

4—*People's democratic advancement*, especially in terms of cementing the alliance of the labor movement with the Negro People's Liberation Struggle. Our objectives, stated broadly then, in our concentration work can be generalized as follows:

1—To stimulate the broadest united front actions of employed and unemployed auto workers, especially in the plant and local union levels, to break through the deadlocked bargaining on the 1949 economic and contract demands and to make the trusts pay for the unfolding economic crisis.

2—To strengthen the leading role of the working class in the democratic people's coalition by moving the auto workers into decisive and leading action on the political problems facing the American people, the struggle against hunger, war and fascism.

3—To heighten the unity of Negro and white workers through resolute campaigns for Negro rights, accompanied by mass education and struggle against white chauvinism.

4—To lead widespread rank and file movements in the plants and departments on the economic issues facing the workers.

5—To help build, broaden and unify a coalition of progressive forces in each department and shop and local, welded into a stable regional and national organization which will function on an all year-round basis.

6—To expose the demagogy of, and isolate the Social Democrats and reformist labor leaders. To defeat the Trotskyites in their despicable role as provocateurs and splitters of the progressive coalition.

7—To deepen the understanding of the workers in the struggle against imperialism, for socialism.

8—To decisively strengthen and build the Communist Party and raise its ideological level as the vanguard of the working class.

Our State Committee has just reviewed 9 months of concentration work by our Party, since the last State Convention. In that time our Party has increased its attention to the problems of the auto workers. The face of our Party has been presented to the auto workers to a greater degree than in the past 10 years. We have seen the development of economic struggles, dramatized in the Ford strike against speedup, despite the stifling attempts of Reuther. A beginning has been made in the development of the united front from below.

This period of time has seen the consolidation of some Party shop clubs, an improvement in the sale of Party literature, a greater utilization of the Michigan Worker as the major instrument for the concentration work. Among our comrades in auto, there is higher morale, and greater confidence in the determination of the State leadership of the Party to decisively influence the auto workers.

This resolution, based on the discussion of the State Committee, and the experiences in the past 9 months, will attempt to present some of the major problems necessary to be overcome in charting the next steps.

FOR A DRASTIC IMPROVEMENT IN THE WORK AMONG GENERAL MOTORS WORKERS

This is a precondition for further advancement in auto. GM employs 350,000 auto workers of the 1 million within the UAW. Saginaw Valley, comprising Flint, Pontiac, and Saginaw, is the heart of the GM Empire, with 150,000 auto workers. The city of Flint has some 56,000 GM workers. Flint is the key to moving the GM Division of the UAW, the division which Reuther heads and therefore the key to striking a powerful blow against Social Democracy. Whatever develops in Flint has great influence on the entire UAW.

The UAW convention exposed the weakness of our Party's industrial concentration method of work in auto. The anti-Reuther forces did not have a majority base in any one of the auto's big three. Where Party work was on a relatively higher level as in Ford, the anti-Reuther strength was greatest. In GM, our main national concentration sector, the progressives were weakest of all. Flint and Pontiac, with strong anti-Reuther forces in the past, were Reuther strongholds in this convention despite the mass dissatisfaction of the GM workers with wage cuts, increased speedup, phony umpires and frozen contracts. It's therefore clear that we need a drastic improvement in our work in auto, in the first place in our work in GM, without in any way curtailing our work in Ford which remains our main concentration point in Michigan's Wayne County.

Our leadership must face this problem and map out comprehensive proposals for continuous assistance and attention to this: The Number 1 Concentration on a State Scale.

FOR AN IDEOLOGICAL CAMPAIGN ON THE ROLE OF THE WORKING CLASS AS THE
PREREQUISITE FOR WINNING THE ENTIRE PARTY AND PROGRESSIVE MOVEMENT
FOR CONCENTRATION WORK

Experience in the last 9 months has revealed that the mobilization of the entire Party in Wayne County to carry through the concentration objectives around the Wayne County concentration on Ford, is totally inadequate. We have failed to carry through a consistent widespread ideological campaign within our Party, as the basic prerequisite for concrete organizational steps to bring about a situation in which concentrated activity among auto workers, and particularly Ford, will be the basic method of work of the entire Party. Such an ideological campaign is necessary to take our concentration work out of the realm of another "task." Gus Hall, in his article in April's Political Affairs, expresses our tasks in this regard appropriately.

"As a result of our experience, it is now clear that industrial concentration cannot be viewed as a task; it is not an assignment that you give to one section of the Party. Industrial concentration is a basic Leninist method of work for the *whole* Party. Industrial concentration means giving life to some basic Leninist concepts of a Marxist Party. It gives life to the Leninist concept of the Communist Party as the vanguard of the working class. It gives meaning to the whole idea that ours is a working-class party. It gives life to the concept that we must take hold of the main link, the link that will move everything else at the given moment.

"Industrial concentration gives content to the Leninist concept of the hegemony of the proletariat in all phases and stages of the struggle. If we agree with Lenin that 'only a class like the proletariat could rally around itself all the forces discontented with capitalism' then we must show that agreement by applying the method of industrial concentration in leading and winning the proletariat * * *

"One cannot speak seriously about replacing capitalism by socialism unless the decisive role the working class must perform in this transformation is fully grasped.

"No movement, organization, or coalition dedicated to human progress can succeed today unless the working class is an integral part, in fact, the most decisive part, of such a movement.

"The working class will *not* play this decisive role *automatically*. It must be organized, it must be *made* conscious of being a class in struggle with the capitalist class, it must be infused with political consciousness, it must be taught how to unravel the hidden forms of slavery and exploitation, it must be guided along the road to victory over its class foe. Marxism-Leninism is the key to accomplishing all these tasks. We must use this key by concentrated attention to this all-important and decisive section of the population.

"Industrial concentration is the basic method and approach toward everything we do. Issues and tactics will change, but the role of the working class in general and of the workers in basic industry in particular is a constant, permanent element in all industrial concentration plans or objectives. Industrial concentration is the *method* of the work of the Party of a 'new type'. * * *

"Finally, industrial concentration is not a seasonal occupation. It is not a method of work that we will use only for a period of time. It is a *permanent* method of work."

It is necessary to restate once again why Ford is the major concentration of Wayne County. Local 600 is the largest industrial unit in the world. The entire labor movement watches Local 600 as a barometer indicating trends in the course and policies of American labor. Local 600 has been and still remains the biggest bulwark against the domination of the labor movement by the Social Democratic leadership and policies of the UAW.

Local 600 has the largest concentration of Negro workers in America, the Foundry alone employing some 6,000 Negro workers. The plant is located in the 16th Congressional District, the largest working class district in the United States, populated by many national groups. This district alone has three heavily populated Negro communities: Inkster, Ecorse, and River Rouge. The Rouge, with its 60,000 industrial workers, the heavy concentrated population of foreign-born, and the strong progressive Negro communities, all combine to make Ford the greatest potential force for Peace, Democracy, and Socialism in Wayne County.

Such an understanding flowing from the ideological campaign would help to reorient every aspect of Party work and Party organization toward the central objectives of reaching, influencing and winning the workers in auto. It would ensure that auto would become the knowledge, concern and everyday activity of all leaders and organizations of our Party on all levels. It would assist all

clubs of the Party to undertake specific responsibility with regard to the main concentration of Wayne County, Ford, and to the miscellaneous Auto Section. Clubs would strive to recruit shop workers, with the aim of changing the composition of many community and nationality clubs to embrace a majority of auto workers and their families.

Many comrades would be encouraged to volunteer to change their jobs to seek employment in large auto plants. Hundreds of additional comrades would be reenrolled in an ever growing brigade to go out early in the morning, in the afternoon and late evenings, to sell the Michigan Worker, Party literature or distribute leaflets at shops and in communities where auto workers work and live. To organize and influence the wives and children of auto workers through activities in the communities. In short, the activities of every club, section, department, commission, progressive mass organization would be directed toward helping in every way to achieve our objectives of Auto Concentration. No club or group of our Party can grow and develop if its plans, perspective and activity are not constantly related to reaching, influencing and recruiting auto workers.

FOR A STRUGGLE AGAINST STRONG TENDENCIES OF ECONOMISM WHICH ENDANGERS OUR WORK IN THE TRADE-UNION MOVEMENT

The key link to accomplishing our objectives in auto concentration, is a forthright recognition of the need to struggle against and overcome strong tendencies of Economism which have weakened our activity. This is a deep rooted problem of long duration which has plagued us for many years. The recent period has not been distinguished by a vigilant struggle against it. Too much of our Party work and activity is confined to narrow trade-union issues.

It reveals itself most sharply in the neglect and underestimation of the Party organization, unstable status of the shop clubs of our Party, and the alarmingly low rate of recruitment of auto workers *into the Party*. Further evidence is our failure to fully utilize the major instruments of the Party for mass education, and our acceptance of low standards of performance as our accepted norm. Our work is characterized by a continuous hesitation to undertake energetic action to move the workers into struggle on any questions outside of the immediate "practical" trade union issues, particularly the struggle for Negro rights, Defense of the 12, activity in opposition to the North Atlantic Pact, etc. The sporadic activity to help build the Progressive Party, the poor attendance of auto workers at the Marxist Michigan School of Social Science, all flow from Economist tendencies which pervades our organization. One has but to analyze the subjects of discussion at the club meetings in the past months to realize that political education, which would lead to action on the major political questions of the day, are not always the predominant feature of our meetings. All this requires an intense ideological campaign against Economism through systematic study and discussion of Lenin's "What is to be Done?"

Unless the State Board and State Committee helps raise the political content and activity of our comrades in the shops, then the ability to lead workers effectively in resistance to the coming economic crisis will be most difficult. The root source of basic economic problems auto workers face (speedup, short workweek, unemployment, impending wage cuts, attacks against Negro auto workers, discrimination, etc.) is directly the result of the imperialist war program of the Wall-Street monopolists and their efforts to create a fascist United States. The auto barons and their lackeys in the labor movement are trying to put over a pun, not butter, economy. This understanding is the touchstone of everything.

The role assigned to the ACTU, Trotskyites and especially the Social Democrats, is precisely to mislead and dull the fighting resistance of the workers. The betrayal by Reuther of the recent Ford strike against speedup was the logical consequence of his unqualified support for the Truman Doctrine, the Marshall Plan and now the North Atlantic Military Alliance, stepping stones toward fascism and imperialist war. To justify such betrayals he has often unashamedly admitted that these "sacrifices" were necessary in order that the war program be put over.

Communist auto workers understand this. Therefore they make a key contribution to the welfare of their fellow workers when they constantly strive to help raise the level of political consciousness and understanding. Only in so doing are the guarantees created to successfully resist the attempts of the monopolists and their lackeys to place the burden of the coming economic crisis on the backs of the workers.

In this period of mounting, crucial struggles, continuing economist trends and tendencies serve only to impair the class consciousness and understanding of

workers. It becomes an impediment to the full mobilization of auto workers in the struggle against hunger, war, and fascism.

The struggle against Economist trends has to turn from words and talk to deeds and action. The same organizing genius and zeal for detail, the same alertness which Communist auto workers have learned in helping to organize, build and defend their local unions, must now be reflected in ORGANIZING the fight for PEACE; ORGANIZING the fight for NEGRO RIGHTS; ORGANIZING the defense of DEMOCRATIC RIGHTS; ORGANIZING to bring the CASE OF THE TWELVE before their fellow workers and local unions.

In the coming months there will take place the full unfolding of the struggle of the auto workers to break through the deadlocked 1949 economic and bargaining demands and make the auto barons pay for the unfolding economic crisis. To help guarantee this fight and break the deadlock, our Party projects the following main campaigns for the next three and one-half months: the fight for Peace, Defense of the Twelve, Fight against White Chauvinism and for Negro Rights, full participation in the Municipal Elections. To the extent that these questions become the concern of the auto workers and they move on them, to that extent will be their victory on the economic questions.

FOR MAKING THE MICHIGAN WORKER THE MAIN MASS IDEOLOGICAL INSTRUMENT OF CARRYING THROUGH THE CONCENTRATION OBJECTIVES OF THE PARTY

In the past 3 months the concept of the Michigan Worker as the mass ideological instrument for carrying Party policy to the auto workers has slipped into the background of our practical work.

This approach, when it permeated all of the Party's work for 18 months, resulted in Michigan developing what was characterized by the national leadership of the Party, the best State edition with the greatest proportionate circulation. This position must be regained immediately.

The paper must be used particularly by the auto sections and clubs as an organizing instrument in their mass campaigns among the auto workers. For this purpose, special editions must be organized on a planned basis.

