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INVESTIGATION OF COMMUNIST ACTIVITIES,
NEW YORK AREA—Part VII
(ENTERTAINMENT)

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

EIGHTY-FOURTH CONGRESS

FIRST SESSION

—
AUGUST 17 AND 18, 1955
—

(INCLUDING INDEX)
—

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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

* * * * *

(a) (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 84TH CONGRESS

House Resolution 5, January 5, 1955

* * * * *

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

* * * * *

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(a) Un-American Activities.

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INVESTIGATION OF COMMUNIST ACTIVITIES,
NEW YORK AREA—PART VII
(Entertainment)

WEDNESDAY, AUGUST 17, 1955

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
New York, N. Y.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met at 10:20 a. m., pursuant to recess, in room 1703 of the Federal Building, Foley Square, New York, N. Y., Hon. Francis E. Walter (chairman) presiding.

Committee members present: Representatives Walter, Willis, and Scherer.

Staff members present: Frank S. Tavenner, Jr., counsel; Donald T. Appell and Frank Bonora, investigators; and Thomas W. Beale, Sr., chief clerk.

Chairman WALTER. The committee will be in order.

Mr. TAVENNER, call your first witness.

Mr. TAVENNER. Mr. George Hall, will you come forward?

Chairman WALTER. Will you raise your right hand?

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

Mr. HALL. I do.

TESTIMONY OF GEORGE HALL

Mr. TAVENNER. You are Mr. George Hall?

Mr. HALL. That is right.

Mr. TAVENNER. It is noted that you are not accompanied by counsel. It is the practice of the committee to advise all witnesses that they have a right to counsel, and if during the course of their interrogation, they desire to consult counsel, an opportunity will be given them.

Mr. HALL. I am satisfied with my own opinion, sir.

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

Mr. HALL. Toronto, Canada.

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

Mr. HALL. In 1938.

Mr. TAVENNER. From Canada?

Mr. HALL. Yes, sir.

Mr. TAVENNER. Are you a naturalized American citizen?

Mr. HALL. Yes, sir. I became a citizen in Waco, Tex., February 1943, while I was in the United States Army.

Mr. TAVENNER. For what period of time did you serve in the Armed Forces of the United States?

Mr. HALL. From 1942 to 1946, 3 years and 3 months and 14 days.

Mr. TAVENNER. What is your occupation?

Mr. HALL. I am an actor.

Mr. TAVENNER. Do you reside in the city of New York?

Mr. HALL. Yes, sir.

Mr. TAVENNER. Where have you engaged in your occupation or profession? Has it been exclusively in the city of New York?

Mr. HALL. No, sir. I have been practically all over the country in the pursuit of my profession.

Mr. TAVENNER. But New York has been your headquarters?

Mr. HALL. That is right; yes, sir.

Mr. TAVENNER. How long have you been engaged in the acting profession professionally?

Mr. HALL. Professionally in New York since 1946, but sort of semi-professionally and amateurishly, I guess you might say all of my life, all of my adult life.

Mr. TAVENNER. Will you tell the committee, please, what your stage credits have been?

Mr. HALL. Call Me Mister, High Button Shoes, Insect Comedy, Londoner, Touch and Go, Live Wire, An Anonymous Lover, Jones Beach Spectacle, and Stockade; and a great many things in stock and what have you.

In New York specifically, I was in Call Me Mister, Londoner, Touch and Go, The Insect Comedy, and The Live Wire, and the off-Broadway production of Stockade.

Mr. TAVENNER. Have you also been active in the field of television?

Mr. HALL. Yes, sir.

Mr. TAVENNER. Do you have any special television credits?

Mr. HALL. Well, I have been on the Ed Sullivan Show twice, on Celebrity Time, many many times. And the last TV show I did was the Man Behind the Badge, CBS production, and there have been quite a few TV shows, and it is difficult to remember them all.

Mr. TAVENNER. Have you also been engaged in the field of radio?

Mr. HALL. Yes.

Mr. TAVENNER. What radio programs have you engaged in?

Mr. HALL. My radio activity has been mostly on the soap opera called, Pepper Young's Family, which I have done on and off for quite a number of years.

Mr. TAVENNER. What was the first stage production that you took part in?

Mr. HALL. Call Me Mister.

Mr. TAVENNER. When was that?

Mr. HALL. The first New York professional production, in 1946.

Mr. TAVENNER. How long were you engaged in that show?

Mr. HALL. I think a year and two months.

Mr. TAVENNER. Will you tell the committee please whether or not during the period you were employed in the production of that show you were a member of the Communist Party?

Mr. HALL. I was a member of the Communist Party from about July or August of 1946 through 1947. During that time I was a card-holding member of the Communist Party.

Mr. TAVENNER. You were a member of the Communist Party then for a period of about 1½ years?

Mr. HALL. Yes, and during that period of 1½ years, I was out of town part of it, summer stock, and what have you, and so actually my active participation as a Communist card-holding member, would be about 9 months of the actual New York participation, during that year and a half period.

Mr. TAVENNER. Will you tell the committee, please, the circumstances under which you were recruited or became a member of the Communist Party?

Mr. HALL. I would like to make it very clear, if I may, that no one, and I would like to specify, no one specifically influenced me or persuaded me or cajoled me or talked me into becoming a member of the Communist Party. This blunder was mine, and I take full responsibility for it.

Previous to my Army service, and during my Army service, I spent a good deal of time in certain regions of our country where I saw things which I interpreted in let us say, an immature intellectually, but an emotional way. The interpretation of these incidents and things prompted me to rebel against what you might call the status quo. I was looking, I suppose, for an association that appeared at any rate emotionally to substantiate my feelings at that time. I took on a kind of, and a pompous big brother attitude, I think, during this period of my life, and very pompous and a big brother attitude toward certain racial minorities who needed my help like they need a hole in the head.

As I study history a little bit, recent history, and much less than recent history, one realizes that leadership in the people themselves of the specific group that I pompously tried to big brother, don't need anyone but themselves.

Now, I joined the Communist Party because they gave me the impression that they, too, felt as I did about these problems. It didn't occur to me until some time later that this particular minority group of whom I was pompously acting as a big brother, had more freedom, and more individual right.

Chairman WALTER. Just suspend here. I asked you men to stop taking pictures, and you know the rules. Even after I told you a minute ago, you went ahead and took pictures. Now this is very disconcerting.

Go ahead, Mr. Hall.

Mr. HALL. I discovered in this country under this Government, these people have more individual liberty and rights and opportunity for personal attainment and achievement, 99.9 percent more I would say than they have under the government of their own national fatherland. It took me some time to realize these things but I eventually did.

Mr. TAVENNER. What opportunity presented itself to you to become a member of the Communist Party during the period of time you were employed in the production of Call Me Mister?

Mr. HALL. I think in effect, sir, in actual fact, I sought it out myself. However, there were a couple of people in the cast, and in the stage management of the show, who also apparently felt as I did about these things, and it was through them that I made my first specific contact and became a cardholding member of the Communist

Party. These two people were specifically, Alan Manson and David Kanter.

Mr. TAVENNER. How was this contact with the Communist Party achieved?

Chairman WALTER. Just a moment. What were the names?

Mr. HALL. Alan Manson, and David Kanter.

The contact was made quite simply by my going to hear someone talk, as you might say, and I became a cardholding member.

I don't recall at that time, in 1946, which would be July or August, going anywhere and signing up for a card. After I went to a meeting, a cell meeting, you might call it, I guess, I was later given a card. I must have signed something, and you just don't do this thing without signing something, and I must have signed something, and I got a card. I became a cardholding member.

Mr. TAVENNER. Were both of the individuals you mentioned connected with the production of Call Me Mister?

Mr. HALL. Yes, they were, but I would like to make it very specific that this is not to give the impression that the show Call Me Mister was Communist ridden. It certainly was not.

Mr. TAVENNER. I understand. What positions or what part did each of those persons have?

Mr. HALL. Mr. Manson was an actor like myself, and Mr. Kanter was assistant stage manager.

Mr. TAVENNER. Do you recall how your attention was brought to this meeting that was to be held, and which you attended?

Mr. HALL. I recall Mr. Kanter saying, "I would like you to hear someone talk," and I recall answering immediately, "You don't have to talk me into anything, I am all for it."

In other words, I would like to make it very clear and specific that I was the one actually doing the searching and finding out the place to go and how to get contact.

Mr. TAVENNER. Were either of those two gentlemen at that meeting?

Mr. HALL. Alan Manson.

Mr. TAVENNER. Did Mr. Kanter appear at the meeting or accompany you to the meeting?

Mr. HALL. No, I don't recall the actual physical aspects of my arriving at the meeting, and I just know that I went there and I don't recall the physical aspects of it at all.

Mr. TAVENNER. Did you have any knowledge of the time and place of the meeting other than that which was given you by Mr. Kanter?

Mr. HALL. No, I don't have any specific recollection of where I went the first time.

Mr. TAVENNER. What I am getting at is, how you learned where the meeting was to be held, the day of the meeting, and the time of the meeting.

Mr. HALL. I must have been told at that time, and I was told at that time, evidently.

Mr. TAVENNER. By whom?

Mr. HALL. By Mr. Kanter.

Mr. TAVENNER. As a result of your attendance at that meeting, I understand that you became a member of the Communist Party?

Mr. HALL. That is right.

Mr. TAVENNER. Did you become a member at that meeting?

Mr. HALL. I don't recall. It must have been very, very shortly afterwards, but I don't quite recall.

Mr. TAVENNER. Were you a member of Actors Equity during this period of time?

Mr. HALL. One cannot work as an actor without being a member of Actors Equity.

Mr. TAVENNER. Were you assigned to any particular group of the Communist Party, or did you stay with the group with which you met?

Mr. HALL. No, I more or less stayed with the group in which I met, which was, if I recall correctly, Midtown Branch, or something of that nature, and it had a designation of that kind. I think it was called Midtown.

Mr. TAVENNER. Were there other members of Actors Equity in that group of the Communist Party?

Mr. HALL. Yes.

Mr. TAVENNER. About how many persons composed the group?

Mr. HALL. I would say approximately 15, maybe more, and maybe a little less.

Mr. TAVENNER. Did you become acquainted, or did you learn the names of the persons who were in this group, that is, their last names?

Mr. HALL. Some of them, yes, not all of them. Oftentimes you would just know a person by their first name, but some of them I knew by their full names.

Mr. TAVENNER. How many of this group of approximately 15 are you able to identify now?

Mr. HALL. About 6 or 7, I think.

Mr. TAVENNER. Were they for the most part members of Actors Equity?