The content of the paper must reflect the political as well as the economic struggles of the workers, and must also serve to deepen the workers' understanding of capitalism as a system of exploitation which they must take the lead in removing in order to replace it with socialism.

The Michigan Worker must deepen the workers' class consciousness and expose the class nature of the capitalist state. But it must also show the working class how capitalism oppresses not only the workers but all sections of the population except the handful of supermagnates. The Michigan Worker must become a *tribune of the people*, which exposes and explains every form of exploitation and oppression, and mobilizes the people, and the working class in the first place, to resistance against the bourgeoisie. Thus will the Michigan Worker help to make the working class conscious of its vanguard role in rallying all oppressed sections of the people against capitalism.

FOR AN ALL-OUT FIGHT TO STABILIZE THE PARTY SHOP CLUB AND PARTY ORGANIZATION

Tackling and overcoming the extremely unstable, unsatisfactory political and organizational status of the Party shop clubs is of first rate importance. It is a prime responsibility of leadership in our Party, to address itself to the solution of this problem—the daily struggle to realize in life the Marxist concept of our Party—as the vanguard of the working class, its highest form of organization, its organized detachment.

The application of the spirit of our Resolution, and the execution of our Plan of Work will illustrate in life, the role, and function of our Party. It will demonstrate the necessity of a well organized, disciplined Communist Party, constantly being built as a result of struggle.

The State Committee calls upon the entire Party to complete the recruiting goals of 200 auto workers by the Dearborn and Miscellaneous Auto Sections, and an additional 50 by the remainder of the clubs in Wayne County, as well as 20 in the Saginaw Valley.

IMPROVE THE FUNCTIONING OF THE STATE ORGANIZATION

A change in the system of leadership, and the division of labor in the State Organization is necessary to move concentration work into the next higher stages. At the present moment there appears to be a contradiction between daily leadership to the concentration tasks of our Party, and the everyday campaigns and

mobilizations of our Party. The tremendous administrative work, the necessity for attention to outstate which comprises one-third of the membership, the problems involved in giving leadership to mass organizations, and the fact that there are only two people directly in the State Office, prevent full attention to winning the sections in Wayne County to the concentration work. These problems likewise prevent consistent political assistance to the sections in Wayne County, making for "fire brigade" methods of work and lack of close political guidance.

It is proposed, therefore, that three comrades shall work out of the State Office, including the District Organizer. The responsibility of one of the comrades shall be active, daily, leadership to the sections and clubs in Wayne County. A Wayne County Committee shall be established under the leadership of a County secretary. This shall not be a body which replaced the prime responsibility of the State Board for Wayne County. Neither shall a duplicate apparatus to the state apparatus be established.

Our State Committee calls upon all clubs, sections, departments, commissions, Communists in mass organizations, to organize the widespread discussion of this Resolution as well as the Plan of Work accompanying it. The objective is to create within our Party the fullest discussion, and opportunity for creative thinking, suggestions, criticism and self-criticism—all leading, of course, to the *working out of concrete plans for reorientating the work of all levels of our Party toward the auto workers*, and the accomplishments of our Plans of Work.

Mr. TAVENNER. I believe that is all I have, Mr. Chairman.

Mr. SCHERER. Do you have any questions?

Mr. CLARDY. No.

Mr. SCHERER. That is all. You are excused, with the thanks of the committee.

(Witness was excused.)

Mr. SCHERER. The committee will be in recess until 2:30.

The committee has received a letter from counsel for Charles H. Marcum, the witness who appeared before the committee yesterday. In this communication is incorporated an affidavit purporting to be that of Charles H. Marcum with reference to his testimony. The counsel for Marcum requests that this affidavit be made a part of the record. The request of Mr. Marcum and his counsel is granted, and the affidavit is hereby made a part of the record.

(The document above referred to is as follows:)

STATE OF OHIO,

County of Montgomery, ss:

Charles H. Marcum, being first duly cautioned and sworn according to law, deposes and says that he resides at 2307 Colonial Avenue, Dayton, Ohio, where he has maintained his residence with his wife and child since 1940. The said real estate was built by this affiant and his wife and paid for with the earnings of this affiant.

Affiant further states that he became married to his wife, Catherine F. Marcum, January 7, 1933, and that he has lived continuously with his wife since the date of their marriage; that one child was born as issue of this marriage, namely, a daughter, whose name is now Delores Waller, which daughter became married in 1952; and this affiant now has one grandson; that said daughter is now maintaining her home with her husband and son who reside in Dayton, Ohio.

Affiant further states that he was born in the city of Dayton, Ohio, in August 1911, and that he attended Whittier Elementary School, Jackson Elementary School, Roosevelt High School, Drexel and Crown Point Schools, all in the city of Dayton, Ohio. That following his separation from elementary and high school he then commenced working at the Inland Manufacturing Co. when he was 16 years of age, following which employment he then became employed at the Kurz-Kash Co., Dayton, Ohio, at the age of 16 years; and that he was employed at the Kurz-Kash Co. for a period of 12 years and 9 months, and his work there consisted mainly of general maintenance.

Affiant further states that he was also employed at the Delco Products for about 6 weeks and at the Dayton Steel Foundry for a period of about 5 weeks. Affiant further states that he commenced working at the Master Electric Co.

in June 1942, and was employed at the Master Electric Co. until June 1952. That during the 10-year period of said employment at the Master Electric Co., his work consisted generally of machine repairing and machine rebuilding.

Following his separation from the Master Electric Co., this affiant became employed at Wright-Patterson Air Force Base where he was employed from June 1952, until January 1953. His work at Wright-Patterson Air Force Base consisted of general machinist in the Prefabrication Laboratory.

Following his separation from Wright-Patterson Air Force Base, this affiant became employed at the International Tool Co., Dayton, Ohio, in January 1953, where he is now presently employed, and his work there consists generally of maintenance foreman.

Affiant further states that while he was employed in the various types of work and at the various places as mentioned in this affidavit, he has occasion to become identified and associated with organized labor and as a member and official of organized labor, he was active in the progress, working conditions and betterment for all employees of the various places where he was employed.

Affiant further states that as a result of his interest in the improvement of working conditions for himself and his coemployees at the various places of employment, he had occasion to meet various people in all walks of life.

Affiant further states that as a result of his association with his fellow workers and coemployees, a certain Arthur Paul Strunk had occasion to testify before the Un-American Activities Committee, comprised of United States Representatives Kit Clardy, Gordon, Scherer, and Francis Walter, which met in Dayton, Ohio, on Monday, September 13, 1954; that this affiant was one of the persons who had paid party dues (referring to the Communist Party) to the said Arthur Paul Strunk.

The said Arthur Paul Strunk further testified before the said Un-American Activities Committee that this affiant was one of those who had attended closed party meetings of the Communist Party.

Affiant further states that the statements so made by the said Arthur Paul Strunk before the Un-American Activities Committee, in Dayton on September 13, 1954, claiming that this affiant was either a dues-paying Communist member or one who attended closed party meetings, were false and untrue statements. That the said Arthur Paul Strunk has no foundation or fact for having made said statements before the Un-American Activities Committee. That the statements so made by the said Arthur Paul Strunk are false and untrue.

Affiant further states that as a result of the false and untrue statements made by the said Arthur Paul Strunk before the said Un-American Activities Committee, there was caused to be published in the Dayton Daily News, on Monday, September 13, 1954, that the said Arthur Paul Strunk knew that this affiant was a dues-paying Communist up to 1952; that said article also appeared in the Dayton Daily News of Tuesday, September 14, 1954. There was also caused to be published in the Dayton Journal Herald, on Tuesday, September 14, 1954, a newspaper article quoting the testimony of said Arthur Paul Strunk, wherein it was reported in the said Dayton Journal Herald that this affiant was one of the persons from whom the said Arthur Paul Strunk had collected party dues.

Affiant further states that any and all of the testimony given by the said Arthur Paul Strunk before the Un-American Activities Committee on Monday, September 13, 1954, wherein this affiant was identified as one who paid Communist dues or as one who attended closed party meetings, was false and untrue and that the newspaper articles above referred to which covered the hearing above referred to identifying this affiant either as a dues-paying Communist or one who attended closed party meetings are incorrect and without foundation.

Affiant further states that he at no time has ever attended any meeting of the Communist Party either open or closed; that he at no time has ever paid any dues to anyone on behalf of the Communist Party nor has anyone ever solicited any dues from him purporting to be for the benefit of the Communist Party.

Affiant further states that he has at all times been a good, loyal American citizen, has participated in many of the institutions of our Government and our American society; that he has enjoyed the benefits and privileges of voting in our primary elections and general elections; that he has voted for candidates to public office who appeared on both the Democratic and Republican ticket; that he has taken an interest in numerous public, political, and general activities of the Nation, State, city, and community in which he resides, that as a result of his activity and interest in the American institutions, American politics, Ameri-

can Government and other activities and enterprises of our American way of life, he has learned to hate and abhor the Communist Party, its members, and everything that it stands for.

Affiant further states that he has enjoyed the products of a free economy and the American way of life, whereby he became married, raised a family in the American system of economy and free enterprise, that he owns real estate which he built and purchased from his earnings and salary in our form of American free enterprise and free government, all of which have taught him to love, appreciate, and understand the American Government, American public officials, American Constitution, and American way of life.

Affiant further states that as a result of the false and untrue testimony given by the said Arthur Paul Strunk on Monday, September 13, 1954, before the Un-American Activities Committee, he has been caused a great deal of embarrassment, humiliation and as a result of which his character and reputation have been damaged.

Affiant further states that the resulting newspaper articles referred to herein which published the accounts of the testimony of the said Arthur Paul Strunk were incorrect, although correctly and truthfully reported in accordance with the testimony as recorded, and affiant feels and believes that the contents of the affidavit should be published, whereby this affidavit is given the opportunity of having published his true and correct position in this matter as accused of having been either a dues-paying Communist or one who attended closed party meetings.

Affiant further states that the Honorable Kit Clardy, Gordon Scherer, and Francis Walter, comprising the committee which was in session in Dayton on the House Un-American Activities, should cause to be published and spread upon its records, this affidavit setting forth the true facts and statements of this affiant in answering the false and untrue statement of the said Arthur Paul Strunk.

(Signed) CHARLES H. MARCUM.

Sworn to before me and subscribed in my presence by the said Charles H. Marcum, this 14th day of September 1954.

(Signed) J. H. PATRICOFF.

Notary Public in and for the State of Ohio.

My commission expires January 23, 1955.

STATEMENT OF CATHERINE F. MARCUM

I, Catherine F. Marcum, having read the above affidavit, consisting of four pages, signed by my husband, Charles F. Marcum, do hereby state and certify that the above statements are within my personal knowledge and are true and correct.

(Signed) CATHERINE F. MARCUM.

Mr. SCHERER. The committee will be in recess until 2:30.

(Whereupon at 1:15 p. m., the hearing was recessed until 2:30 p. m., same day.)

AFTERNOON SESSION

(At the hour of 2:30 p. m. of the same day, the proceedings resumed, Hon. Gordon H. Scherer (chairman) being present.)

Mr. SCHERER. The committee will be in session. Mr. Counsel, will you call your first witness?

Mr. TAVENNER. Mr. Anthony Russell.

Mr. SCHERER. Mr. Russell, will you kindly raise your right hand? Do you solemnly swear that the testimony you will give at this hearing shall be the truth and nothing but the truth, so help you God?

Mr. RUSSELL. I do.

Mr. SCHERER. Will you be seated.

Mr. TAVENNER. What is your name, sir?

TESTIMONY OF NORTON ANTHONY RUSSELL

Mr. RUSSELL. Norton Russell.

Mr. TAVENNER. Norton Russell?

Mr. RUSSELL. That is correct.

Mr. TAVENNER. Is Anthony a part of your name also?

Mr. RUSSELL. Norton Anthony Russell; that is correct.

Mr. TAVENNER. It is a rule of the committee, Mr. Russell, that every witness is entitled to have counsel with him if he desires, or to consult counsel at any time during the course of his testimony. I merely wanted to advise you of that right.

Mr. RUSSELL. I am aware of that.

Mr. Chairman, may I request that pictures not be taken during the testimony?

Mr. SCHERER. Yes, the rule of the committee is, as I have stated before, that the photographers do not take any pictures during the giving of the testimony.

Mr. RUSSELL. Thank you.

Mr. SCHERER. Did you say anything else?

Mr. RUSSELL. Thank you.

Mr. TAVENNER. When and where were you born, Mr. Russell?

Mr. RUSSELL. In New Haven, Conn.

Mr. SCHERER. Could we move the microphone up to the very end of the desk?

Mr. RUSSELL. Is that better?

I was born in New Haven, Conn., on November 12, 1918.

Mr. TAVENNER. Where do you now reside?