Mr. HALL. Yes.

Mr. TAVENNER. Will you give us their names, please?

Mr. HALL. Yes. John Randolph; Sarah Cunningham—

Mr. TAVENNER. Was Sarah Cunningham the wife of John Randolph?

Mr. HALL. That is correct. Alan Manson; Joshua Shelley; George Keane.

Mr. TAVENNER. Not quite so rapidly.

Is Alan Manson the same individual with whom you talked prior to going to the meeting?

Mr. HALL. Yes. Alan Manson never talked to me specifically about coming to the meeting, it was just conversation with Alan.

Mr. TAVENNER. Very well, I think you said Shelley?

Mr. HALL. Joshua Shelley.

Mr. TAVENNER. Was Joshua Shelley employed at that time in the production of any stage play?

Mr. HALL. I don't recall to tell you the truth.

Mr. TAVENNER. Was he an actor?

Mr. HALL. Yes.

Mr. TAVENNER. Was he a member of Actors Equity?

Mr. HALL. Yes, I presume.

Mr. TAVENNER. What other persons can you now recall?

Mr. HALL. I think that is all.

Mr. TAVENNER. Do you know a person by the name of George Keane?

Mr. HALL. Yes.

Mr. TAVENNER. Had you mentioned him?

Mr. HALL. He was a member of that group.

Mr. TAVENNER. In what profession was George Keane?

Mr. HALL. We were all actors.

Mr. TAVENNER. Were you acquainted with his wife?

Mr. HALL. Yes.

Mr. TAVENNER. Was she a member of this group?

Mr. HALL. Yes.

Mr. TAVENNER. Do you recall her stage name?

Mr. HALL. Betty Winkler.

Mr. TAVENNER. W-i-n-k-l-e-r?

Mr. HALL. To the best of my knowledge.

Mr. TAVENNER. During the period of 9 months, which you said was the approximate period when you were in the city of New York while a member of the Communist Party, how many meetings do you think that you attended?

Mr. HALL. Over the entire year and a half period, during which I was a Communist cardholding member, I doubt that I attended any more than 15 cell meetings, which were supposed to be attended weekly.

Mr. TAVENNER. Will you tell the committee what use the Communist Party made of you, as a member?

Mr. HALL. I was an entertainer, and I did nothing but entertain.

Mr. TAVENNER. Tell the committee in more detail what you mean.

Mr. HALL. At fund-raising parties; these fund-raising parties were just ordinary parties such as anyone of us might have in their house, but the purpose of the part was to raise funds for Communist Party activities. You would pay perhaps \$1 to go to the party and then you would pay 75 cents or \$1 apiece for your drinks while you were at the party. I would entertain, and others would entertain at the party.

Mr. TAVENNER. Were you called to perform those services frequently?

Mr. HALL. Well, I wouldn't say "frequently." I did a few of them but not a great many.

Mr. TAVENNER. How did you receive your notice or request to take part in such activity?

Mr. HALL. Usually by telephone call or just by personal contact. I cannot remember specifically the names of anyone who specifically called me at any time or spoke to me at any time at one of these affairs, but that is how it was done.

Mr. TAVENNER. That was your contribution to the work of the Communist Party?

Mr. HALL. Entirely.

Mr. TAVENNER. And of course that was performing an important function as far as the raising of funds was concerned?

Mr. HALL. That is right; yes.

Mr. TAVENNER. Where were these fund-raising parties usually held?

Mr. HALL. At private homes, private apartments, and I can be no more specific than that, they were just private apartments, and I would not know whose specific apartment it was, you know. It was not necessarily, or none of the people I have named, for instance, ever gave, to my knowledge, a fund-raising party. At least I never attended

any such party. The parties I did attend were in the apartments of people quite unknown to me.

Mr. TAVENNER. But the parties were at the instance of the Communist Party?

Mr. HALL. Yes.

Mr. TAVENNER. Do you have any knowledge of the amount of funds raised by these parties?

Mr. HALL. None whatsoever.

Mr. TAVENNER. Or the use made of the funds?

Mr. HALL. None whatsoever.

Mr. TAVENNER. What would be the normal attendance at these parties?

Mr. HALL. That would vary. There were liable to be as many as 60 people at one of the parties, or there was liable to be 160, and it would depend on how big the apartment was and how well the affair was organized.

Mr. TAVENNER. Can you give the committee an idea of the approximate number of such fund-raising parties that you were asked to take part in?

Mr. HALL. I would say I did no more than about 5 of them, and I think that is an outside figure.

Mr. TAVENNER. Were you aware of other fund-raising parties being conducted on a similar basis, with other persons as entertainers?

Mr. HALL. I was not specifically aware of them, and I knew they went on, but I was not specifically aware of them.

Mr. TAVENNER. You didn't attend them or you were not given notice about them?

Mr. HALL. No.

Mr. TAVENNER. Were you called upon to participate in fund-raising campaigns by what are normally referred to as "Communist front organizations"?

Mr. HALL. What sort of campaigns?

Mr. TAVENNER. Fund-raising campaigns on a larger scale for organizations which are not under the label of the Communist Party.

Mr. HALL. I don't recall anything specifically fund raising. You mean an affair?

Mr. TAVENNER. With these affairs at which admission was charged.

Mr. HALL. I find it difficult to answer that because I never paid admission, and I was always on the bill. I don't know specifically whether there was a charge for attendance or not, and I can't remember.

Mr. TAVENNER. Where were the meetings of the Communist Party normally held at which you attended?

Mr. HALL. The cell to which I belonged; the Royalton Hotel, 44th and 6th Avenue.

Mr. TAVENNER. Was that a private apartment?

Mr. HALL. It was someone's apartment, someone's private suite, I assume, and I never knew who the occupant of the suite was.

Mr. TAVENNER. Were there any occasions when the meetings were held at other places?

Mr. HALL. There was one other occasion that I specifically remember, but it was just someplace in the seventies, and whose apartment it was, I do not recall.

Mr. TAVENNER. Were you in the Communist Party only during one period when reregistration was required?

Mr. HALL. That is correct.

Mr. TAVENNER. If you joined in August 1946, and left the party in 1947, would you have been required to register?

Mr. HALL. Yes.

Mr. TAVENNER. Was the practice normally to register near the end, or probably in December of 1946?

Mr. HALL. Yes.

Mr. TAVENNER. Of course that was registration for the year 1947?

Mr. HALL. That is correct.

Mr. TAVENNER. Where did you actually register?

Mr. HALL. At a private apartment.

Mr. TAVENNER. How were you directed to go to that private apartment?

Mr. HALL. I can't remember that, you just were told where to go, or someone told me.

Mr. TAVENNER. Someone told you to go there to reregister?

Mr. HALL. Yes.

Mr. TAVENNER. Whose apartment was that?

Mr. HALL. Irma Jurist's.

Mr. WILLIS. Was that the lady who testified here yesterday?

Mr. TAVENNER. Yes; she testified late in the afternoon.

Did that registration for 1947 take place in her apartment?

Mr. HALL. Yes.

Mr. TAVENNER. Did you see her present?

Mr. HALL. Yes.

Mr. TAVENNER. How was that registration taken; will you describe it?

Mr. HALL. There was someone whom I never knew, and I don't recall, of course, who was sitting at a little table, or desk, and you just went up and registered, and you went out.

Mr. TAVENNER. Did that individual have any list of members as far as you know, in order to ascertain who were entitled to reregister?

Mr. HALL. Yes; he had a list.

Mr. TAVENNER. You do not know who that functionary of the Communist Party was?

Mr. HALL. No; I have no ideas.

Mr. TAVENNER. Did you see other people go to the place of registration and leave?

Mr. HALL. Yes; there were a lot of people there, but I don't recall who they were.

Mr. TAVENNER. You don't know their names?

Mr. HALL. No; I don't recall.

Mr. TAVENNER. But were people there, reregistering who were not members of your cell or group of the Communist Party?

Mr. HALL. Oh, yes, indeed.

Mr. TAVENNER. How did you know that was the apartment of Irma Jurist?

Mr. HALL. Because I had previous to that, or because later at that same apartment, I rehearsed some material that Irma Jurist had written, and I knew it was her apartment, and she plays the piano.

Mr. TAVENNER. What was the occasion for your rehearsing at her home?

Mr. HALL. During the Henry Wallace campaign, I did a couple of Show Time for Wallace affairs, and one was at a large midtown hotel, in which Mr. Wallace was the principal speaker, and the other was at Cafe Society downtown.

Mr. TAVENNER. What part did Irma Jurist play in that?

Mr. HALL. I think Irma composed the music, and was the accompanist.

Mr. TAVENNER. And that is what you rehearsed in her home?

Mr. HALL. Yes.

Mr. TAVENNER. During the period of 1½ years in which you were in the Communist Party, did you become acquainted with other persons in the Communist Party who were not members of your own particular group?

Mr. HALL. Yes, sir.

Mr. TAVENNER. I do not want you to attempt to surmise about membership of any individual, but if any of these other persons that you have in mind attended a Communist Party meeting which you attended, then I think it would be sufficient identification to give their names, but if they did not, I don't want to ask you in public session about it.

Mr. HALL. I don't recall specifically, sir, any names. I cannot be specific about that, really.

Mr. TAVENNER. But there are other individuals besides those you have named that you have reason to believe were members of the Communist Party?

Mr. HALL. Yes, you take for granted. During that particular period, I don't know how it is today, but during that particular period, people talked, and talked, and talked, and you sort of just took for granted that if a man talked the same language that you did, he also was a member of the Communist Party. You just sort of take that for granted. But you cannot be specific about it.

Mr. WILLIS. It would be something like this, that if you go to a Knights of Columbus lodge affair, you pretty well have a right to assume that they are Catholics, most of them, around there belong to the lodge.

Mr. HALL. I have never been to a Knights of Columbus lodge; I wouldn't be entitled to assume anything.

Mr. WILLIS. Or any other fraternity in that sense? Having attended these meetings, and you being a Communist at the time, and knowing some specifically around you who were Communists, it is in that contention that you sort of assumed that they belonged to the lodge, which I think is a logical thing, myself.

Mr. HALL. That is correct.

Mr. TAVENNER. You would also assume, would you not, that persons who were in attendance at these fund raising occasions, where you had been requested by the Communist Party to appear, were in most instances members of the Communist Party?

Mr. HALL. That is a difficult question to be specific about. Communism was never discussed to my knowledge at these parties. It was just plainly and simply a party, like anyone else's party. Now, it may very well be that a considerable number of the people present were not Communists.