Mr. RUSSELL. In Yellow Springs.

Mr. TAVENNER. What is your occupation or profession?

Mr. RUSSELL. I am an engineer.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has consisted of?

Mr. RUSSELL. I received a bachelor of science degree from Antioch College.

Mr. TAVENNER. In what year?

Mr. RUSSELL. In 1942.

Mr. TAVENNER. Will you tell the committee, please, how you have been employed since 1942?

Mr. RUSSELL. I am not sure of the beginning date of this, but after I left school I worked for a few months for the Braun & Brockmeyer Co., Dayton, Ohio. I worked for approximately 6 years at United Aircraft Products in Dayton, and am now employed at Vernay Laboratories in Yellow Springs.

Mr. TAVENNER. When did your employment at Vernay Laboratories begin?

Mr. RUSSELL. Early in 1948.

Mr. TAVENNER. In what capacity are you employed at Vernay Laboratories?

Mr. RUSSELL. I am chief engineer and production manager.

Mr. TAVENNER. Would you mind defining a little more in detail the nature of your duties?

Mr. RUSSELL. Well, as far as my duties in the approximate area that I mentioned, all of the production department foremen report directly to me. The engineering end of my job is connected primarily with tool design for use in the production processes.

Mr. TAVENNER. Mr. Russell, during the period of time that you were an undergraduate at Antioch College, were you aware of the existence of a Young Communist League organization within the student body?

Mr. RUSSELL. I must respectfully decline to answer that question, sir. May I state my reasons?

Mr. TAVENNER. Yes, sir.

Mr. RUSSELL. It is my understanding that the first amendment to the Constitution protects me against being forced to disclose any information about my opinions, political beliefs, and associations. I believe that that question violates that privilege, and I therefore decline to answer.

Mr. SCHERER. I might advise, Witness, that the first amendment does not, by the decisions of the Court, excuse you from answering the question.

Therefore, I must direct you to answer the question.

Mr. RUSSELL. I believe that were I to answer the question it would be, you are forcing me to disclose information about my political beliefs, opinions, or associations, and I do decline to answer.

Mr. SCHERER. Maybe I had better make one additional statement. The courts have held for quite some time now that the Communist Party is not a political party as we know political parties in the United States, but is a conspiracy. Therefore, free association with a conspiracy isn't protected by the first amendment.

Now, this Congress which just adjourned by law states that the Communist Party is not a political party, but that it is a conspiracy directed by a foreign power. You no more could refuse to answer the question in a court as to whether or not you were a member of a drug ring, if that was the issue, than you can refuse to answer a question on the basis of the first amendment as to membership in the Communist Party.

So it has nothing to do any longer with political beliefs. You have the right, however, if you so desire, to invoke the fifth amendment. You understand what the fifth amendment is?

Mr. RUSSELL. Yes, I do.

Mr. SCHERER. You are not invoking the fifth amendment?

Mr. RUSSELL. No, I am not.

Mr. SCHERER. I might say that then you are clearly in contempt of Congress. There would be no alternative except for the committee to recommend a contempt citation.

Now, with that statement, and with that advice, do you still stand on your answer?

Mr. RUSSELL. I hope, Mr. Scherer, that it won't seem contemptuous to exert my rights, express my rights under the first amendment to the Constitution of the United States. I do decline to answer the question.

Mr. SCHERER. I haven't said that. That is the law. The courts have said it, and now the Congress has said it, that that which I have just stated to you is the law.

Your attitude certainly is not contemptuous. I meant that it was legal contempt.

I think the witness has had sufficient explanation of the position he is in.

Mr. TAVENNER. Mr. Russell, while a student at Antioch, were you acquainted with a person by the name of Herbert Reed?

Mr. RUSSELL. Yes, I knew Mr. Reed.

Mr. TAVENNER. Do you know what Mr. Reed's occupation was?

Mr. RUSSELL. No, sir.

Mr. TAVENNER. Tell the committee the circumstances under which you became acquainted with him.

Mr. RUSSELL. I decline to answer that question, sir, on the same grounds as previously stated.

Mr. SCHERER. And, Witness, you are directed to answer the question.

Mr. RUSSELL. I respectfully decline.

Mr. SCHERER. Mr. Tavenner, proceed.

Mr. TAVENNER. The committee has had testimony during the course of these hearings that you were a dues-paying member of the Communist Party with your membership here in Dayton prior to your moving to Yellow Springs in 1948. That was the testimony of Mr. Arthur Strunk. Was that testimony correct?

Mr. RUSSELL. I decline to—

Mr. TAVENNER. Or was it in error?

Mr. RUSSELL. I decline to answer that question.

Mr. TAVENNER. Well, were you a member of—

Mr. SCHERER. I must direct that you answer that question.

Mr. RUSSELL. On the same grounds as previously stated, I still decline.

Mr. SCHERER. That is on the basis of the first amendment?

Mr. RUSSELL. That is correct.

Mr. TAVENNER. Were you a member of the Communist Party—

Mr. SCHERER. You understood what I was trying to say to you?

Mr. RUSSELL. Yes, I understood.

Mr. TAVENNER. Were you a member of the Communist Party at any time prior to your moving to Yellow Springs in 1948?

Mr. RUSSELL. I decline to answer the question.

Mr. SCHERER. I must direct that you answer that question, sir.

Mr. RUSSELL. I still decline.

Mr. Chairman, must I state my reason each time, or will you accept the one statement or reason for all declinations?

Mr. SCHERER. You can designate for the reason already given. But, as I have explained to you, the committee does not recognize that nor do the courts as a legal reason for refusing to answer.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. RUSSELL. I decline to answer that question on the same grounds.

Mr. TAVENNER. I have no further questions.

Mr. SCHERER. I must direct that you answer the last question.

Mr. RUSSELL. I still decline on the same grounds.

Mr. TAVENNER. I have no further questions.

Mr. SCHERER. Witness excused.

(Witness was excused.)

Mr. TAVENNER. I will call Mr. John Romer.

Mr. SCHERER. Will the witness raise his right hand?

Do you solemnly swear the testimony you are about to give at this hearing shall be the truth, the whole truth and nothing but the truth, so help you God?

Mr. ROMER. I do.

My counsel doesn't seem to be here at the moment.

Mr. SCHERER. Who is your counsel?

Mr. ROMER. Mr. Prear.

Mr. SCHERER. Mr. Prear was here a few minutes ago. We will recess for a few minutes until—do you want to go out and see if he is here? I see him. He is coming.

You may proceed, Mr. Counsel.

Mr. TAVENNER. Will you state your name, please, sir?

**TESTIMONY OF JOHN ROMER, ACCOMPANIED BY HIS COUNSEL,
J. PAUL PREAR**

Mr. ROMER. John Romer.

Mr. TAVENNER. Are you accompanied by counsel, Mr. Romer?

Mr. ROMER. Yes, sir.

Mr. TAVENNER. Counsel, please identify yourself for the record.

Mr. PREAR. Attorney J. Paul Prear, 2223 Germantown Street, Dayton, Ohio.

Mr. TAVENNER. When and where were you born?

Mr. ROMER. Celina, Ohio, January 15, 1907.

Mr. TAVENNER. Where do you now reside?

Mr. ROMER. In Yellow Springs, Ohio.

Mr. TAVENNER. How long have you lived in Yellow Springs?

Mr. ROMER. Perhaps I should amend that. I live on a rural route, Yellow Springs. I do not live in Yellow Springs.

Mr. TAVENNER. About what distance from the community of Yellow Springs?

Mr. ROMER. Two miles.

Mr. TAVENNER. How long have you lived in that vicinity?

Mr. ROMER. I believe it is about 3 years.

Mr. TAVENNER. Where did you live prior to that?

Mr. ROMER. In the village of Yellow Springs.

Mr. TAVENNER. And how long had you lived in the village of Yellow Springs?

Mr. ROMER. I moved there the fall of 1939, and resided in Yellow Springs until I moved into the country.

Mr. TAVENNER. Will you tell the committee, please, briefly, what your formal education has been.

Mr. ROMER. I graduated from high school.

Mr. TAVENNER. What is your present occupation or trade or profession?

Mr. ROMER. I am a carpenter.

Mr. SCHERER. I didn't hear that.

Mr. ROMER. I am a carpenter. I might enlarge on that. I have gone to college upon two occasions, but each time I did not finish a single year.

Mr. TAVENNER. Where did you attend college?

Mr. ROMER. I went to the University of Dayton, I believe that was in 1925 and 1926. I did not complete that year.

In the fall of 1939 I entered college at Antioch. I went to school there approximately 2 or 3 months, at which time I dropped out.

Mr. TAVENNER. Mr. Romer, during the period of your residence in the village of Yellow Springs, were you aware of the existence in that community of an organized group of the Communist Party?

Mr. ROMER. I must decline to answer that on the grounds of the first and fifth amendments.

Mr. TAVENNER. You have been identified during the course of the testimony here by two witnesses, Mr. Arthur Strunk and Mr. Roger Dunham, as having been known by them to have been a member of the Communist Party. I am giving you this opportunity to deny it if it is not true; to explain it if it was true. Do you wish to take advantage of that opportunity?

Mr. ROMER. I do not.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. ROMER. I must decline to answer that.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. SCHERER. Just a minute, Mr. Counsel.

You have stated no reason for your declination.

Mr. ROMER. Yes; the first and fifth amendments.

Mr. SCHERER. First and fifth. I am sorry; I didn't hear that.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. ROMER. I must decline to answer that as for previous reasons stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. SCHERER. Just a second.

I have no further questions. The witness is excused.

(Witness was excused.)

Mr. TAVENNER. Joseph K. Glatteman.

Mr. SCHERER. Will you raise your right hand, please?

Do you solemnly swear the testimony you are about to give at this hearing shall be the truth, the whole truth and nothing but the truth, so help you God?

Mr. GLATTERMAN. I do.

Mr. SCHERER. Be seated, Mr. Glatteman.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF JOSEPH K. GLATTERMAN

Mr. GLATTERMAN. Joseph K. Glatteman.

Mr. TAVENNER. Mr. Glatteman, it is a rule of the committee that every witness is entitled to have counsel with him, if he desires, and to consult with counsel at any time during his testimony if he so wishes.

When and where were you born, sir?

Mr. GLATTERMAN. New York City.

Mr. TAVENNER. What date?

Mr. GLATTERMAN. November 28, 1922.

Mr. TAVENNER. Where do you now reside?

Mr. GLATTERMAN. In the city of Dayton, sir; in the city of Dayton.

Mr. TAVENNER. How long have you resided in Dayton?

Mr. GLATTERMAN. Off and on since 1941, sir.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. GLATTERMAN. I received a bachelor of science degree in education from Ohio University.

Mr. TAVENNER. What university?

Mr. GLATTERMAN. Ohio.

Mr. TAVENNER. What year did you receive your degree?

Mr. GLATTERMAN. September 1950, sir.

Mr. TAVENNER. Will you tell the committee, please, what your employment record has been since 1950?

Mr. GLATTERMAN. I can't answer that exactly, because at this time I was going to school, and I had various part-time jobs. As a matter of fact, I didn't cease my education search, so to speak, until later on. In other words, I returned to school, and so since I did have these numerous part-time jobs while going to school, I can't—

Mr. TAVENNER. Well, upon the completion of your school work, what type of constant employment did you receive?

Mr. GLATTERMAN. I received employment as a school teacher.

Mr. TAVENNER. Where?

Mr. GLATTERMAN. In the city of Dayton school system.

Mr. TAVENNER. Are you now engaged in teaching?

Mr. GLATTERMAN. Yes, sir, I am.

Mr. TAVENNER. In the local schools?

Mr. GLATTERMAN. Yes, sir, I am.

Mr. TAVENNER. Mr. Glatterman, you have been identified by two witnesses during the course of the hearings here, Mr. Arthur Strunk and Mr. Roger Dunham, as having been known by them to have been a member of the Communist Party. I want to inquire whether or not that testimony is correct, and if it is, I want to ask you various questions regarding your knowledge of Communist Party activities where you were so affiliated.

Mr. GLATTERMAN. As I understand the question, sir, you are asking me if those statements are correct?

Mr. TAVENNER. Yes.

Mr. GLATTERMAN. I respectfully decline to answer the question.

Mr. TAVENNER. On what grounds?

Mr. GLATTERMAN. On the grounds of the privilege granted to me by the fifth amendment, sir.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. GLATTERMAN. Sir, I refuse to answer that question on the same grounds.

Mr. TAVENNER. Well, if you were at one time a member and have withdrawn from the Communist Party, we would very much like to know that fact. Therefore, I want to give you another opportunity to tell the committee whether or not you have been a member of the Communist Party during the period in which you have been teaching in this community.

Mr. GLATTERMAN. I decline to answer that question on the same grounds, sir.

Mr. TAVENNER. I have no further questions then, Mr. Chairman.

Mr. SCHERER. Mr. Glatterman, you of course have refused to answer on the grounds that you feel that to answer the questions asked by counsel might tend to incriminate you in some way. As I told 1 or 2 of the other witnesses who appeared here earlier in the week, the Congress just adjourned passed what is known as the immunity law which gives to this committee the right, provided it has the approval of the Federal court, to grant you immunity from prosecution. In other words, no matter what your answers might be in response to counsel's questions, you could never suffer any harm or fine or imprisonment or anything else. Now, what I want to know is, we think you have some information concerning Communist Party activities that would be helpful to the committee. What I would like to ask you now is this:

If the committee should grant you immunity, with the approval of the court, would you testify?

Mr. GLATTERMAN. Am I permitted to think that over, sir?

Mr. SCHERER. Yes.

(Short pause.)

Mr. GLATTERMAN. My answer to that is, at this time, after the brief moment, I don't think so.

Mr. SCHERER. You don't think so?

Mr. GLATTERMAN. That is right.

Mr. SCHERER. Then it seems to me, Mr. Glatterman, that you are not invoking the fifth amendment in good faith. You actually fear that your answers to the questions asked by Mr. Tavenner would incriminate you, tend to incriminate you?

Mr. GLATTERMAN. I actually feel they might tend to incriminate me.

Mr. SCHERER. And if there was no incrimination as the result of immunity being granted to you by this committee, you still say that you refuse to testify?

I will tell you. Do you want time to think that over and talk—not today, but within the next couple of weeks—to the staff or counsel for the committee?

Mr. GLATTERMAN. Supposing then, I want to change my mind here?

Mr. SCHERER. Let me say this today: I perhaps should tell you as of this moment we couldn't grant you any immunity because the committee must obtain the approval of the Federal court, so it would be at some future hearing anyhow that we would be required to take any testimony that you might give.

Mr. GLATTERMAN. Suppose we let it stand as it is right now.

Mr. SCHERER. All right. You think it over, and I suggest that perhaps you talk to counsel about it, and within the next few weeks we will have one of the staff contact you.

Mr. GLATTERMAN. Very well.

Mr. SCHERER. You are excused.

(Witness was excused.)

Mr. TAVENNER. May we have about a 10 minute recess?

Mr. SCHERER. We will have a few minutes recess.

(Short recess was had.)

Mr. SCHERER. The committee has heard all of the witnesses it intends to hear at this hearing. If there is any person who has been mentioned adversely during the course of these hearings, or any previous hearing of the Un-American Activities Committee who desires to come forward and state his position with reference to such adverse testimony, the opportunity is now afforded that individual.

It appears as if there are no such persons.

At the conclusion of the hearing, the committee wants to, of course, thank the city commissioners of the city of Dayton for allowing this subcommittee to use this very fine room for the hearings that are now closing.

We wish particularly to thank Mr. Oscar F. Mauk, the clerk of that commission, for his many courtesies during the 3 days we have been here, and also Mr. Frank Westfall, the engineer here in the building, for his helpfulness.

Of course, we have had a number of the members of the fine police department of the city of Dayton here for 3 days, and while it has been uncomfortable in this room to sit, they have had to stand during

that time. They have certainly done a splendid job and are entitled to the thanks of the committee.

The committee wishes, of course, to express to Mr. Isaacs its thanks and appreciation for the help he and his staff gave us in the preparation of these hearings. Mr. Isaacs is the assistant attorney general of the State of Ohio, former director and counsel of the Ohio Commission on Un-American Activities. His advice and counsel have been most helpful.

Generally, we want to thank the citizens of Dayton who have been so gracious to the committee during the time they have been here.

Then to the press, they certainly deserve our thanks, because all of us feel that their reporting has been most fair and objective. We are deeply grateful for this courteous and kind treatment.

Off the record.

(Discussion off the record.)

Mr. TAVENNER. Mr. Williamson, will you raise your right hand?

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

Mr. WILLIAMSON. I do.

Mr. SCHERER. By way of explanation, this witness, Mr. Williamson, is the one we were waiting for during the last recess before we adjourned. He has arrived in the building and wishes to testify. We feel we should hear him.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF DWIGHT WILLIAMSON

Mr. WILLIAMSON. Dwight Williamson.

Mr. TAVENNER. Mr. Williamson, you were identified during the course of the testimony here as having been a member of the Communist Party, and we understood that you desired to appear before the committee and state what the facts are relating to your former Communist Party membership.

Mr. WILLIAMSON. That is right.

Mr. TAVENNER. So I want to give you the opportunity now to either deny, confirm it, or make such explanation as might be consistent with the facts.

Mr. WILLIAMSON. That is right. I was in for two periods, the period from approximately 1938 or 1939 until 1942; again from 1950, late in the year—possibly Thanksgiving time, maybe Christmas time; I know it was late in the fall of 1950—until early spring 1953.

Mr. TAVENNER. You have been a member then, as late as the spring of 1953?

Mr. WILLIAMSON. That is right.

Mr. TAVENNER. Well, will you tell the committee the circumstances under which you left the party in the spring of 1953?

Mr. WILLIAMSON. Well, it is a little hard to explain how I left. It was a gradual drifting away.

The next contact I had, I know it was in the spring of 1953, the next contact I had I was told that I had owed 10 months' dues, \$10 apiece, which would be \$100 plus \$50 for a fund which would make it \$150.

Mr. TAVENNER. I am sorry. Will you speak up a little louder? I didn't hear you.

Mr. WILLIAMSON. I say, the reason I know that it was in the spring of 1953 is because in February 1954, I was notified I was in arrears 10 months' dues, which would amount to \$100, and at \$10 a month.

Mr. TAVENNER. Well, if you were a member as late as the spring of 1953, the Communist Party would have been divided at that time for security reasons into small groups. Isn't that true?

Mr. WILLIAMSON. That is correct.

Mr. TAVENNER. Were you a member of a small group of 3 or 4 members?

Mr. WILLIAMSON. Yes, two small groups at various times.

Mr. TAVENNER. You have belonged to two small groups?

Mr. WILLIAMSON. That is right.

Mr. TAVENNER. Tell the committee, please, how the whole plan of operating the Communist Party was during that period, as late as 1953.

Mr. WILLIAMSON. I don't quite understand what you mean.

Mr. TAVENNER. I mean, tell us how the party was divided into these small groups, and how they met, and how Communist Party information was imparted to its members, and any other information that you can give us about it.

Mr. WILLIAMSON. Well, these groups were Frigidaire groups, and they were varied as to membership. Those from one group seemed at one time to be in one group, and one time to be in another group. Meetings were sometimes held in my house, Strunk's house, and two times, I think, at my house. In good weather they were out in the open, public parks.

Mr. TAVENNER. But those meetings were very secret?

Mr. WILLIAMSON. Oh, yes; nobody but the membership of the party was allowed to attend that meeting.

Mr. TAVENNER. Who were the members of your small group?

Mr. WILLIAMSON. Well, in one group there was Lance, I don't know his first name. He is since dead; Harry McGill, myself.

Mr. TAVENNER. I didn't get that name.

Mr. WILLIAMSON. Harry McGill and myself. And the other group at a later date, there was Roger Dunham, Red Hupman, myself, and in both of these groups the organizer, Lou somebody or other, took charge of both of them.

Mr. TAVENNER. I didn't understand the name of the organizer.

Mr. WILLIAMSON. All I can tell you is Lou. I couldn't—I don't actually know his last name. I never seen it and never heard it. It is Lou, that is all I know.

Mr. TAVENNER. What was the name of the Hupman who was a member of your group?

Mr. WILLIAMSON. Melvin.

Mr. TAVENNER. Is he the same person who was indicted and tried recently for violation of the Taft-Hartley Act?

Mr. WILLIAMSON. That is right, but I have no knowledge he violated the Taft-Hartley Act.

Mr. TAVENNER. You stated that in 1954 you received a notice that you were in arrears in your dues.

Mr. WILLIAMSON. That is right.

Mr. TAVENNER. In your dues to the amount of about \$10?

Mr. WILLIAMSON. No, about \$100.

Mr. TAVENNER. \$100. Over a period of 10 months, I think you said.

Mr. WILLIAMSON. That is right.

Mr. TAVENNER. Well, what was the amount of dues that you were required to pay?

Mr. WILLIAMSON. The last time I paid dues, it was \$2 per month. At the time I was told I was in arrears, they were going to reregister me, I owed them \$100 for 10 months' dues, \$10 per month.

Mr. TAVENNER. Well, do you know for what purpose that money was being raised or used?

Mr. WILLIAMSON. That amount, no.

Mr. TAVENNER. Were you requested to make contributions for any special projects or purposes of the Communist Party?

Mr. WILLIAMSON. Yes. They were for funds, and some type of a fund that is statewide. I don't know the name of it. I know the money was, a certain amount stayed in the city of Dayton, a certain amount was sent to the State.

Mr. TAVENNER. I am interested in the fact that you were a member and then dropped out and still went back again into the Communist Party. What was the explanation for that?

Mr. WILLIAMSON. I dropped out in 1942 for ideological reasons, and in 1950, Frigidaire—

Mr. SCHERER. Will you raise your voice a little bit?

Mr. WILLIAMSON. Certainly. Frigidaire became involved in an inner union strife. Since I had been a member of the UE in 1942, my sympathy was in that direction. I supported the UE in the inner plant strife, inner union strife. At the close of the struggle, the cleavage in the plant was so great that there was hardly anybody left for me to talk to, and I was associated very closely with the UE division in the Frigidaire plant. Gradually I drew closer and closer and was invited back in, and reentered the party, and as I stated, in the fall or winter, I know it was around Thanksgiving time, 1950. I think that is the year the strike was in the spring, and that was the next winter.

Mr. TAVENNER. Why was it you dropped out in 1953?

Mr. WILLIAMSON. Just general lack of interest. That is, for a while I was quite active. I attended meetings maybe twice a week. Then I drifted further away, once a month, or whenever they could get in touch with me.

Mr. TAVENNER. Is there anything else you would like to say to the committee regarding your membership in the Communist Party, former membership in the Communist Party?

Mr. WILLIAMSON. In what line?

Mr. TAVENNER. Any line. I mean, you have asked to appear here voluntarily because your name was mentioned here adversely, and I just want to make certain that you have told the committee all you have in mind.

Mr. WILLIAMSON. No, that is all I have to state. So far as I am concerned, there was no subversion on my part or the part of anyone that I was in connection with. Everyone so far as I know were loyal American citizens. There were no statements ever made by anyone derogatory to the United States of America. We were never asked to spy upon anybody, any group that I was in, or any time, we were never asked or expected to furnish information. Most of the time was spent in study. I will say 50 percent, 70 percent of most meetings were study. The rest news collection and literature.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. SCHERER. We want to thank you for your testimony, and you are excused.

(Witness was excused.)

Mr. SCHERER. Is there anything further, Mr. Counsel?

Mr. TAVENNER. No sir.

Mr. SCHERER. The hearing is then adjourned.

(Whereupon, at 4:05 p. m., the hearing was adjourned subject to the call of the Chair.)

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1953. 541
INVESTIGATION OF COMMUNIST ACTIVITIES IN THE
DAYTON, OHIO, AREA—Part 4

*U. S. Congress, House, Committee on
"Un-American Activities."*

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

NOVEMBER 17, 18, AND 19, 1954

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

INCLUDING INDEX



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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], chapter 753, 2d session, 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.

RULES ADOPTED BY THE 83D CONGRESS

House Resolution 5, January 3, 1953

* * * * *

RULE X.

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

* * * * *

(q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI.

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE DAYTON, OHIO, AREA—Part 4

WEDNESDAY, NOVEMBER 17, 1954

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

PUBLIC HEARING

The Committee on Un-American Activities met, pursuant to call, at 10:14 a. m., in the caucus room, 362, Old House Office Building, Hon. Harold H. Velde (chairman) presiding.

Committee members present: Representatives Harold H. Velde (chairman), Kit Clardy, Gordon H. Scherer, Francis E. Walter, and Morgan M. Moulder.

Staff members present: Frank S. Tavenner, Jr., counsel; Thomas W. Beale, Sr., chief clerk; Donald Appell, Courtney E. Owens, and George E. Cooper, investigators.

Mr. VELDE. The committee will be in order.

Mr. Reporter, let the record show that present are Mr. Clardy, Mr. Scherer, Mr. Walter, Mr. Moulder, and myself as the chairman, a quorum of the full committee.