Mr. TAVENNER. As I said before, I do not want you to speculate about membership, and I think that the committee should know

or should have the benefit of more of your knowledge on that subject, but not in public session. Possibly the committee would want to hear it in executive session.

Mr. SCHERER. I think the suggestion of counsel is a good one, Mr. Chairman.

Chairman WALTER. It follows our usual practice.

Proceed, Mr. Tavenner.

Mr. TAVENNER. You have stated that during this period of time when you were a member of the Communist Party, you were a member of Actors Equity?

Mr. HALL. Yes.

Mr. TAVENNER. Before I come to that, I want to ask you something else. Were you given, or expected to make a study of Communist Party literature and documents and texts while a member of the party?

Mr. HALL. Yes; I think one takes for granted that one should do that.

Mr. TAVENNER. Did you?

Mr. HALL. No; I never did.

Mr. TAVENNER. Were you given documents or did you obtain documents for that purpose?

Mr. HALL. I purchased one book, which was a history of the Communist Party, and I read the first chapter, and I never have read anything further on the book.

Mr. TAVENNER. When you said, "history of the Communist Party," you meant to describe the book, *The History of the Communist Party of the Soviet Union*, did you not?

Mr. HALL. I think so. I purchased the book a long time ago, and I imagine that is the book.

Mr. TAVENNER. Was the Communist Party literature made available to the membership at the meetings that were held?

Mr. HALL. At the cell meetings, yes, sir, mostly little pamphlets, 3 cents, or 5 cents.

Mr. TAVENNER. Do you recall whether or not any functionary of the Communist Party on a higher level appeared at any of the meetings that you attended, for indoctrination purposes?

Mr. HALL. No, sir; I don't recall any Communist Party member other than the sort of member I would be, being present at any of these cell meetings.

Mr. TAVENNER. Were the problems of Actors Equity discussed in your Communist Party meetings?

Mr. HALL. Yes.

Mr. TAVENNER. How would that usually occur?

Mr. HALL. Well, it may be a discussion on a resolution that might be coming up, or something of that nature, and I cannot recall specific discussions, and what they were about, but the discussions would be sometimes having to do with Actors Equity business, or they might be just a little dissertation on culture in the Soviet Union, or something of that nature.

Mr. TAVENNER. Did you hear discussed within your Communist Party group the matter of holding caucuses within Actors Equity?

Mr. HALL. Yes, I recall, and I do recall that, and I recall being invited to attend the caucus, 1 or 2 of them, but I don't recall ever attending one. I may have, and I am not saying that I didn't, but I don't.

recall ever attending a caucus anywhere. But I do remember being told about one, and asked to attend.

Mr. TAVENNER. Did you receive any directions from the Communist Party as to how you should vote in business affairs of Actors Equity?

Mr. HALL. Not from the Communist Party, specifically, but from individuals whom I knew to be Communists, at a couple of Equity meetings I recall when election time came around, I would be handed a piece of paper, and I would be told that was the slate, and I would vote the slate for the people that were chosen, and maybe 4 or 5 or 6 people on the slate which they specifically wanted me to vote for.

Mr. SCHERER. Were the members on that slate known to you to be members of the Communist Party?

Mr. HALL. Not specifically, no. They would not have to be known to me as Communists, but I was told who to vote for.

Mr. SCHERER. Did you know the person who told you how to vote, to be a Communist?

Mr. HALL. Yes.

Chairman WALTER. Do you know how these names were selected?

Mr. HALL. I have no idea.

Chairman WALTER. Was there any democratic process employed to select the slate?

Mr. HALL. In Actors Equity the slate is democratically arrived at, but this did not consist of a specific slate that the Communists had gotten together and specified that I was to vote for, but these were members of the already nominated people whom the Communists wanted me to help get in.

Mr. TAVENNER. And as a member of the Communist Party, you accepted the directive, or the suggestion that was made to you?

Mr. HALL. Without comment.

Mr. TAVENNER. In fact, during the period of your membership, you did pretty well what you were directed to do by the Communist Party?

Mr. HALL. Yes, but what I was directed to do mainly was to entertain, and whenever I was asked to entertain somewhere, I would usually just go along, and say "sure" and turn up with my little piece of special material and get some laughs, and that was it.

Mr. SCHERER. You weren't paid for doing that, were you?

Mr. HALL. No, indeed.

Mr. SCHERER. That was your contribution to the party?

Mr. HALL. Oh yes.

Mr. SCHERER. In addition to that contribution, did you make any financial contributions in the way of dues?

Mr. HALL. Yes, one pays dues, and I paid dues, and I can't remember how much they were, and they were not very big.

Mr. SCHERER. Your contribution to the party was the supplying of your talents at the fund raising meetings and the paying of nominal dues?

Mr. HALL. That is right.

Chairman WALTER. Did anyone ever make an accounting of the money that came as a result or was received as a result of this entertainment?

Mr. HALL. Not to me, sir.

Mr. TAVENNER. You told the committee the reasons why you joined the Communist Party, and you spoke of it as having been a mistake. What did you mean by that?

Mr. HALL. A mistake in the sense that I concluded that it is a distortion of the simple truth of democratic processes. For instance, it was said, or the fifth amendment was used or "invasion of privacies" was used as an excuse for not answering, and one of the reasons was that someone's ancestors came to this country many, many years ago, and signed the declaration, and what have you, and the witnesses testified that they were following what they felt the ancestors would want them to do. But I don't think the point was made clear that those specific ancestors fought, died, and created this country on the basis of a 2-party system, and I think they would be twirling in their graves if they thought this ancestor of today was fighting for a 1-party dictatorship.

That is what I want to avoid most specifically, and I learned to realize that was coming about, and it was a one-party dictatorship, which is more of an invasion of privacy than any use of any gem which this Constitution gives to citizens of this country.

The 1-party dictatorship completely deprives, let us say, 50 percent of those who may choose to vote or are eligible to vote, by directing that there is only 1 choice. Our system provides us a choice to be right or wrong and to change our minds if we so choose to do so.

Mr. WILLIS. You think that the Communist Party is twisting the fifth amendment to its own use, and for its own purposes, rather than to honestly use it as it was intended by the forefathers that the party pretends to love so much?

Mr. HALL. Mr. Willis, I have a specific point of view about that. I think that there is no gem and no jewel in our Constitution greater than the fifth amendment given to us.

Mr. WILLIS. I agree with you 100 percent.

Mr. HALL. To protect us individually, it is a great thing. But I think that to us this thing, this fifth amendment, as a camouflage behind which you can or would perhaps destroy this country, is a very selfish use of it. It may sound on the surface to be very noble, and very brave, and very heroic under circumstances such as these to use the fifth amendment, particularly when you defiantly throw it in the teeth of a committee such as this. I think that is a lot of baloney.

In circumstances such as this, I think refusal to talk is politically so naive as to be almost childish. I think it is the easy way out. I think it is frankly cowardly, and I think it is very selfish. I think also that it is a very, very nice full skirt to hide behind, this wonderful fifth amendment, but it is going to become so crowded behind that skirt one day that Miss Liberty who wears it is going to lift her skirt up by the hems and walk away.

Chairman WALTER. Of course, the people that invoke the fifth amendment have never read the debates that occurred at the time it was adopted. The fifth amendment was intended to protect people in criminal cases. This is not a criminal case, it is a congressional inquiry.

Mr. HALL. That is specifically what I mean. I have committed no crime to my knowledge, and the instincts and motivations that prompted me to act as I did, I apologize to no man for them. My instincts

were right, I think, in the terms of my love for my fellow man, and my desire to be the enemy of no man, and my desire to help those I considered less fortunate than myself, and these instincts I do not apologize for to any man. But the blunder I made and the grave error I made was in the activizing, the putting into action of those principles through this Communist Party which I am clearly convinced and have been for many years now is designed to destroy the very liberties which people use to protect themselves, against admitting that they had any intention of destroying the Government which creates those liberties. I think it is a lot of damn nonsense.

Mr. TAVENNER. Then I take it that you did not find in the Communist Party an answer to the things that took you into the Communist Party to begin with?

Mr. HALL. I have found, or I have lived these past 5 or 6 or 7 years in such a clouded state of mind, in the realization that I made an error, and the realization that I must correct this error, and what to do about it over a period of years was a confusion that sent me to doctors with psychosomatic pains and what the hell have you, and sent me to analysts and all of the rest of it.

Well, today I am making my stand very, very clear indeed.

Mr. WILLIS. Let me say to you, sir, that you had the courage to say that you joined the Communist Party of your own free will, and nobody cajoled you or urged you or influenced you.

Mr. HALL. That is correct.

Mr. WILLIS. And using that same fine free will of yours, you have come to the conclusion that it was wrong, and now today you have the courage to recant in the way you speak. I think that you feel sorry for it, but you want the world to know how you feel about it. I certainly compliment you on your courage to come here and say so. I think that there are others whom we have summoned here who would like to do the same as you did. I hope they will take a page from your book.

Mr. HALL. There is a great atmosphere of fear. On March 5 of 1954, I made up my mind specifically what I wanted to do, and I did it. I went to the FBI on March 5 of 1954 and told them substantially what I am telling you today, and I wrote an eight and a half page document which I sent through the mail to this committee, or it was sent through the mail to this committee on May 24 of 1954.

I am happy to testify today in public so that the American people and everyone else who is interested will know exactly where I stand today. I was going to say what I have in my heart because I know how I felt, and the Communists will loathe me for this, and they are going to loathe me today for what I am doing, and I say to hell with them, and let them loathe me.

Mr. WALTER. You should be proud of that.

Mr. HALL. During the past 6 or 7 years I have met people that I never had the opportunity to meet in those fast and furious days when I first became involved in all of these things, and I am going to be much prouder of the new friends that I have made in the past 5 years than I am going to regret the enemies that I am going to make today.

Mr. WILLIS. You will not be alone in that, but you are going to be called ungrateful, and you are going to be criticized, and you are going to be called a stool pigeon, but you are going to have the majority

of the people on your side. Our mail is 99 percent in favor of these hearings, but we get cards from people who don't have the guts to sign them. For instance, here is one this morning. It says, referring to our committee, that we are hacking away at the integrity of our immortal Constitution "to the eternal shame on the lot of you hacks," meaning our good chairman and the members of this committee.

Let me tell you who is on your side. The chairman explained the other day that every single Member of Congress on the House side, 435 of us, Democrats and Republicans from all over this Nation, voted to make possible funds for these hearings. Now, Congressmen are just individuals, just like you, but we have a pretty good sense and a pretty good finger on the pulse of how the people feel. Don't you worry about those who are going to loathe you.

Mr. HALL. Let me assure you I am not worried.