Before calling the first witness, I should like to state the witnesses called today are from the States of Michigan and Ohio.

This hearing is a continuation of the hearings which were held in the State of Michigan in May of this year, and in Dayton in September of this year.

At the time the committee originally scheduled its hearings in Michigan, sufficient witnesses were subpoenaed to assure the committee a full 2-week hearing.

However, the legislative program of the House, including the passage of the St. Lawrence waterway bill, necessitated the return of the committee members to Washington before calling all of the witnesses under subpoena.

The witnesses are largely individuals who have been identified as members of the Communist Party, sent into the Michigan area for the purpose of obtaining employment in the auto industry and thereby bringing Communist influence into the labor locals.

Several of the witnesses under subpoena falling outside the category of colonizers have been brought to Washington because the committee has knowledge they are in possession of information concerning Communist activities in the Michigan area and, further, because the committee knows they have no reason to withhold this information.

Whether they give the committee, through testimony, the benefit of

their knowledge or whether they refuse to do so is solely within their power.

The shortness of time allotted to the conduct of the hearings in Dayton has resulted in the necessity of continuing that hearing by calling several witnesses for further testimony.

Mr. Counsel, you may call your witness.

Mr. TAVENNER. Mr. Anthony Russell, will you come forward, please?

Mr. CLARDY. Raise your right hand.

You do solemnly 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. RUSSELL. I do.

Mr. CLARDY. Be seated.

TESTIMONY OF NORTON ANTHONY RUSSELL

Mr. RUSSELL. May I ask the photographers be directed not to take pictures during the testimony, please?

Mr. CLARDY. Yes. Get your pictures before he commences to testify.

Mr. TAVENNER. What is your name, please?

Mr. RUSSELL. Norton Anthony Russell.

Mr. TAVENNER. When and where were you born, Mr. Russell.

Mr. RUSSELL. In New Haven, Conn., in 1918, November 12.

Mr. TAVENNER. Are you married?

Mr. RUSSELL. Yes.

Mr. TAVENNER. What is your wife's name?

Mr. RUSSELL. Marjory.

Mr. TAVENNER. What was her name prior to marriage?

Mr. RUSSELL. Marjory Stewart.

Mr. TAVENNER. Had you been married previous to that?

Mr. RUSSELL. Yes; I had.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been, that is, your formal educational training.

Mr. RUSSELL. I graduated from Antioch College with a bachelor of science degree.

Mr. TAVENNER. What was the year of your graduation?

Mr. RUSSELL. I received my degree in 1942.

Mr. TAVENNER. Will you tell the committee, please, what your record of employment has been since graduation in 1942, including the period when you were in the Armed Forces?

I believe you were in the Armed Forces?

Mr. RUSSELL. No, sir; I was not. I worked for a short time. I believe it was during 1941 at the Brown & Brockmeyer Co. in Dayton.

(At this point, Representative Moulder entered the hearing room.)

Mr. RUSSELL. I worked from early 1942 until I believe it was 1948 for the United Aircraft Products Corp. in Dayton, and I have been employed at Vernay Laboratories in Yellow Springs since that date.

Mr. CLARDY. Mr. Reporter, let the record show the entrance of Mr. Moulder at this point.

Mr. TAVENNER. I would like to go back now to the period of your collegiate training at Antioch College. While in attendance at Antioch College, were you acquainted with John Ober?

Mr. RUSSELL. Yes. I knew John Ober.

Mr. TAVENNER. Were you acquainted with a person whom he later married, Bebe Ober?

Mr. RUSSELL. Yes; I was.

Mr. TAVENNER. Both of those individuals have testified before this committee and have advised it, in public session, that there was, during the period they were at Antioch College, or a part of the time they were there, a group or cell of the Young Communist League.

They have told us that that Young Communist League was organized and activated and conducted by a person who was not in any way connected with Antioch College, a person by the name of Herbert Reed.

They have advised us that Herbert Reed was an organizer for the Communist Party in the Dayton area, though not at Yellow Springs, which is the seat of Antioch College.

You were acquainted with Herbert Reed, were you not?

Mr. RUSSELL. Yes; I was.

Mr. TAVENNER. When did you last see Herbert Reed?

Mr. RUSSELL. I really don't remember.

Mr. TAVENNER. Do you know where Herbert Reed is now?

Mr. RUSSELL. No, sir; I do not.

Mr. TAVENNER. Approximately how long ago was it that you last saw Herbert Reed?

Mr. RUSSELL. It would have been several years. I don't remember.

Mr. TAVENNER. By several do you mean 2 or 3?

Mr. RUSSELL. More than that; many more.

Mr. TAVENNER. Four or five?

Mr. RUSSELL. I would say—

Mr. TAVENNER. I am not trying to pin you down to an exact time—

Mr. RUSSELL. Yes.

Mr. TAVENNER. But I would like to know approximately when it was.

Mr. RUSSELL. Possibly in the midforties.

Mr. TAVENNER. What was the occasion for your seeing him at that time?

I assume that means about 1945 or 1946?

Mr. RUSSELL. Or 1944, or—

Mr. TAVENNER. 1947?

Mr. RUSSELL. Or 1943 or 7. I don't remember.

Mr. TAVENNER. All right.

What was the occasion for your seeing him at that time?

Mr. RUSSELL. I believe I will decline to answer that question on the same grounds that I declined to answer similar questions at the public hearing in Dayton. That is, Mr. Tavenner, it is my belief that the first amendment to the Constitution, as well as the spirit of the whole Bill of Rights, protects me against being forced to disclose any information about my opinions and political beliefs and associations?

Mr. CLARDY. Pardon me, Mr. Tavenner. May I inquire or ask him a question there?

I am not sure I understand.

I know at the Dayton hearing you did raise the first amendment, but are you going beyond that?

To be specific, are you raising the fifth amendment?

Mr. RUSSELL. No; I am not.

Mr. CLARDY. Well, may I, since you are not accompanied by an attorney, be of a little assistance to you and suggest that, under court decisions and under the rulings you do not have an umbrella of protection in the first amendment at all.

What you are saying to us, in substance really, is that you cannot in good conscience tell us anything about an unlawful conspiracy that would destroy us.

I wish you would search your conscience a little more thoroughly and cooperate with your Government and this committee and help us as much as you can, and I am telling you this in all kindness because you will discover, if you will read the cases, if you will talk with any attorney in the land who knows anything about constitutional law, the first amendment has never been and will not be a protection against any action the committee may take; and, because you are cooperating otherwise, I hope you will not put us in an impossible position.

I don't want to see any harm done to you.

I ask you to reconsider and give us the answer to that question.

Now, will you proceed, Mr. Tavenner?

Mr. TAVENNER. Yes.

I would like to point out to you, before you answer that question, the committee knows from the testimony of John Ober and Bebe Ober of Herbert Reed's connection with the Young Communist League Group at Antioch up to 1942.

The committee has the testimony of Professor Metcalfe that he was a member of a group of the Communist Party in the midforties.

Mr. SCHERER. 1946.

Mr. TAVENNER. In 1946, and I believe in 1945—he says at the end of 1945 and the beginning of 1946.

Now, there is an important link in between.

The actual organizers in 1945 are not known.

You may be in a position to supply that information to the committee.

We know what it was in 1942. We are asking you now to supply the missing link to that testimony, as far as you are able to do it, from your own knowledge.

With that explanatory statement, I would like to ask you again to tell the committee what was the occasion of your seeing Herbert Reed in the midforties?

Mr. RUSSELL. You realize, I think, that I didn't live in Yellow Springs at that time.

Mr. TAVENNER. Well, let's clear that up.

Mr. CLARDY. I didn't hear you.

Mr. RUSSELL. I say I was not living in Yellow Springs at that time.

Mr. TAVENNER. No. You returned?

You returned there in 1948?

Mr. RUSSELL. Perhaps it was 1948; yes. I will refuse to answer the question on the grounds I stated previously.

Mr. SCHERER. That is the first amendment only?

Mr. RUSSELL. Yes; that is correct.

Mr. SCHERER. You are not invoking the fifth amendment?

Mr. RUSSELL. No; I am invoking the protection of the first amendment, to protect my individual rights against being forced to disclose any information on my opinions or associations.

Mr. TAVENNER. Now, Mr. Russell, I explained to you fully when you took the stand in the previous hearing that you were entitled to counsel.

I failed to do that when you took the stand a few moments ago. I want to make it plain right now you have the right to have counsel with you or to consult counsel.

Mr. RUSSELL. I understand that.

Mr. TAVENNER. I think you have understood that all along, have you not?

Mr. RUSSELL. Yes.

Mr. TAVENNER. And if you want advice of a legal character, don't hesitate to indicate your desire.

Mr. RUSSELL. O. K.

Mr. TAVENNER. The committee has also received testimony that Bebe Ober, who took part in this Young Communist League activity in Antioch College upon completion of her course obtained a position with a local union in Dayton, and she was then approached by this same man, Herbert Reed, and brought into the Communist Party itself after taking that employment.

Now, in the course of her testimony, Mrs. Ober did not attempt to blame Reed for it.

What the committee undertook to indicate was the chain of events that had been established by Reed organizing this group, and then following it up and getting the young people into the Communist Party.

Now, I want to ask you whether or not Herbert Reed, after you left Antioch College, encouraged you in any manner to join the Communist Party when you saw him in the midforties. Whether you did or whether you didn't join at that time, did he encourage you to join?

Mr. RUSSELL. I decline to answer that on the same grounds.

Mr. SCHERER. I ask that you direct the witness to answer the question, Mr. Chairman.

Mr. CLARDY. You are directed to answer the question.

Mr. RUSSELL. I still respectfully decline.

Mr. TAVENNER. We have this picture, Mr. Russell: Here was this group of young students in Antioch College who were being organized by Herbert Reed.

Herbert Reed attended every meeting. He lectured to them on communism. He directed their every movement.

Then we find when those young people went out into the world that Herbert Reed followed them. He got John Ober, a young lawyer, into the Communist Party, which is the thing he regretted more than anything that ever happened in his life.

Bebe Ober is another example.

I want to know whether Herbert Reed had anything to do with your getting into the Communist Party.

Mr. RUSSELL. Is that a question?

Mr. TAVENNER. Yes.

Mr. RUSSELL. I decline to answer.

Mr. SCHERER. I ask that you direct the witness to answer the question.

Mr. CLARDY. Yes. I direct you to answer.

Mr. RUSSELL. The answer is the same.

Mr. CLARDY. Witness, can't you see you are putting your own personal feelings, your own personal likes and dislikes ahead of the welfare and the safety of your Nation when you do that?

Don't you see that?

You have no right to arrogate to yourself the right to decide whether or not you will cooperate with your Government—and that is what we represent—in attempting to uncover the tentacles of this gigantic conspiracy that would entangle us.

You can contribute a great deal if you would only help. If you have a mistaken belief that you have a right, as an individual to decide for yourself which of the laws you will obey, which you will not, which of the questions that Congress propounds you will answer and which you will not, you are making of yourself an outlaw; you are putting yourself as a judge above the law; and you shouldn't do that.

I am afraid you don't see that.

I think aside from this you are probably a very good citizen; but you are certainly destroying your value to the community and to the country as a whole in taking that attitude, and I am amazed you don't see that, because you are obviously a man of superior intelligence.

I wish you would reconsider and think about this and give Mr. Tavenner an opportunity to get from you the information that the committee seeks.

Will you go on, Mr. Tavenner?

Mr. TAVENNER. Now, Mr. Russell, from all the committee could learn during the course of its investigation, those persons who admitted having been members of the Young Communist League group in Antioch College in 1939, 1940, and 1941, did not know of any connection of any character by any professor at the college with the Young Communist League group, but in 1945 or 1946, which is in the mid-forties, as you described a moment ago, there was a group, an organized group of the Communist Party, in Yellow Springs, in which a number of the members of the faculty and student body were members, according to the testimony of Dr. Metcalfe.

Do you have any knowledge of the existence of that group in 1945 or 1946?

Mr. RUSSELL. I decline to answer that question.

Mr. TAVENNER. Well, Yellow Springs is just 20 or 24 miles from Dayton, is it not?

Mr. RUSSELL. That is correct.

Mr. TAVENNER. And you were employed during that period of time in Dayton?

Mr. RUSSELL. Yes.

Mr. TAVENNER. Did you have occasion to go backward and forward between Dayton and Yellow Springs so that you would have had an opportunity to have known of the existence of such a group had it existed?

Mr. RUSSELL. Is your question: Did I go back and forth?

Mr. TAVENNER. Did you have an opportunity to know?

Mr. RUSSELL. Well, I did go back and forth. I had some friends in Yellow Springs, if that is your question.

Mr. TAVENNER. Yes.

Then you were in a position where you could have had knowledge of the existence of such a group?

Mr. RUSSELL. Are you saying that anybody that visited Yellow Springs might have had such knowledge?

Mr. TAVENNER. No, but I say you could have. That is correct—

Mr. RUSSELL. I decline to answer that, if it is a question.

Mr. TAVENNER. Well, you refuse to answer whether or not you knew that there was such a group?

Mr. RUSSELL. Yes. I decline to answer that question.

Mr. SCHERER. I ask that you direct the witness to answer the question.

Mr. CLARDY. I so direct the witness.

Mr. RUSSELL. The answer is the same.

Mr. CLARDY. Proceed.

Mr. TAVENNER. We understood there were at least 10 members in that group.

Do you have any knowledge of your own of the extent of membership in the group?

Mr. RUSSELL. I decline to answer that.

Mr. TAVENNER. Did you ever attend any of the meetings of that group?

Mr. RUSSELL. I decline to answer.

Mr. TAVENNER. Now, I believe you came to Yellow Springs to work, didn't you, with the Vernay Laboratories in 1948?

Mr. RUSSELL. That's correct.

Mr. TAVENNER. Were you a member of the Communist Party at the time you went over there to work in Yellow Springs in 1948 at the Vernay Laboratories?

Mr. RUSSELL. I decline to answer that question.

Mr. TAVENNER. Were you acquainted with a person by the name of Arthur Strunk in 1948?

Mr. RUSSELL. I knew Mr. Strunk, but it was at a much earlier date than that.

Mr. TAVENNER. How early in date?

Mr. RUSSELL. I don't remember. Again, perhaps in the early 1940's, when I met him, I don't remember just when.

Mr. TAVENNER. What were the circumstances under which you met him?

Mr. RUSSELL. That question I decline to answer.

Mr. TAVENNER. How long did you know him?

Mr. RUSSELL. Oh, I'd know him if I saw him now.

Mr. TAVENNER. Yes. When was the last time you had a conversation with him?

Mr. RUSSELL. I again don't—

Mr. TAVENNER. You don't know?

Mr. RUSSELL. Have any firm recollection. Perhaps the midforties again.

Mr. TAVENNER. He was known to you as the treasurer of the Communist Party in the Dayton area?

Mr. RUSSELL. I decline to answer that question.

Mr. TAVENNER. You did not know until this year, did you, that Mr. Strunk all the while was operating within the Communist Party in behalf of the Federal Bureau of Investigation?

Mr. RUSSELL. I read it in the newspaper, whenever it was made public.

Mr. TAVENNER. But the first knowledge you had of that was when it was made public this year?

Mr. RUSSELL. Yes.

Mr. TAVENNER. Now, Mr. Strunk testified before the committee that he collected Communist Party dues from you. He identified you as having been a member of the Communist Party in this manner:

Norton Anthony Russell. He lives on President Street, Yellow Springs, Ohio.

During the time when Anthony Russell used to live in Greenmont Village, we had several meetings in his house, and he was a member of the Communist Party, belonged to the professional group, as far as I remember.

Question. When you say you had several meetings in this house, what kind of meetings were you referring to?

Mr. STRUNK. Communist Party meetings in his house.

Mr. WALTER. Approximately when was that, Mr. Strunk?

Mr. STRUNK. This is several years ago.

Mr. WALTER. Was it after the attack that was made on South Korea?

Mr. STRUNK. Before.

Mr. WALTER. Before.

Mr. STRUNK. It was before.

Mr. WALTER. Before June 1950?

Mr. STRUNK. Yes; it was before.

Anthony Russell moved to Yellow Springs working for Vernay Laboratories in Yellow Springs. He wasn't very active since he moved over to Yellow Springs. He attended once a Communist Party picnic in Bryan State Park. That is the last time I heard about Anthony Russell. He did pay me dues years before when he was a member of the Communist Party.

Question. Did you receive any dues from him after he moved to Yellow Springs?

Mr. STRUNK. Not personally.

Now, that is his testimony with regard to your Communist Party membership.

Let me ask you: Is his statement correct or is it false, that Communist Party meetings were held in your home while you lived in Greenmont Village?

Mr. RUSSELL. I decline to answer that question.

Mr. TAVENNER. You did live in Greenmont Village, did you not?

Mr. RUSSELL. Yes; I did.

Mr. TAVENNER. How long did you live there?

Mr. RUSSELL. Oh, I think it might have been from about 1942 until 1948.

Mr. TAVENNER. He states that you paid Communist Party dues to him. Did you?

Mr. RUSSELL. I decline to answer.

Mr. TAVENNER. Now, what type of work was Vernay Laboratories engaged in when you took employment there in 1948?

Mr. RUSSELL. They make very accurate molded synthetic rubber parts.

I believe they have made it since—that has been their business since the beginning of the company, and that is their business now.

Mr. TAVENNER. Were they engaged in manufacturing materials for defense, under defense contracts?

Mr. RUSSELL. In 1948 you mean, or now?

Mr. TAVENNER. In 1948.

Mr. RUSSELL. I don't know whether in 1948 they held any direct defense contracts or not.

Mr. TAVENNER. Do they now?

Mr. RUSSELL. None that I know of.

Mr. TAVENNER. Have they at any time between 1948 and the present time?

Mr. RUSSELL. I don't know.

I can say this: That I think over that entire period that if they have held any direct defense contracts it has been a very, very small amount, but I don't know that they have even held any in that period of time.

Mr. TAVENNER. What has been the nature of your employment there, that is, the nature of your duties, while you have been employed there since 1948?

Mr. RUSSELL. I was employed in 1948 as chief engineer, and I am now chief engineer and production manager.

Mr. TAVENNER. Will you define your duties as chief engineer?

Mr. RUSSELL. Oh, I deal some with customers and mainly, however, with directing the tooling that we use in the manufacture of the parts that we make.

Mr. TAVENNER. Will you tell the committee, please, the circumstances under which you obtained your employment with Vernay?

Mr. RUSSELL. I applied for a job and was hired.

Mr. TAVENNER. Did you make a written application?

Mr. RUSSELL. I don't remember. I may have filled out a written application.

Mr. TAVENNER. Did you furnish references?

Mr. RUSSELL. I don't really remember.

Mr. TAVENNER. Why did you leave your employment with United Aircraft?

Mr. RUSSELL. I was asked to leave. I think I was asked to resign.

Mr. TAVENNER. Why?

Mr. RUSSELL. The reason they gave me was that I had been late too many times at lunch.

Mr. TAVENNER. What was the real reason?

Mr. RUSSELL. They never stated it.

Mr. TAVENNER. You have in your mind, though, that there was another reason.

You have indicated that by your expression. What was that other reason?

Mr. RUSSELL. I decline to answer that question.

Mr. TAVENNER. Did that relate in any manner to membership on your part in the Communist Party?

Mr. RUSSELL. I have no way of knowing what their reason was, as they didn't tell me.

Mr. TAVENNER. When you took employment at the Aircraft, did you make a written application for employment?

Mr. RUSSELL. I definitely don't remember that.

Mr. TAVENNER. Were you asked any question as to whether or not you had been a member at any time or were then a member of an organization advocating the overthrow of the Government of the United States by force and violence?

Mr. RUSSELL. I don't remember that.

Mr. TAVENNER. If such a question had been asked you, how would you have answered?

Mr. RUSSELL. I certainly can't put myself back that many years and know how I might have answered it.

Mr. TAVENNER. At the time you took your employment with United Aircraft, were you a member of the Communist Party?

Mr. RUSSELL. I decline to answer that question.

Mr. TAVENNER. Did any person known to you to be a member of the Communist Party intercede in your behalf for a position at Vernay Laboratories?

Mr. RUSSELL. No, sir.

Mr. TAVENNER. Did you give as a reference any person known to you to be a member of the Communist Party?

Mr. RUSSELL. I don't remember who I gave as references, or if I gave any references.

Mr. TAVENNER. When you took employment at Vernay Laboratories, was there a person by the name of Walter Lohman employed there?

Mr. RUSSELL. I think he was employed there when I came to work.

Mr. TAVENNER. Had you known him prior to your taking employment at Vernay?

Mr. RUSSELL. I think perhaps I did, but I'm not positive of that.

Mr. TAVENNER. You would know whether you had met him prior to your taking employment there, wouldn't you?

Mr. RUSSELL. Well, I think I did, as I say, but if I did it must have been a passing acquaintance, whereas since I have been employed there I have seen him nearly every day.

I mean I see him——

Mr. TAVENNER. You are aware of the fact that he is under indictment for violation of the filing of the non-Communist affidavit under the Taft-Hartley Act?

Mr. RUSSELL. Yes; I am.

Mr. TAVENNER. Was he known to you to be a member of the Communist Party?

Mr. RUSSELL. I decline to answer that question.

Mr. SCHERER. You decline on the basis of the first amendment?

Mr. RUSSELL. On the basis as previously stated; yes, sir.

Mr. SCHERER. And you are not invoking the fifth amendment?

Mr. RUSSELL. No.

Mr. CLARDY. Just a moment.

Then I direct you to answer the question.

Mr. RUSSELL. I still decline.

Mr. TAVENNER. You saw him nearly every day during the course of your employment, and that would be from 1948 up until 1954, wouldn't it?

Mr. RUSSELL. Any day that he was at work and I happened to be out in the shop when he was working I probably saw him.

Mr. TAVENNER. Did you attend any Communist Party meeting with him?

Mr. RUSSELL. I decline to answer that question.

Mr. TAVENNER. Do you recall the date on which he filed his non-Communist Party affidavit?

Mr. RUSSELL. No; I certainly don't.

Mr. TAVENNER. What office did he hold in the union which made him qualify as one who should file a non-Communist affidavit?

Mr. RUSSELL. I don't know.

Mr. TAVENNER. Do you know whether he was a member of the Communist Party at any time after he filed his non-Communist affidavit, or, to make it more specific, do you know whether or not he was a member of the Communist Party during—at any time during 1953?

Mr. RUSSELL. I don't know that he was ever a member of the Communist Party.

I just don't know.

Mr. TAVENNER. Now, that is a question a while ago that you refused to answer.

Mr. RUSSELL. No, I do not believe so. I do not think it is the same question.

Mr. TAVENNER. You say you do not know that he was ever a member of the Communist Party?

Mr. RUSSELL. I do not know that he was.

Mr. TAVENNER. What do you mean by that? You say you don't know that he was. You are putting a certain emphasis on that that causes me to believe you have some special meaning in mind.

Mr. RUSSELL. No, no special meaning.

Mr. TAVENNER. Did you ever attend a Communist Party meeting with him?

Mr. RUSSELL. I decline to answer that question.

Mr. TAVENNER. In other words, you are telling us you have never seen his Communist Party card. That is about what you mean, that you have not seen tangible evidence of his membership such as by seeing his Communist Party membership card or seeing him pay dues?

Mr. RUSSELL. I guess I mean that I don't know that he was ever a member of the Communist Party.

Mr. TAVENNER. But you are not saying whether he attended Communist Party meetings?

Mr. RUSSELL. With me? Was that the question?

Mr. TAVENNER. Yes, with you.

Mr. RUSSELL. That is the question I decline to answer.

Mr. TAVENNER. Well, did he ever attend a Communist Party meeting, to your knowledge?

Mr. RUSSELL. I don't know.

Mr. SCHERER. Are you still asking about Walter Lohman?

Mr. TAVENNER. Yes, sir. What position did he hold in Vernay Laboratories?

Mr. RUSSELL. He is a machinist.

Mr. TAVENNER. Did Mr. Lohman ever attend a Communist Party meeting at your home?

Mr. RUSSELL. I decline to answer that question.

Mr. TAVENNER. Mr. Lohman was identified by Mr. Strunk as having been a Communist Party member. You are aware of that, are you not?

Mr. RUSSELL. I think I read that, yes.

Mr. TAVENNER. Were you acquainted with Mr. John J. Edmiston?

Mr. RUSSELL. I do not believe I ever met him.

Mr. TAVENNER. You stated that there may have been some small matters that constituted defense orders at Vernay Laboratories since the period that you were there.

Do you recall whether or not you were cleared at any time for work on classified material?

Mr. RUSSELL. Would I have known it had I been cleared?

Mr. TAVENNER. Yes, I think you would have.

Mr. RUSSELL. Then, as far as I know, I have not been.

You mentioned classified material and again, to my knowledge, we have never done any manufacturing that would require such clearance or would be called classified material.

Mr. TAVENNER. That is since you have been up there.

Mr. RUSSELL. Since I have been there.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY. Mr. Scherer.

Mr. SCHERER. I have no questions.