Mr. WILLIS. The majority of the people are going to be on your side, if you are really contrite in what you did, and "a good confession is always good for the soul." You are going to be all right.

Mr. HALL. I don't want to use the word "confession," and I will not use the word "confession" because that implies that I have willfully done something wrong, and I have not.

Mr. WILLIS. I have used it in the sense of a quotation.

Mr. WALTER. I think that since we have been in New York I have received 250 communications from people in every walk of life in New York and in this community. However, the vast majority of letters come from people in the theatrical profession, many of whom say that the only blacklist they ever heard of is the blacklist of those who were not Communists or pro-Communists.

I have just turned over to one of our investigators twenty-odd letters to that effect. It seems to me that we have been furnished with sufficient evidence that a preference in employment has been given to those people who were either members of the Communist Party or who adhered to the leadership of the Communist Party. I think we ought to find out about that.

Proceed, Mr. Tavenner.

Mr. TAVENNER. After the time that you ceased to attend Communist Party meetings, and considered yourself no longer a Communist Party member, were you still called upon on occasions to exercise your talent?

Mr. HALL. Yes, sir.

Mr. TAVENNER. By this group or people or agents of the group?

Mr. HALL. Yes, sir. Communism is a deceptive thing, and you may no longer be a Communist as I was not after the season of 1947, and I was not a card-holding member, but the thing just doesn't go off you like water off a duck's back. The illusions that you had, or the convictions that you had, may they be humanitarian, mine were always humanitarian, and I was never a political Communist. But these things just don't fall off you, and they have never fallen off me.

The social conscience and in the sense of justice that I had as a Communist, I have even stronger today because I have seen the distortion. But you don't get rid of it in a hurry.

In 1948 and in 1949 I was still lending my small talents to various causes which were what you might call leftwing, which were leftwing and which were perhaps sponsored by the Communist Party.

Mr. TAVENNER. I think that you have made it clear that you are no longer a member of the Communist Party and you have not been a

member for a considerable period of time, and that during the period of your membership you were never a student of communism and you never made a study of it, but you did lend your talents to perform the duties assigned you while you were in the party?

Mr. HALL. Yes.

Mr. TAVENNER. I have no further questions.

Mr. WALTER. Are there any other questions?

Mr. Hall, I want to express the appreciation not only of myself but of the members of the subcommittee—

Mr. WILLIS. You could extend that to the whole Congress, Mr. Chairman.

Mr. WALTER. Yes, I will take that responsibility, the whole Congress, for what you have done here today. It is not easy, and it is not any easier on you than it has been on these other brave people who have come forward in an attempt to preserve the institutions that are so sacred to America and so necessary for the preservation of the stability of the world. It is not easy. I should not like to be called a stool pigeon, and I am sure that that appellation will be applied to you.

But let me tell you something: Every patriot in the history of America has been proud of the enemies that he has made, and I am sure that you will be proud as you go along in life of the enemies that you have made. Your contribution here cannot be appraised. It may well be that it is equal to that of a division of infantry, and nobody knows in this cold war to what extent this sort of a revelation has contributed to ultimate victory—and the victory will be ultimate.

As we go along we are going to run into all sorts of impedimenta, and we are going to run into witnesses who would like to testify but who have not the courage, and other witnesses who have indicated that they intend to testify but have been dissuaded by Communist lawyers, and other witnesses who cannot testify because of pressures that are being applied. But nonetheless there is going to come the day when we are going to be out of this woods and all of this haziness that you have experienced will be dissipated.

When that day arrives, and you will live to see it, you can feel very happy of the contribution that you have made.

The committee will stand in recess for 10 minutes.

(Whereupon a short recess was taken.)

Chairman WALTER. Call your next witness, Mr. Tavenner.

Mr. TAVENNER. Miss Madeline Lee, will you come forward, please?

Mr. BOUDIN. I request no pictures be taken, and I know the chairman's prior instruction, and I repeat the request.

Chairman WALTER. There will be no pictures taken after the witness is sworn.

Mr. BOUDIN. That doesn't meet my request.

Chairman WALTER. Will you raise your right hand, please?

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

Miss LEE. I do.

TESTIMONY OF MISS MADELINE LEE, ACCOMPANIED BY HER COUNSEL, LEONARD B. BOUDIN

Mr. BOUDIN. I thought we weren't going to have any pictures after the opening.

Chairman WALTER. We are not going to have any.

Mr. BOUDIN. I see some cameramen over there.

Chairman WALTER. I didn't see them.

Miss LEE. May I have a moment to get out my papers?

Chairman WALTER. Surely.

Now, are you ready?

Miss LEE. Yes, sir.

Mr. TAVENNER. Will you state your name, please?

Miss LEE. Madeline Lee.

Mr. TAVENNER. It is noted that you are accompanied by counsel. Will counsel please identify himself for the record?

Mr. BOUDIN. Leonard B. Boudin, 25 Broad Street, New York.

Mr. TAVENNER. Is Madeline Lee your professional name?

Miss LEE. It is my legal name.

(Witness consulted with counsel.)

Miss LEE. That is my legal name, it was changed.

Mr. TAVENNER. Are you married?

Miss LEE. Yes, sir.

Mr. TAVENNER. Does your husband bear the last name of "Lee"?

Miss LEE. No, sir.

Mr. TAVENNER. What is your husband's name?

Miss LEE. Jack Guilford.

Mr. TAVENNER. And you have had your name changed from Guilford to Madeline Lee?

Miss LEE. No, sir. My name was changed from Madeline Letterman when I was a child, professional name, to Madeline Lee.

Mr. TAVENNER. And you go by that name?

Miss LEE. That is right.

Mr. TAVENNER. Do you have a middle name, or middle initial?

Miss LEE. Madeline Rosalind was my name on my birth certificate, it is Madeline Rosalind Letterman.

Mr. TAVENNER. Where do you reside?

Miss LEE. New York City.

Mr. TAVENNER. How long have you lived in New York City?

Miss LEE. All of my life.

Mr. TAVENNER. Were you born in New York?

Miss LEE. Yes, sir.

Mr. TAVENNER. In what occupation or profession are you engaged?

Miss LEE. I am an actress.

Mr. TAVENNER. Would you tell the committee, please, what formal educational training you have had?

Miss LEE. New York City public schools. I graduated in 1940 from Walton High School with an award in social studies, and I took special courses at New York University in radio direction and production.

Mr. TAVENNER. Have you attended any other schools?

Miss LEE. That is the extent of what I would call my formal education.

Mr. TAVENNER. Have you attended any other schools?

(Witness consulted with counsel.)

Miss LEE. Could you be more specific, I can't recall?

Mr. TAVENNER. I can't make it any plainer than that.

Have you attended any other schools?

Mr. BOUDIN. Will you make it more specific, if not plainer?

Mr. WILLIS. That is a very simple question, Mr. Chairman. She said she graduated from high school and took a special course of some kind and now she is asked the question, "Did you attend any other schools?"

Mr. SCHERER. I agree with my colleague, and I think she should be directed to answer the question, Mr. Chairman.

Chairman WALTER. I direct you to answer the question.

(Witness consulted with counsel.)

Miss LEE. Do you have anything in mind?

Chairman WALTER. Of course he has something in mind. He is not asking questions just for fun.

I direct you to answer the question.

Miss LEE. Excuse me, Mr. Walter, I am not here for fun either, and I have been taken away from my three children at considerable expense.

Chairman WALTER. I direct you to answer this question.

Miss LEE. I am trying to, to the best of my ability.

I can't offhand recall any, and perhaps if he would refresh my memory, I would be glad to give you an answer.

Chairman WALTER. You can't recall any other schools that you attended? That is your answer?

Mr. TAVENNER. How long have you been engaged in the profession of acting?

Miss LEE. I began my professional acting career at the age of 4.

Mr. TAVENNER. Just a moment. How long have you been engaged in it on a commercial basis?

Miss LEE. At the age of 4. I began my professional acting career at the age of 4, as Tiny Tim, in a performance of Christmas Carol, one of the earliest radio dramatizations.

Do you want some more of my professional engagements?

Mr. TAVENNER. Yes, we would like to know what your major stage credits have been.

Miss LEE. Then followed many years as a child actress, in Wheatina-ville, Tastiest Champions, and these I know are old programs, but they are part of radio history.

I was mistress of ceremonies of my own children's programs from about the time I was 8 until I was 14.

At 17 I was a director in training, I think you would call it, at the National Youth Administration Workshop, an excellent incubator of some of our current best radio and TV talents.

Mr. SCHERER. That was a Government project; was it not?

Miss LEE. Yes.

Mr. SCHERER. The National Youth Administration?

Miss LEE. Yes, sir.

Mr. TAVENNER. What years did that activity encompass?

Miss LEE. I am very bad on actual years, but I can tell you the age I was, though. It was from about the time I was 17 to 18, and I was born in 1923, so you add it. It took me a year or two of constant making of the rounds, mailings, auditions, and lessons to get started in radio. That is after I got out of high school.

But finally I lit on and developed a specialty that I was very good at, and I was needed in radio, playing parts of babies, and children, and I like children very much, and I am able to duplicate.

Mr. TAVENNER. All of that isn't necessary. Just give us your stage credits, please.

Miss LEE. It is very hard to understand the kind of work I do in radio.

Mr. TAVENNER. We will have no difficulty understanding it.

Miss LEE. Unless you know what I do. It sounds silly to be playing the part of a baby on a radio program unless you explain the nature of your employment.

I was employed most regularly on the Second Mrs. Burton; Pepper Young's Family; True Story; Land of the Lost; Phil Silvers; Henry Morgan; Columbia Workshop; Valiant Lady; Portia Faces Life; Ave Maria Hour; and Eternal Light and all of the major programs and all of the major networks.

I appeared on Broadway in 1942, in Maxwell Anderson's play about the war, The Eve of Saint Mark.

During the war I directed, produced, and appeared in shows at the only servicemen's canteen in the Bronx, for 72 consecutive weeks. I was given the highest honorary citation from the CDVO for those services.

It was about 1945, I think, that I appeared with Miss Ethel Barrymore in a play about a woman's deep religious devotion, produced by the Theater Guild, in Embezzled Heaven. I played a comic kitchen maid in that.

I did Chekhov's Ivanov—

Mr. BOUDIN. Mr. Chairman, will you be good enough to carry out your own instructions to the cameramen, and direct that pictures not be taken? They are taking them during the witness' testimony.

Chairman WALTER. I can't see in back of me.

Go ahead, Mr. Tavenner.