Mr. CLARDY. Mr. Walter.

Mr. WALTER. No questions.

Mr. CLARDY. Mr. Moulder.

Mr. MOULDER. No questions.

Mr. CLARDY. The witness is excused.

INVESTIGATION OF COMMUNIST ACTIVITIES IN THE DAYTON, OHIO, AREA—Part 4

THURSDAY, NOVEMBER 18, 1954

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

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 2:07 p. m. in room 313 of the Old House Office Building, Hon. Kit Clardy (presiding).

Committee members present: Representatives Gordon H. Scherer, Kit Clardy, and Francis E. Walter.

Staff members present: Frank S. Tavenner, Jr., counsel; Courtney E. Owens, chief investigator; Thomas W. Beale, Sr., chief clerk; Raphael I. Nixon, director of research; and Donald Appell, investigator.

Mr. CLARDY. The committee will be in session.

Let the record show the chairman has appointed a subcommittee, consisting of Congressmen Scherer, Walter, Moulder, and myself.

Mr. TAVENNER. Robert A. Harrison, will you come forward, please?

Mr. CLARDY. Hold up your right hand.

Do you solemnly 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. HARRISON. I do.

Mr. CLARDY. Be seated.

TESTIMONY OF ROBERT A. HARRISON

Mr. TAVENNER. What is your name, please, sir?

Mr. HARRISON. Robert A. Harrison.

Mr. TAVENNER. Mr. Harrison, it is the practice of the committee to advise all witnesses they are entitled to have counsel with them if they desire.

Mr. HARRISON. Is that right?

Can I have anybody I want?

Mr. TAVENNER. And to advise also if, during the course of your testimony, you desire to consult counsel, you may.

When and where were you born, Mr. Harrison?

Mr. HARRISON. Keyser, W. Va.

Mr. TAVENNER. When?

Mr. HARRISON. 1916, May the 1st.

Mr. TAVENNER. Where do you now reside, Mr. Harrison?

Mr. HARRISON. Dayton, Ohio.

Mr. TAVENNER. Give me the address, please.

Mr. HARRISON. 4446 Prescott Avenue.

Mr. TAVENNER. I think I should make this explanation to the committee: This witness, Mr. Chairman, was subpoenaed for attendance at the hearings at Dayton—

Mr. HARRISON. Better make a correction.

Mr. TAVENNER. In September and it developed the subpoena was served on another person by the same first name and same middle initial.

The error was discovered just at the time we began the hearings, and there was not sufficient time then to issue another subpoena.

Mr. SCHERER. The other person had the same first name, same last name, and same middle initial?

Mr. TAVENNER. That is right.

Mr. CLARDY. I remember that.

Mr. HARRISON. All you had to do was call on the telephone and I would have been there.

Mr. TAVENNER. And for that reason it was necessary to subpoena that witness here.

Mr. CLARDY. I recall there was a little incongruity expressed at the time there would be such a happenstance but—

Mr. HARRISON. Let me say, Mr. Chairman, if you had just called on the telephone, I would have been down there.

Mr. TAVENNER. Well, you are here now.

Mr. CLARDY. We are happy to have you here today.

Mr. TAVENNER. I desire to ask you several questions regarding your possible knowledge of Communist Party activities in Dayton, in the Dayton area.

First, let me ask you: What is the nature of your employment?

Mr. HARRISON. I am a maintenance man on a housing project.

Mr. TAVENNER. How long have you been engaged in that type of work?

Mr. HARRISON. Let me think. 1949. I think it was March 9 that I went to work there.

Mr. TAVENNER. Prior to that time, how were you employed, that is, prior to 1949, when you began your present work?

Mr. HARRISON. Well, I was unemployed a year before that.

Mr. TAVENNER. Prior to that period of 1 year, by whom were you employed?

Mr. HARRISON. I was employed at a fish market as a butcher prior to that.

Mr. TAVENNER. And prior to that how were you employed?

Mr. HARRISON. Prior to that I was employed at Master Electric, or prior to that I was in the service and then I was at Master Electric.

Prior to that I was putting in concrete.

Mr. TAVENNER. You recall the occasion of the Univis Lens strike, do you not, in 1948, I believe?

Mr. HARRISON. Yes, sir.

Mr. TAVENNER. In Dayton?

Mr. HARRISON. Yes, sir.

Mr. TAVENNER. How were you employed then, during that period?

Mr. HARRISON. I was unemployed.

Mr. TAVENNER. Did you take any part in that strike?

Mr. HARRISON. Yes, sir.

Mr. TAVENNER. Although you were not employed at the plant where the strike was going on?

Mr. HARRISON. That's right. I was employed at the plant before the strike.

Mr. TAVENNER. How long before?

Mr. HARRISON. I don't know. I mean you would probably have to read that to me there. I don't know.

Mr. CLARDY. Were you employed at the Univis Lens Co. for any length of time?

Mr. HARRISON. Yes; I was employed at the Univis Lens Co.

Mr. CLARDY. For a matter of a year or more?

Mr. HARRISON. I don't know whether it was a matter of a year or 9 months or 6 months. I say probably if he would read to me there—if he has got in 9 months or a year there, that I was working there—

Mr. TAVENNER. Were you working there when the strike began?

Mr. HARRISON. No; I wasn't working there.

Mr. TAVENNER. How long before the strike began was it you quit work there?

Mr. HARRISON. I mean I can't answer that either. I don't know.

Mr. TAVENNER. Was it a matter of 6 months or 2 years?

Mr. HARRISON. I don't know. I don't know that.

Mr. TAVENNER. But you were not actually an employee at the Univis Lens plant when the strike was called?

Mr. HARRISON. No, sir.

Mr. TAVENNER. And had not been for some period of time, but you are unable to tell us for how long?

Mr. HARRISON. Yes. I mean I don't know.

Mr. CLARDY. Mr. Tavenner, let's pinpoint that date. It was 1949. What was the date of the month?

I will ask the witness, Do you remember the date of the commencement of that strike?

Mr. HARRISON. No; I don't. I don't know that either. He'll have to read that to me.

I really don't know.

Mr. CLARDY. I should remember. We had so much testimony on that.

Mr. TAVENNER. It was in 1948.

(Representative Francis E. Walter entered the hearing room at this point.)

And my recollection is that it began in May of 1948 and extended on through until August of 1948.

I am sure that is substantially correct.

Mr. HARRISON. That could be true. I don't know the date.

Mr. TAVENNER. Now, were you a member of the local union at Univis Lens Co.?

Mr. HARRISON. Yes, sir.

Mr. TAVENNER. At the time you quit work?

Mr. HARRISON. Yes, sir.

Mr. TAVENNER. But you were not a member of that organization at the time the strike was called because you were not employed in that plant, or were you?

Mr. HARRISON. Ask that one more time.

Mr. TAVENNER. Were you a member of the local union that had the contract with Univis Lens at the time the strike was called?

Mr. HARRISON. Yes.

Mr. TAVENNER. You were still a member?

Mr. HARRISON. Yes.

Mr. TAVENNER. Are you acquainted with a person by the name of Arthur Strunk?

Mr. HARRISON. I know him.

Mr. TAVENNER. Do you know what position he held in the Communist Party in Dayton in 1948 and prior thereto?

Mr. HARRISON. Well, Mr. Chairman, I guess it is time for the first and fifth amendment.

I will have to invoke my right under the first and fifth amendment.

Mr. CLARDY. Witness, so we will have an understanding, you do not have to do so.

Mr. HARRISON. Well, I do.

Mr. CLARDY. But I understand you are doing so?

Mr. HARRISON. And furthermore I would like to say—I mean my own feeling—as you have said before here—I have sat and listened yesterday; I have sat and listened today.

I have talked with your official investigator this morning. The way that I feel, in my own heart, my own head, that this committee, which is the Un-American Committee, which has a good name and the right name, I must say, in my own heart, is a committee that is doing more harm than it is good.

Mr. CLARDY. That will be enough, witness. That has nothing to do with the question before you.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Harrison, the committee undertook while at Dayton to examine into the facts relating to the Univis Lens strike, not from the standpoint of any issues that were involved in the strike or any differences of opinion between employer or any employee or any differences of opinion between factions of the union, but what the committee did undertake to do was to attempt to ascertain to what extent the Communist Party was active in that strike and to what extent it endeavored to control the course of that strike.

During the course of that testimony it was established that a strike committee was formed, and that strike committee consisted of—

Mr. CLARDY. Fifteen members.

Mr. TAVENNER. Ten or twelve persons, all of whom—

Mr. CLARDY. May I correct you, Mr. Tavenner? It was 15 members, 14 of which were shown to be Communists.

Mr. TAVENNER. Whether it was 15 or a slightly lesser number, it was shown by the testimony that all were members of the Communist Party, with the exception of 1.

Mr. Strunk testified that, as a treasurer of the Communist Party, he knew these 14 persons to be members of the Communist Party and I asked him to prepare a list of those who were on this strike committee, and he gave us the benefit of his knowledge.

This question was asked Mr. Strunk—

I may say Mr. Strunk, during the period of time he was in the Communist Party, which was for quite a period of years, was acting in behalf of the Federal Bureau of Investigation, and had entered the Communist Party for that purpose.

Mr. CLARDY. Before you read the question, I think you should add, for his information, that the 14 Communist members of that labor negotiating committee, 14 Communist members, were not employees of the Univis Lens Co., but were imported from the outside and put on the committee. Now proceed.

Mr. SCHERER. That wasn't true of all of them.

Mr. CLARDY. Of the 14 it was.

Mr. SCHERER. Part of them.

Mr. TAVENNER. That was correct as to some of them, not all of them, is my recollection.

This question was asked of Mr. Strunk:

Now, Mr. Strunk, I have asked you to prepare a list from your memory of all the persons from whom you collected dues during the period you were dues collector of the Communist Party and the names of any other persons who were known to you personally to have been members of the Communist Party. Have you prepared such a list?

He identified you as one of the persons known to him to have been a member of the Communist Party in this language:

Robert A. Harrison, 54 Baltimore Avenue. He used to live in Greenwich Village——

Mr. HARRISON. I am sorry. You have the wrong——

Mr. TAVENNER (reading):

I think on Queens Avenue. He was an officer of 768, CIO.

Mr. HARRISON. You are right now.

Mr. TAVENNER. Is that correct?

Mr. HARRISON. No; not the first of it. I mean that is all wrong.

Mr. TAVENNER. But you were an officer of 768, CIO.

Mr. HARRISON. That's right.

Mr. TAVENNER. Did you ever live at either of the addresses he mentioned, in Greenwich Village?

Mr. HARRISON. No.

Mr. TAVENNER. Did you ever live on Queens Avenue?

Mr. HARRISON. Yes; I lived on Queens Avenue.

Mr. TAVENNER. I am advised that Greenwich Village is a misprint. This is Greenmont Village.

Mr. HARRISON. I never did live at Greenmont.

Mr. TAVENNER. But you did live on Queens Avenue?

Mr. HARRISON. That's right.

Mr. TAVENNER. Continuing Mr. Strunk's identification of you:

I attended many meetings with him. We had meetings at his house. Gus Hall, the secretary of the Ohio Communist Party, was present.

Now, he is identifying persons known to him to have been members of the Communist Party.

Did Guss Hall, secretary of the Ohio State Communist Party, meet with you in your home, with you and others?

Mr. HARRISON. I will have to invoke the fifth amendment, the same as before.

Mr. TAVENNER. This question:

Have you identified him as a member—

“him” referring to yourself—

of the UE?

Mr. STRUNK. Yes.

Mr. Scherer asked this question of Mr. Strunk:

You said he was an officer of that local, did you?

Mr. STRUNK. He was officer and a bartender. He was an officer of that union; correct.

Mr. Strunk also testified:

To be correct, he was an officer of the CIO union. He was an officer in the CIO union. During the Univis Lens strike, he was at 768 and supported the strike as a union officer. I think he was on the strike board.

Were you on the strike board?

Mr. HARRISON. I still stand on the first and fifth amendment.

Mr. CLARDY. The Chair directs that you answer that question.

You have admitted, while you were not an employee of the Univis Lens Co., at the time of the strike, you were, nevertheless, in the union at that time.

Now, I don't think you have the protection of the fifth or any other amendment in refusing to answer the question as to whether or not you were on the strike committee at that time.

Mr. SCHERER. The witness has also testified that he participated in the strike.

Mr. CLARDY. That is right.

So, I direct that you answer that question.

Mr. HARRISON. That I participated in the strike?

Yes.

Mr. CLARDY. The question is as to whether or not you were on the strike committee.

Mr. HARRISON. I participated in the strike.

Mr. CLARDY. Is that correct, Mr. Tavenner?

Mr. HARRISON. Would that mean I was on the strike committee?

Mr. CLARDY. No. People can participate in a strike, but—

Mr. HARRISON. That is what I want to get straight in my own mind.

On the establishment here of the first amendment it says freedom of speech, press, assembly, and so on.

So, I would invoke the first and fifth amendment, like I said before.

Mr. SCHERER. Did you direct him to answer the question?

Mr. CLARDY. I directed him to answer.

Mr. HARRISON. I still stand on the first and fifth amendment.

Mr. CLARDY. You are refusing to answer despite the direction?

Mr. HARRISON. I stand on the first and fifth amendments.

Mr. SCHERER. Witness, may I tell you, in view of the fact you haven't counsel here, in view of your previous answers, I think you are invoking the fifth amendment improperly and as a result you will be in contempt in your refusing to answer whether or not you were a member of the strike board.

Mr. HARRISON. Mr. Chairman, can I say something back to Mr. Scherer?

Mr. CLARDY. You may.

Mr. HARRISON. All right, sir.

I think this here committee should not be, but it still is.

Mr. CLARDY. Should not what?

Mr. HARRISON. Should not really be, but—

Mr. CLARDY. We understand. That is the Communist Party line.

Mr. HARRISON. No. That is my own personal opinion and feeling, Mr. Chairman.

Mr. CLARDY. You have joined in one of the left-wing Communist Party lines that we here quit directly, and you are entitled to that opinion.

The fact that you are wrong is neither here nor there.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Strunk advised the committee that all the members of that strike group or strike committee were members of the Communist Party, with the exception of one, and that one individual was Leothar Wornstaff.

Now, the committee subpoenaed Mr. Wornstaff, as to whom it had no information or belief that he had at any time been a member of the Communist Party.

Mr. Wornstaff at the time we subpoenaed him was the president of local 768, IUE, CIO.

He had prior to that time been president of local 768 under the UE, CIO. So, Mr. Wornstaff appeared and testified at length about the Univis Lens strike.

It is not necessary for me to go into his testimony now, except to tell you he described this committee, which was known as the strategy committee.

This question was asked by Mr. Scherer:

When, if you did, did you learn that the other members of this strategy committee were members of the Communist Party?

Mr. WORNSTAFF. I always had a feeling they were right along because the judge that we had on our injunction case at that time called me to his home and told me that he felt I was into something that I ought to be checking and ought to get out of it right quick.

Question. When did you actually learn these men were members of the Communist Party?

You had the suspicion they were. When did you learn?

Mr. WORNSTAFF. In the trial of Melvin Hupman, I guess, when Mr. Strunk testified.

Mr. SCHERER. Through the testimony of Mr. Strunk?

Mr. WORNSTAFF. That is right, outside of one person. I did see one person's Communist Party card.

Mr. SCHERER. Which one was that?

Mr. WORNSTAFF. Robert Harrison.

I think you might add him to that committee.

Mr. CLARDY. How did you happen to see that?

Mr. WORNSTAFF. He used to run the bar.

Let me stop a moment.

You did run the bar in the union, didn't you?

Mr. HARRISON. Yes.

Mr. TAVENNER. Now—

After he got 2 or 3 drinks in him, he was pretty free with his conversation. He was pretty bold. He would throw it out on the bar for most anybody to look at that wanted to see it. I saw it on him on many occasions. I had several arguments with him, Mr. Payne, Mr. Kaplan, and Johnny Mitchell, in what is now my office. They all four told me, "You cannot work for the International Union of UE unless you belong to the Communist Party."

Now, did you have a Communist Party card issued to you?

Mr. HARRISON. Mr. Chairman, I will still have to stand on the first and fifth amendment.

Mr. SCHERER. Pardon me just a minute. Was any part of Mr. Wornstaff's testimony read to you by Mr. Tavenner false?

Mr. HARRISON. I worked in the bar.

Mr. SCHERER. Sir?

Mr. HARRISON. That I worked in the bar.

Mr. SCHERER. That part you say is false?

Mr. HARRISON. Is true.

Mr. SCHERER. That is the only part.

Now, is the rest of it false?

Mr. HARRISON. I still stand on the first and fifth amendment, sir.

Mr. SCHERER. Do you say that just one part of his testimony is true, and you refuse to say whether the rest of it is true?

Mr. HARRISON. That's right, sir.

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. Do you know any facts relating to the manner in which Communists living outside of Dayton were brought in to become active in the Univis Lens strike?

Mr. HARRISON. What do you say, counsel?

First, fifth amendment, sir.

Mr. CLARDY. What?

I didn't get that.

What was that little act you put on there?

I didn't quite get it.

Mr. TAVENNER. He is referring to the Chair as his counsel.

Mr. HARRISON. That's my counsel.

Mr. CLARDY. Witness, this may seem to be a very humorous proceeding to you. That, indeed, is the attitude we find quite frequently from the Communists who occupy the seat—

Mr. HARRISON. Now, Mr. Velde, are you calling me a Communist now?

Is the Chair calling me one, sir?

Mr. CLARDY. I suggest that you refrain—

Mr. SCHERER. Just a minute.

Mr. CLARDY. From any further levity of that type.

Mr. SCHERER. You asked if the Chair was calling you a Communist?

Mr. HARRISON. Yes. Mr. Scherer—Mr. Chairman, please—

Mr. CLARDY. Will you please subside? I haven't addressed any question to you at all.

Mr. HARRISON. Mr. Chairman—

Mr. CLARDY. I have admonished you and I am going to do it again. Please remain silent until a question is addressed to you.

Proceed, Mr. Tavenner.

Mr. HARRISON. Can I ask a question?

Mr. CLARDY. You cannot.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Possibly this will enable you to answer what may be in your mind.

Are you now a member of the Communist Party?

Mr. HARRISON. I will stand on the first and fifth amendments.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. HARRISON. I will still stand on the first and fifth amendments.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY. Mr. Scherer.

Mr. SCHERER. I have no questions.

Mr. CLARDY. Mr. Walter.

Mr. WALTER. No questions.

Mr. CLARDY. Witness dismissed.

INVESTIGATION OF COMMUNIST ACTIVITIES IN THE DAYTON, OHIO, AREA—Part 4

FRIDAY, NOVEMBER 19, 1954

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

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to adjournment, at 10:25 a. m. in room 313, Old House Office Building, Hon. Harold H. Velde (chairman) presiding.

Committee members present: Representatives Harold H. Velde (chairman), Kit Clardy, Gordon H. Scherer, and Francis E. Walter.

Staff members present: Frank S. Tavenner, Jr., counsel; Thomas W. Beale, Sr., chief clerk; Raphael I. Nixon, director of research; Donald Appell and Courtney E. Owens, investigators.

Mr. VELDE. The subcommittee will be in order.

Mr. Reporter, let the record show that present are Mr. Clardy, Mr. Scherer, Mr. Walter, and myself as chairman of the subcommittee for the purposes of this hearing.

Mr. Counsel, do you have a witness?

Mr. TAVENNER. Yes, sir.

Irene Jacobs.

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Miss JACOBS. I do.

TESTIMONY OF MISS IRENE JACOBS, ACCOMPANIED BY HER COUNSEL, PAUL FREAR

Mr. TAVENNER. What is your name, please?

Miss JACOBS. My name is Irene Jacobs.

Mr. TAVENNER. Are you accompanied by counsel?

Miss JACOBS. Yes, I am.

Mr. TAVENNER. Will counsel please identify himself?

Mr. FREAR. Paul Frear, Dayton, Ohio, 1322 Germantown Street.

Mr. Chairman, I have one request I would like to make.

We have no objection to photographs, but I would like to have the chairman of the committee to instruct the photographers to take their photographs now and not during the course of the interrogation.

Mr. VELDE. The Chair will appreciate it if the photographers will do so.

Mr. TAVENNER. Miss Jacobs, will you tell the committee, please, when and where you were born?

Miss JACOBS. I was born September the 2, 1922, in Dayton, Ohio.

Mr. TAVENNER. You now reside in Dayton, I believe?

Miss JACOBS. Yes.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Miss JACOBS. I went to Edison Elementary, and attended Roosevelt High in Dayton, Ohio.

Mr. TAVENNER. What is your occupation?

Miss JACOBS. I am at present an unemployed factory worker.

Mr. TAVENNER. What was your last employment?

Miss JACOBS. I worked for the International Envelope Corp. in Dayton.

Mr. TAVENNER. When did you first become employed by that company?

Miss JACOBS. I believe it was on March the 12th, 1948.

Mr. TAVENNER. How were you employed prior to that?

Miss JACOBS. Well, I had various positions.

Mr. TAVENNER. Immediately prior to that?

Miss JACOBS. I believe I worked for the Ohio Bell Telephone.

Mr. TAVENNER. Did you at any time work for Univis Lens Co.?

Miss JACOBS. No; I didn't.

Mr. TAVENNER. During the course of the hearings in Dayton you were identified by Mr. Arthur Strunk as having been a member of the Communist Party during the period of time, or at least part of the period of time, when he was dues collector of the Communist Party in Dayton.

He stated that when he was exposed as an undercover agent for the Federal Bureau of Investigation as a result of some case in which he was called as a witness in 1952 that you were at that time still a member of the Communist Party in Dayton.

Were you a member of the Communist Party in Dayton in 1952?

Miss JACOBS. I assert the privilege of the first and fifth amendments.

Mr. TAVENNER. He also testified that you were known for a period of time prior to 1952 as being a member of the Communist Party in Dayton; is that true or not?

Miss JACOBS. I again assert the privilege of the first and fifth amendments.

Mr. TAVENNER. Mr. Roger Dunham testified before this committee and advised it that you were a member of the Communist Party in Dayton.

Miss JACOBS. My answer is the same as to the previous questions.

Mr. TAVENNER. Were you acquainted with Roger Dunham?

Miss JACOBS. I assert the privilege of the first and fifth amendments.

Mr. TAVENNER. Were you acquainted with Mr. Arthur Strunk?

Miss JACOBS. I again assert that same privilege.

Mr. TAVENNER. Mr. Strunk further testified that during the period of your membership in the Communist Party that you were active in the Univis Lens strike.

So, let me ask the question this way: Were you active in the Univis Lens strike?

Miss JACOBS. I assert the privilege of the first and fifth amendments.

Mr. TAVENNER. You have told us you were never employed by the Univis Lens Co. That is correct, isn't it?

(At this point Miss Jacobs conferred with Mr. Prear.)

Miss JACOBS. No; I was never employed by the Univis Lens Co.

Mr. SCHERER. Why did you participate then in the Univis Lens strike?

(At this point Miss Jacobs conferred with Mr. Prear.)

Miss JACOBS. Sir, I did not answer to that question on the fact that I had participated in such a strike.

Mr. SCHERER. Well, I am asking you: Didn't you participate in the strike?

Miss JACOBS. I assert the privilege of the fifth amendment.

Mr. SCHERER. Now, is any of the testimony of Mr. Strunk which Mr. Tavenner has read to you untrue?

Miss JACOBS. I assert the privilege of the fifth amendment.

Mr. SCHERER. Is the testimony of any of the other witnesses that Mr. Tavenner has read to you untrue, especially as it refers to you?

Miss JACOBS. I again assert that same privilege.

Mr. SCHERER. Then you don't deny any of that testimony, do you?

Miss JACOBS. I assert the privilege of the fifth amendment.

Mr. TAVENNER. Were you acquainted with Lou Kaplan?

Miss JACOBS. I assert the privilege of the first and fifth amendments.

(Representative Harold H. Velde left the hearing room at this point.)

Mr. TAVENNER. There has been a great deal of testimony indicating that the Communist Party sent Communist Party members from other areas into Dayton at the time of that strike and they participated in the strike.

Do you have any knowledge of that?

(At this point, Miss Jacobs conferred with Mr. Prear.)

Miss JACOBS. I again assert the privilege of the first and fifth amendments.

Mr. TAVENNER. Weren't you directed by the Communist Party to participate in that strike?

Miss JACOBS. I assert the privilege of the fifth amendment.

Mr. TAVENNER. Are you now a member of the Communist Party?

Miss JACOBS. I again assert that privilege.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY (presiding). Mr. Scherer.

Mr. SCHERER. I have no questions.

Mr. WALTER. No questions.

Mr. CLARDY. Witness dismissed.

AFTERNOON SESSION

Mr. KUNZIG. I have been asked to announce that Mr. Velde, the chairman of the committee, has been called to the center of town.

The hearing will be continued to December 6, 1954, at 10:30 a. m.

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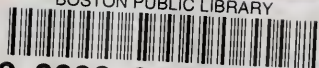
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