Miss LEE. I said I was in Chekhov's Ivanov, an Equity Library production, and it was later repeated on one of the television stations, and one of the first TV dramatizations, from Schenectady.

As a child—Do you want my screen credits? As a child I won a contest to be the second Jean Darling and appeared with some Our Gang comedies; Penrod and Sam shorts; a short with Jack Benny called Taxi Tangle; and I was featured in a feature with Leo Carillo when I was 9; and as an adult I have been in a few commercial films, and a bit part in Naked City.

I haven't done too much on TV.

Mr. TAVENNER. What was your last appearance on TV?

Miss LEE. I have been blacklisted at the time TV began to open up for actors, and I have done very well, and far between jobs, on The Goldbergs; I Remember Mama; Jackie Gleason; Red Buttons; Studio One; Mr. Peepers; and mostly as the off-camera sound of a baby crying.

I have been married twice.

Mr. SCHERER. Did you do all of these things after you were blacklisted?

Miss LEE. Yes; I have been blacklisted for 5 years, and so these occasional things, I would be able to get, and an occasional call when Vincent Hartnett in Red Channels, and Aware, Inc., were not able to reach these employers with their inclusive lists. I—

Mr. SCHERER. This last list that you gave us—

Miss LEE. Excuse me, Mr. Scherer, I am not finished.

Mr. SCHERER. Just a minute.

Chairman WALTER. Just a moment, Mr. Scherer has asked you a question.

Mr. SCHERER. This last list that you read—

Mr. BOUDIN. May I interrupt, and remind you—

Chairman WALTER. You may not interrupt, and now just a moment.

Mr. BOUDIN. I ask that the cameras be stopped.

Chairman WALTER. Answer Mr. Scherer's question.

Mr. SCHERER. I didn't get a chance to finish it. She kept on talking.

My question is, the last list of productions that you have appeared in, as I understand it, were productions that were subsequent to the time you say you were blacklisted, isn't that correct?

Miss LEE. Mostly, yes, sir.

Mr. SCHERER. That is all.

Mr. BOUDIN. Now that the question has been answered, Mr. Chairman, will you kindly see that the cameramen do not take pictures?

Chairman WALTER. They know the rules.

Mr. BOUDIN. You must enforce them, because you are the chairman.

Chairman WALTER. Proceed, Mr. Tavenner.

Mr. BOUDIN. May I ask whether you are going to enforce that rule?

Chairman WALTER. That is for me to decide.

Mr. BOUDIN. I want to know whether you are going to enforce the rule.

Miss LEE. I expected to work again this fall, but as I say, in answer to Mr. Scherer's question, these credits still went on for about a year after Red Channels came out, and Vincent Hartnett, and Counter-attack, and Aware went after my employers and I was dropped from my jobs, and I have had a very hard time getting an occasional engagement.

But I expected to work again because after that, a situation developed where the membership there condemned the kind of snear lists that Aware, Inc., issues, and producers and directors were taking heart that their casting—

Mr. WILLIS. This is not responsive to the question that has been asked. She was asked about the nature of her credits.

Miss LEE. I am apologizing for my limited TV credits.

Mr. TAVENNER. I think we have a fair idea of the nature of your professional career.

Have you lived in the State of Connecticut at any time?

Miss LEE. I vacationed there; yes.

Mr. TAVENNER. Have you made New York your home most of the time?

Miss LEE. All of the time, yes, sir, I believe.

Mr. TAVENNER. In what part of Connecticut do you take your vacations?

Miss LEE. I have no regular vacation spot. I have vacationed there on occasion.

Mr. TAVENNER. As a member of your profession, are you a member of Actors Equity?

Miss LEE. Yes, sir.

Mr. TAVENNER. Are you also a member of the American Federation of Television and Radio Artists?

MISS LEE. Yes, sir. Incidentally, I agree with those witnesses that don't think that that is pertinent to this inquiry, but I am proud to be a member of those unions and to make it quite clear that they are subverted, dominated, and infiltrated by no one, and their own memberships operate those unions in a democratic fashion, and all decisions are arrived at openly and democratically, and this committee seems to be on a fishing exhibition.

Chairman WALTER. You mean "expedition," don't you?

MISS LEE. "Exhibition."

Chairman WALTER. I guess I know who is putting on the "exhibition."

Mr. TAVENNER. Are you aware of an instance in which the Communist Party or a member of the Communist Party endeavored to obtain action by Actors Equity as part of the Communist propaganda during the period of the trial of the 11 Communists under the Smith Act here at Foley Square?

(Witness consulted with counsel.)

MISS LEE. I don't understand that question.

Mr. TAVENNER. Read her the question.

(Whereupon the reporter read the pending question as above recorded.)

MISS LEE. I believe the minutes of Actors Equity are public, and you could ask Mr. Duncan, he is an official.

Chairman WALTER. I direct you to answer that question.

Mr. SCHERER. If she knows, she can answer and not tell us what the minutes show.

(Witness consulted with counsel.)

MISS LEE. I object to the question. That not only is probing into internal union affairs, but it is something that you could find out quite easily by going to the minutes of the Actors Equity.

Chairman WALTER. Have you any independent knowledge of such activities?

(Witness consulted with counsel.)

Mr. BOUDIN. Could we have the question repeated again?

Chairman WALTER. Now, if you would pay attention to me instead of carrying on a continuing conversation with your lawyer, maybe you would hear these questions.

Have you any independent knowledge or did you personally participate?

MISS LEE. I have a right to consult with my lawyer, and it was not a continuing conversation.

Chairman WALTER. You have no right. We are extending a privilege, and you have no right. It is a privilege that the committee extends, even though we know what the results of such conferences will be.

Mr. BOUDIN. I don't understand that remark, Mr. Walter, and I resent it, and I would like an apology from you right now. I am quite serious, and you are a member of the bar, as I am, and I think that I am entitled to an apology for your last remark, and you know very well what I mean.

Chairman WALTER. You bet I do.

Mr. BOUDIN. I want an apology.

Chairman WALTER. I think you protest too loud. You will get no apology.

I want to ask you this question, Miss Lee: Did you participate in such activities?

Miss LEE. I don't want any assumption that my attorney or anyone can dictate my answers here today, and they are dictated by my conscience and under the most severe pressure on the part of your subpoena servicer in an attempt to get me to deliver false testimony, and I am making the charge that this committee coerces witnesses, and goes and has subpoena servicers saying—are you interested in the fact that my testimony has been tampered with before I arrived here today?

Chairman WALTER. There has been no tampering with any testimony.

Miss LEE. My testimony has been tampered with.

Chairman WALTER. I am asking you whether you participated in any activities designed to affect in any possible way the trial of the 11 Communists here in Foley Square?

Miss LEE. No, sir.

Chairman WALTER. All right. Now go ahead.

Miss LEE. My testimony has been tampered with today and I want it entered into the record and that is true of other witnesses. The shoe is on the other foot, and newspaper statements have been issued.

Chairman WALTER. You have not been asked a question.

Miss LEE. Is the committee interested in that kind of pressure?

Chairman WALTER. Why don't you refer it to the United States attorney? That is the way to do it and get a prosecution of somebody.

Miss LEE. Perhaps I will.

Chairman WALTER. I hope you do.

Miss LEE. Well then the pressure, threats, and bribery and blackmail exercised on witnesses to cooperate with the committee is not of interest to the committee? Am I to take it that way?

Chairman WALTER. You answer this question.

Mr. TAVENNER. It is quite apparent what you are trying to do, and now let us come back to the issue.

Miss LEE. I answered your question, "No, sir."

Chairman WALTER. Now, let us have another question.

Mr. SCHERER. Just a moment, Mr. Chairman.

Miss LEE. Why aren't you interested in the fact that you are telling witnesses—

Chairman WALTER. Will you wait a minute, until Mr. Tavenner can ask a question?

Miss LEE. Aware, Inc., will get up in front of the union and have us put out of the union.

Chairman WALTER. Will you ask a question, Mr. Tavenner?

Mr. TAVENNER. What's the use?

Chairman WALTER. Go ahead and ask a question.

Mr. TAVENNER. Will you tell the committee whether or not there was a group of persons within either of the organizations mentioned, that is, Actors Equity or the American Federation of Television and Radio Artists, composed chiefly of members of the Communist Party?

(Witness consulted with counsel.)

Miss LEE. The Communist label about Communist groups has been stuck on anybody and everybody who organizes against the blacklist in our industry. Aware, Inc., issues these smear lists and you get up on the floor of the union and you say, "Those people have no right

to interfere with my employment regardless of my activities as a citizen," and they say, "That is a Communist group in AFTRA, and Equity, that is trying to stop the blacklist when they are trying to help producers and directors to return to the American principle of hiring on the basis of talent alone," and on the basis of what I am saying here today, I will be punished, and cooperative witnesses rewarded, and that is not a high purpose on the part of a congressional committee.

Mr. TAVENNER. Now that you have made your speech, will you answer my question?

(Witness consulted with counsel.)

Miss LEE. It is a matter of opinion, Mr. Tavenner.

Chairman WALTER. I direct you to answer that question.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer the question asked by Mr. Tavenner, and I want to keep this record straight in case we are going to have a contempt citation.

Chairman WALTER. I have already directed that she answer.

Miss LEE. Is that a threat, Mr. Scherer?

I am trying to testify to the facts but you don't seem to want them.

Chairman WALTER. Answer the question.

(Witness consulted with counsel.)

Miss LEE. The placing of a witness under compulsion to divulge what happens on their union floor, although it is a matter of public record, and easily accessible, is merely for the purpose of extending that blacklist and making me one of those people on that list, because I have never approved of anything that this committee does.

Mr. TAVENNER. Will you answer the question?

Miss LEE. And I never will. So I am trying to answer it to the best of my ability.

Mr. SCHERER. I submit, Mr. Chairman, she has not answered the question, and in my opinion she is guilty of contempt. She has had an opportunity to answer it and she hasn't answered it or invoked any privilege, and I suggest we proceed to the next question.

Miss LEE. I have not stated my reasons.

Chairman WALTER. Ask the next question.

Miss LEE. I object, and I decline to answer on the basis of the first amendment.

Chairman WALTER. Don't decline until the question is asked.

Mr. BOUDIN. The witness is declining to the last question and you didn't give her a chance to complete her last answer, and will you allow it to be stated for the record, if you please?

Miss LEE. I am declining on the basis of the first amendment, that you are prying into my personal affairs, beliefs, and opinions, and on the basis of the fourth amendment, that this is an illegal search and seizure of my property, and deprivation by due process of law of the only thing I have to sell in this industry—my talent and my good name. I also decline on the basis of the eighth amendment, that this is a cruel and unusual punishment that you are inflicting without due process of law, and on the basis of the fifth amendment, that you may not compel me to be a witness against myself.

Mr. WILLIS. I now state for the record that this witness said a while ago in her little speech that there were no groups dominating or influencing the activities of AFTRA or Actors Equity. I think she

waived all of those amendments which she has referred to, and I think the record should indicate that.

Chairman WALTER. I am sure the record does indicate that.

Miss LEE. This is like a game of tag, where you try to be as candid as possible, and three Congressmen are standing there waiting to say, "You waived your privilege." That is not fair.

Chairman WALTER. Do you want to be candid? I am glad to hear it. Let us start now.

Mr. TAVENNER. You spoke of being candid, and so let me ask you a candid question. Are you a member of the Communist Party?

Miss LEE. You know, every November I go into a little booth, and I mark a secret ballot, and I prize that very highly as part of the American way of life, and I believe that that question relates strictly to that.

Most people know from my public activities, and as you can see, I am a very talkative person, and very willing to state my opinion, but not under compulsion, and to a nefarious purpose on the part of this committee.

So under these circumstances I decline to answer on the basis of the first amendment and the fifth amendment.

Mr. TAVENNER. I think the court in the Barsky case has made that whole subject very plain.

Miss LEE. I am not acquainted with it.

Mr. TAVENNER. I think it should be mentioned, in light of the view you have taken.

The court in that case holds that:

We hold that in the view of the representations to the Congress as to the nature of the purposes and program of communism, the Communist Party, and in view of legislation proposed, pending, and possible in respect to or premised upon that subject, and in view of the involvement of that subject in the foreign policy of the Government, Congress has power to make an inquiry of an individual which may elicit the answer that the witness is a believer in communism or a member of the Communist Party.

Miss LEE. Divulging any political belief under compulsion is not a good American principle.

And the compulsion exercised on the part of the investigators for this committee on prospective witnesses is scandalous.

Mr. TAVENNER. Since you have raised that question, it may be well to refer to the opinion of Mr. Justice Frankfurter in the Eugene Dennis case.

Miss LEE. Does he believe in tampering with witnesses?

Mr. TAVENNER. Justice Frankfurter said this:

The Communist Party was not designed by these defendants as an ordinary political party for the circumstances of its organization, its aims and methods, and the relation of the defendants to its organization and aims. We are concluded by the jury's verdict.

The Court proceeded to hold without my extending the record on it, that Congress was not barred by the Constitution from believing that indifference to such experience would be an exercise not of freedom but of irresponsibility.

Congress has endeavored to fulfill its responsibility by empowering and directing this committee to make such inquiries.

Miss LEE. Is pressuring a witness so that he will not be employed, a part of the congressional direction?

Mr. TAVENNER. I want to ask you a question.

Miss LEE. I am asking you a question, Mr. Tavenner.

Mr. TAVENNER. Have you engaged in Communist Party activities which have taken you outside of the actual framework of the Communist Party?

Miss LEE. Would you start from the beginning of that question?

Mr. TAVENNER. Very well. Are you ready?

Miss LEE. Yes.

Mr. TAVENNER. Let me hand you a copy of a photograph of the May Day parade in 1952, and ask you whether you took part in it, and whether or not your likeness appears in the first row of those appearing in that parade?

(A document was handed to the witness.)

(Witness consulted with counsel.)

Mr. TAVENNER. If you let the witness see the picture, perhaps she can identify it, Mr. Boudin.

Miss LEE. Can't I go to any parade or go to any meeting or any benefit?

Mr. SCHERER. I ask you to direct the witness.

Mr. WILLIS. She will run out of words. Let her rant a little bit.

Chairman WALTER. I direct you to answer that question.

Miss LEE. I decline on the basis of the grounds previously stated.

Mr. BOUDIN. Do you want those grounds stated again, or will this be sufficient?

Chairman WALTER. It is understood when she gives that answer, it means she is relying on the protection afforded people by the first and fifth amendments.

Miss LEE. First, fourth, fifth, and eighth amendments.

Mr. BOUDIN. That may be understood, Mr. Chairman?

Mr. TAVENNER. Have you finished?

Miss LEE. Yes, sir.

Mr. TAVENNER. Did you take part in the 1952 May Day parade?

Miss LEE. I answered that question. I decline to answer on the basis of the grounds previously stated.

Mr. TAVENNER. Will you examine the photograph again, and state whether or not you can identify the picture of Pete Seeger in the front row?

Miss LEE. I decline to answer on the grounds previously stated.

Mr. TAVENNER. I desire to introduce the photograph in evidence and ask that it be marked "Lee Exhibit No. 1" and that it be incorporated in the transcript of the record. (See p. 2397.)

Miss LEE. You not only want to get me out of work, but you want me to help get other people out of work.

Chairman WALTER. It is received and so marked.

Mr. TAVENNER. Have you from time to time signed Communist Party petitions for persons running for office in the State of New York on the Communist Party ticket?

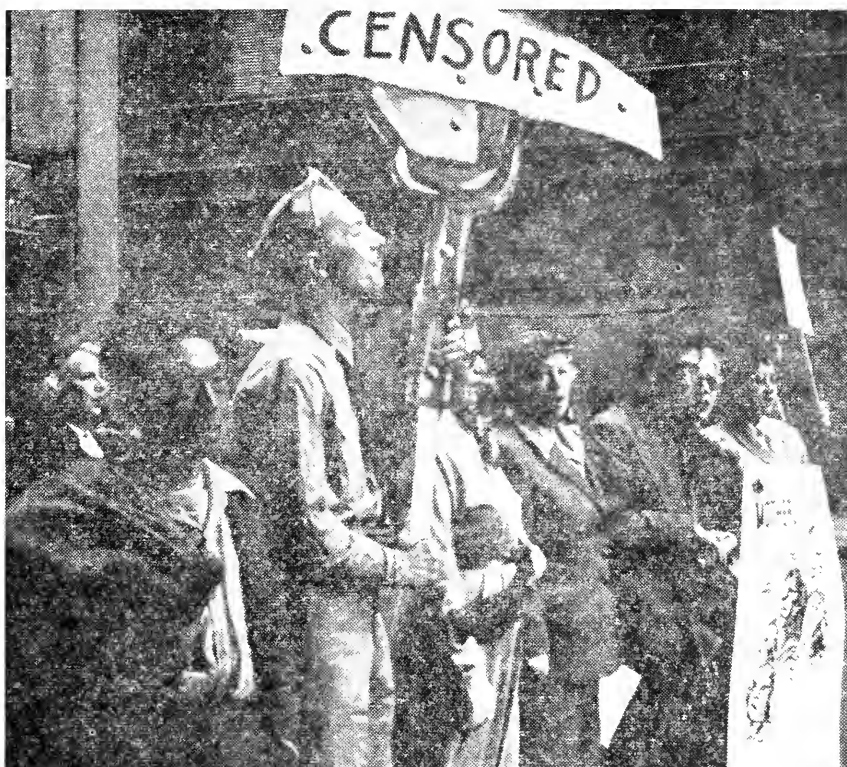
(Witness consulted with counsel.)

Miss LEE. In the electoral process?

Mr. TAVENNER. May I have a direction?

Chairman WALTER. I direct you to answer that very simple question.

Miss LEE. You haven't answered my objections to the question, and I believe that is an electoral process, part of the election machinery of the State of New York.



LEE EXHIBIT No. 1

Mr. SCHERER. That is the reason you should answer it.

Miss LEE. It is a matter of public record.

Chairman WALTER. Did you sign such nominating petitions?

Miss LEE. I decline for the previous reasons.

Mr. SCHERER. The witness said it was a regular process, and how could she invoke the fifth amendment properly and in good faith?

Chairman WALTER. That is up to her, Mr. Scherer.

Miss LEE. I am invoking the privilege properly, and in the best of good faith, and under the most severe pressure, which you don't seem to be interested in. It is perfectly all right to give out lurid tales that people are being pressured, but when this committee is properly accused of pressure, and I am willing to give the names, and dates, and places, and the people involved, nobody is interested.

Chairman WALTER. Mr. Tavenner, will you proceed?

Miss LEE. I am miscast, I am not Joan of Arc, and the words "recant," and "confess," are not exactly my dish.

Chairman WALTER. Let us proceed.

Miss LEE. How can you be looking for facts when you reward friendly witnesses, and punish unfriendly witnesses?

Mr. TAVENNER. I doubt that it would be of any value to question the witness further. She has indicated she is not going to answer any questions relating to the matter of communism.

Miss LEE. I am perfectly willing to answer all of your questions about subversive and infiltration in the entertainment industry, and the answer is that there is none.

Chairman WALTER. Are there any questions, Mr. Scherer?

Miss LEE. You don't want the information that witnesses are under pressure?

(Whereupon the witness was excused.)

Chairman WALTER. Is there another witness, Mr. Tavenner?

Mr. TAVENNER. Yes, sir.

Chairman WALTER. The committee will stand in recess until 2 o'clock.

(Whereupon, the committee recessed at 12 o'clock, to reconvene at 2 p. m., the same day.)

AFTERNOON SESSION—WEDNESDAY, AUGUST 17, 1955

Chairman WALTER. The committee will be in order.

Mr. Tavenner, call your witness, please.

Mr. TAVENNER. Mr. Peter Lawrence, please.

Chairman WALTER. Will you raise your right hand, please.

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

Mr. LAWRENCE. I do.

TESTIMONY OF PETER LAWRENCE, ACCOMPANIED BY COUNSEL, MARTIN POPPER

Mr. COHEN. May I respectfully request an adjournment in the hearing of Zero Mostel.¹ I have advised Mr. Tavenner previously that Mr. Mostel is presently fulfilling an out of town engagement and that he would consider himself under subpoena and be available before this committee to testify as a witness when and if the committee would call him on an adjourned date.

Mr. TAVENNER. Is he now in California?

Mr. COHEN. Yes, and may I respectfully ask for an adjournment without date?

Chairman WALTER. That request is granted, Mr. Cohen.

We will proceed.

Mr. TAVENNER. Will you state your name, please, sir?

Mr. LAWRENCE. Peter Lawrence.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. POPPER. Martin Popper.

Mr. TAVENNER. Of New York City?

Mr. POPPER. A member of the bar of New York.

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

Mr. LAWRENCE. New York City, June 9, 1919.

Mr. TAVENNER. What is your occupation or profession?

Mr. LAWRENCE. I am a theatrical producer.

Mr. TAVENNER. Will you tell the committee please what your formal educational training has been?

¹ Testimony of Zero Mostel appears in pt. VIII of this series.

Mr. LAWRENCE. I went through grade school and high school in Nassau County and spent 2 years at night school in Columbia University, in New York.

Mr. TAVENNER. When did you complete that work at Columbia?

Mr. LAWRENCE. It was in the years 1938 and 1939, and it wasn't completion, it was just night courses.

Mr. TAVENNER. Have you had any profession other than that of a theatrical producer?

Mr. LAWRENCE. I have been in the theater for 15 years, and I served as a stage manager and as a producer, and in the concert field.

Mr. TAVENNER. Over how long a period have you been a theatrical producer?

Mr. LAWRENCE. The first production was in 1950.

Mr. TAVENNER. Will you tell us please what plays you have produced?

Mr. LAWRENCE. Yes, I produced Peter Pan, starring Jean Arthur and Boris Karloff, which ran a year. That was in 1950 and ran 10 months in New York and over 2 months on the road.

I also produced another play for children which ran for 5 days on Broadway.

Mr. TAVENNER. You told us that you had other experience in the field of the theater?

Mr. LAWRENCE. That is correct.

Mr. TAVENNER. What has that been?

Mr. LAWRENCE. I was a stage manager of 3 or 4 Broadway shows, and I was a stage manager of the Ballet Theater for 3½ years.

Mr. TAVENNER. During what period?

Mr. LAWRENCE. Ballet Theater was 1943 to 1947.

Mr. TAVENNER. What other stage managerialship have you had?

Mr. LAWRENCE. I was stage manager for the Theater Guild of a show called Sing Out Sweet Land, in 1945, and I was assistant stage manager in Lend An Ear, and in Denver Colo., in summer stock.

Mr. TAVENNER. Have you recently been connected with a theater production, that is, within the year 1955?

Mr. LAWRENCE. Well, I am currently working on a commercial industrial show for the DP Brother Agency, in Detroit, producing an industrial show.

Mr. TAVENNER. Were you associated as a producer with Mr. David Kanter?

Mr. LAWRENCE. I had a concert management business, an incorporated business in the State of New York, called Lawrence, Kanter, & Pratt, for about 18 months, and one of the undertakings is a tour for The Medium, and The Telephone, which starts in October for 12 weeks.

Mr. TAVENNER. Are you still connected with that enterprise?

Mr. LAWRENCE. No, I am not in the firm any longer, as of the 1st of July, when I left the firm to do the show which I am currently producing.

Mr. TAVENNER. What were the circumstances under which you left that firm? Let me put the question this way: Did the question of communism have any relationship to your leaving that firm?

Mr. LAWRENCE. First of all I am not quite certain whether you have any reason, this is an incorporated business, in which I was 1 of 3

partners, and I have left the firm under the laws of the State of New York with the proper paper filed, and this is a business undertaking, and I cannot see its relevance to you or this committee.

Mr. SCHERER. I ask you to direct him to answer the question.

Chairman WALTER. I direct you to answer the question.

Mr. LAWRENCE. In the first place, the question you raise seems to me to be so vague as to be impossible to answer as you have stated it.

Mr. TAVENNER. It is a very simple question. I asked you whether or not communism had anything to do with your leaving that firm?

Mr. LAWRENCE. I don't know what you mean, does communism have anything to do. That is a very broad subject which is in the papers and I have no idea what you are talking about.

Mr. TAVENNER. Well, then, does that mean that communism had nothing to do with your leaving the firm?

Mr. LAWRENCE. If you rephrase the question and be more specific, perhaps I can understand.

Mr. TAVENNER. I can't be more specific than that.

Mr. LAWRENCE. It is a very broad subject, and I have no way of answering that question.

Mr. SCHERER. Let us keep the record straight. He did not answer at your direction, he did not answer Mr. Tavenner's first question, and now I ask you to direct him to answer Mr. Tavenner's second question.

Chairman WALTER. I direct you to answer.

Mr. LAWRENCE. You ask the counsel or you direct me to answer a question of that kind, about does communism have anything to do with—

Chairman WALTER. I direct you to answer the question asked you by Mr. Tavenner.

Mr. LAWRENCE. Before I do I would have to hear it again.

Chairman WALTER. Will you read him the question?

(Whereupon, the reporter read the pending question as above recorded.)

Mr. SCHERER. I think that you should say to the witness that we did not accept his answer to Mr. Tavenner's first question, and he did not plead any of the amendments to the Constitution, and as a result of his failure to answer the first question I feel that he is in contempt.

Mr. POPPER. He is in the process of trying to find out what it is all about, and I don't think that remark is well taken.

Mr. SCHERER. My remarks were for the benefit of the client.

Mr. POPPER. He has counsel.

The question has been asked to be reread.

Mr. SCHERER. I ask that the second question be reread.

Chairman WALTER. Read the question.

(Whereupon, the reporter read the pending question as above recorded.)

Mr. LAWRENCE. Is that the question or is it the question before that you are referring to?

Chairman WALTER. That is the question.

Mr. LAWRENCE. It seems to me it is preposterous that it would have anything to do with the affairs of this committee, whether I terminated a business relationship in this State on questions of this kind, and it seems so offbase here, and it involves my whole personal opin-

ions and my personal relations and my discussions with my partners, and whether or not—I must refuse to answer this question and decline to answer it for two reasons:

First of all, it is completely outside, and it is my own personal business and my own personal affairs, and it invades my privacy, and invades a business relationship, and I would not answer it either on the basis of the first amendment and certainly on the basis of the fifth amendment which I must exercise here to protect myself from the generalities and vagueness.

Chairman WALTER. You said, "I must"; you are not under any compulsion.

Mr. LAWRENCE. I am compelled to answer the question, and I am compelled to protect myself.

Chairman WALTER. In order to protect yourself, you are invoking the fifth amendment, is that right?

Mr. LAWRENCE. Such a generally vague question in this day and age and before this committee.

Mr. SCHERER. Are you invoking the fifth amendment because this question is as you say, general and vague? Is that the reason you are invoking the fifth amendment?

Mr. LAWRENCE. Don't try to change it. My answer is in the record, and I have answered it because of the reasons stated.

Mr. SCHERER. I ask that you instruct the witness to answer my question.

Chairman WALTER. I think it has been answered.

Mr. SCHERER. He said he pleaded the fifth amendment because the question was vague, and was general. That is not a reason for taking the fifth amendment, under the Supreme Court decision. He must take the fifth amendment because he honestly believes that to answer the question would tend to incriminate him. We have a right to inquire and an injunction to inquire of a witness whether or not that is the reason he is taking the fifth amendment and if he is not taking the fifth amendment in good faith, then he is guilty of contempt.

Mr. LAWRENCE. I am taking it in good faith, with full knowledge of why I am taking it, and the necessity of my taking that position in this room.

Mr. SCHERER. That is not what the witness said.

Mr. LAWRENCE. Well, I am saying it now.

Chairman WALTER. Proceed, Mr. Tavenner.

Mr. TAVENNER. Have you been a member of the Communist Party at any time during the year 1955?

Mr. LAWRENCE. That is another question which falls into the same area, and it involves my own personal opinions and my personal associations, and my personal ideas, and which I would never answer under these circumstances under compulsion on the basis that you have no right to ask it, on the first amendment of the Constitution which says these are my own personal feelings, and because of this situation which I find myself in here today, and I also invoke the fifth amendment to protect myself against.

Mr. WILLIS. Against what?

Mr. LAWRENCE. Against being a witness against myself.

Mr. TAVENNER. Were you a member of the Communist Party in 1952?

Mr. LAWRENCE. I refuse to answer for the reasons stated, the first amendment, and the fifth amendment to the Constitution.

Mr. TAVENNER. I have before me a photograph taken of the May Day parade in 1952. The parade appears in the photograph to be at a halt, and those engaged in it are standing in the middle of the street, with placards. At the head of this particular group is an individual carrying a sign "Actors for Peace." Will you examine the photograph, please, and state whether or not the picture of the person at the head of the group wearing an overcoat and carrying the sign "Actors for Peace," is a photograph of you?

Mr. LAWRENCE. It seems to me you are going to take an awful lot of time to cover the 8,000 or 10,000 people a year who march in the May Day parade.

Mr. TAVENNER. Let us just cover one at a time.

Mr. LAWRENCE. That is right, it will keep you busy on the front pages and all of the rest. I decline to answer that question on the grounds previously stated.

Mr. TAVENNER. Did you head a group or delegation in the May Day parade, in 1952?

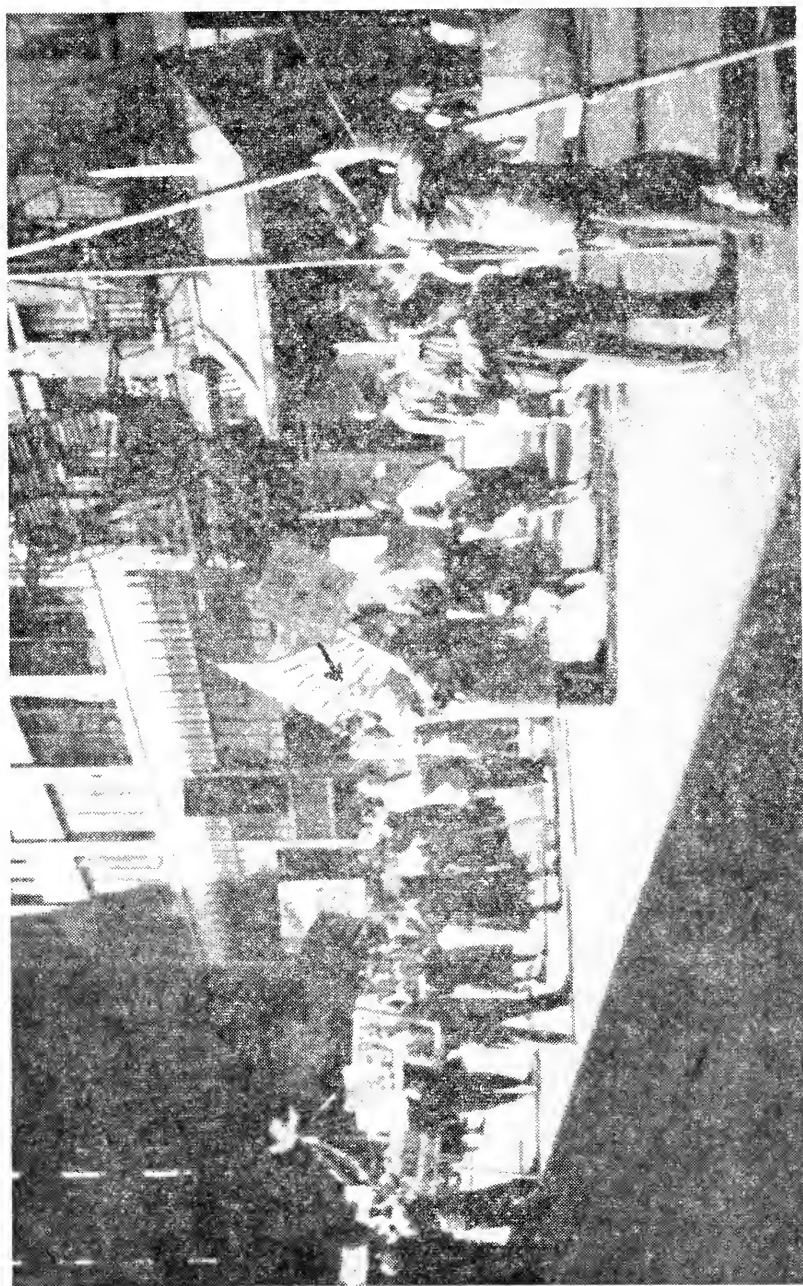
Mr. LAWRENCE. That question is the same question, and I decline to answer it because you have no right to ask it under the first amendment, and I can do whatever I please, and I can march and walk and not walk, and I can do anything I choose, and I can remain silent in the face of this kind of an inquisition, and for that reason I will not answer these questions on the grounds previously stated.

Mr. TAVENNER. Did you choose to walk on that day in the parade?

Mr. LAWRENCE. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. I desire to offer the photograph in evidence and ask that it be marked "Lawrence Exhibit No. 1," and that it be incorporated in the transcript of the record.

Chairman WALTER. Mark it and let it be received.



LAWRENCE EXHIBIT No. 1

Mr. TAVENNER. I hand you a second photograph which was taken in 1953 at the time there was a demonstration because of the refusal of the city police to permit the May Day parade. Will you examine it please, and state whether or not the individual in the center of the picture, with an overcoat and hat is—

Mr. LAWRENCE. May I ask the reason for such a question?

Mr. TAVENNER. Just a moment. There is an arrow in ink indicating the individual. Will you examine the photograph and state whether or not the individual pointed out by the arrow is you?

Mr. LAWRENCE. If I am going to do any service here in the area in which I work for 15 years, which is the theater and the entertainment profession, I must continue to defy this committee to ask me questions of this kind, which have nothing to do with the pertinency of this investigation, and I decline to answer this question on the grounds previously stated.

Mr. TAVENNER. Mr. Lawrence, it is pertinent to the inquiry to know whether or not you are a member of the Communist Party, and were during the period indicated.

Mr. LAWRENCE. I can't see that at all, and I disagree with that pertinency whatsoever.

Mr. TAVENNER. I would like to offer the photograph in evidence, and ask that it be marked, "Lawrence Exhibit No. 2" for identification only.

Chairman WALTER. Mark it and let it be received.

Mr. TAVENNER. Will you tell the committee, please, whether or not you have held any position in an organization known as Actors Equity?

Mr. LAWRENCE. Once again it seems to me that the affairs of the theater and the affairs of the unions associated with it or the affairs of the members of these organizations, and the interference by this committee in the internal affairs of these unions is something which is creating great resentment, and I think that you have no right whatsoever to interfere with these questions, and to ask anybody about their associations with the membership of the organizations in which they belong, be they trade unions to which they belong or anything else.

Mr. SCHERER. I ask that the chairman direct the witness to answer that question.

Chairman WALTER. I direct you to answer that question.

Mr. LAWRENCE. What was the question? There was a question regarding my being an officer in the association? I was not an officer in the association.

Mr. TAVENNER. Did you hold any position in the association?

Mr. LAWRENCE. That is correct, I did not.

Mr. TAVENNER. Were you a member of the council at any time?

Mr. LAWRENCE. Never.

Mr. TAVENNER. Were you the head of any committee of the group?

Mr. LAWRENCE. To the best of my knowledge I have never been the head of a committee in Actors Equity Association.

Mr. TAVENNER. Were you chairman of the theater division of the New York Council of the Arts, Sciences, and Professions?

Mr. LAWRENCE. Now you are getting into another area, and first you have invaded the question of the unions of the theater, and now you are going outside of that and asking me further questions about my affiliations and my associations and my private affairs, and I state to you again, I am entitled to belong to any organization without

being compelled to discuss it with you, and it also involves areas which I must refuse to talk about before this committee, because I do not believe under the first amendment you have any right whatsoever to interfere with these questions, and I also plead the fifth amendment because I must protect myself from this kind of inquisition.

Chairman WALTER. I direct you to answer that question.

Mr. LAWRENCE. I refuse to answer it under the—

Chairman WALTER. You did not hesitate to answer questions concerning your activities in another organization, and now when you are asked about this organization, you won't answer questions.

Mr. SCHERER. Just a minute, Witness. For the record, Mr. Chairman, he said that he is invoking the fifth amendment because he must protect himself from this inquisition. That is not a proper invocation of the fifth amendment. I want to keep this record straight.

Mr. LAWRENCE. It is a proper reason for taking the fifth amendment, and I will not testify, and be compelled to testify against myself.

Mr. SCHERER. I ask you to direct the witness to answer the question.

Chairman WALTER. I have directed him.

Mr. LAWRENCE. The same answer, for reasons of the first and fifth amendments.

Mr. TAVENNER. I hand you a photostatic copy of a letter bearing date of December 22, 1952, addressed to "Dear Theatre Division Members:" and signed in ink, "Respectfully, Peter Lawrence."

Will you examine it please, and state whether or not that is your signature?

(A document was handed to the witness.)

Mr. LAWRENCE. The activities of this committee for the last 17 years have included in the listing as subversive organizations completely arbitrarily and without any basis in fact, many many organizations, and because of the listing of this organization and many others, I refuse to testify against myself in any of these areas, whether or not I believe that these organizations have a right and a perfectly legitimate reason to function and have noble and excellent purposes, but I will not be involved in front of this committee with testifying against myself in these areas.

Mr. TAVENNER. Therefore you refuse to answer whether or not that is your signature?

Mr. LAWRENCE. Under the grounds stated, that is correct.

Mr. TAVENNER. Will you examine the document, please, and state whether or not in the second paragraph, the name of the chairman which appears there, is your name?

Mr. LAWRENCE. It seems to me this is a photostatic copy which can be read by anybody, and I can't go into this letter or this association in any form whatsoever.

Mr. SCHERER. I will ask you to direct the witness to answer the question.

Chairman WALTER. I direct you to answer.

Mr. LAWRENCE. This is a matter of record, and I refuse to answer for the reasons of the first and fifth amendments.

Mr. TAVENNER. I offer this document in evidence and ask that it be marked, "Lawrence Exhibit No. 3," for identification only and to be made a part of the committee files.

Chairman WALTER. Mark it and let it be received.

Mr. SCHERER. Didn't this witness in response to one of your previous questions, Mr. Tavenner, say that he was not an officer or active in this organization?

Mr. TAVENNER. No, sir. The organization which he said he was not an officer in was Actors Equity.

Mr. SCHERER. This doesn't show on the face of it what organization it was. There is a penciled notation on it.

Mr. TAVENNER. Yes. I am reasonably certain it was not Actors Equity.

Mr. SCHERER. How would he know then that this organization has been cited?

Mr. TAVENNER. He must have recognized the content of the document over which his name appears.

Mr. LAWRENCE. You stated that it was the National Council of the Arts, Sciences, and Professions, and I think that you will find that in the record, and I am taking your opinion on it, and that is what you asked me, and that is what I replied to.

Mr. SCHERER. That is all I wanted to get into the record. I am satisfied.

Mr. TAVENNER. Mr. Lawrence, I have before me now a copy of a letter addressed to "Dear Equity Member:", and in typewriting there appears at the bottom of it, "Respectfully yours, (Signed) Peter Lawrence."

Will you examine it, please, and state whether or not you were the author of that letter?

Mr. LAWRENCE. The content of this letter is such as once again to invade my own right to talk and interest people as I wish, without having to discuss it in front of this committee or any committee in this area, and I refuse to discuss this letter with the committee on the grounds previously stated.

Chairman WALTER. I direct you to answer that question, Mr. Lawrence.

Mr. LAWRENCE. I am answering it on the basis as I previously stated, on the grounds of the first amendment and the fifth amendment.

Chairman WALTER. By that do you mean you decline to answer the question?

Mr. LAWRENCE. I decline to answer it.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked, "Lawrence Exhibit No. 4" for identification only and to be made a part of the committee files.

Chairman WALTER. Mark it and let it be received.

Mr. TAVENNER. The date of exhibit No. 4, the letter just referred to, is September 3, 1949. That was during the period of the trial of the Smith Act defendants in Foley Square, was it not?

Mr. LAWRENCE. I have no knowledge of that. I don't know the date of the trial you refer to.

Mr. TAVENNER. During the period of that trial didn't you endeavor to get your union, Actors Equity, to join in Communist Party propaganda against the Government in that trial?

Mr. LAWRENCE. This is again a question in the same area, which is involved in tricky, and political opinions and political affairs, and I must tell you again that I will not answer these questions.

Mr. SCHERER. These men, as agents of a foreign government, were on trial for a criminal conspiracy against the United States and it wasn't any political affair.

Mr. TAVENNER. Did you not endeavor to lump together the Peekskill incident or the incident of an individual being detained at Ellis Island together with a labor union in order to embarrass the Smith Act trial?

Mr. LAWRENCE. This is again the same question, and the same area, and I must refuse to answer any questions of that nature and specifically this one, on the grounds that the question invades my rights to feel and do and think as I wish, without having to answer for it and I say that I will not answer it on that ground and on the grounds of the fifth amendment.

Mr. TAVENNER. Did you not endeavor to bring Actors Equity into a propaganda effort in behalf of the Communist Party during the Smith Act trial?

(Witness consulted with counsel.)

Mr. LAWRENCE. It seems to me again you are asking the same question that I refused to answer a few moments ago, and I will continue to refuse to answer these kinds of questions and particularly ones that talk about union, the trade unions in this area which seems to be the desire to investigate here.

Mr. SCHERER. The trade union which you were trying to subvert to the Communist propaganda?

Mr. LAWRENCE. I have never tried to subvert anything and I have never belonged to any organization that I felt advocated the overthrow of this Government and never tried to do anything which I am ashamed of, and I never tried to subvert any organization.

Mr. SCHERER. Did you belong to the Communist Party?

Mr. LAWRENCE. I think I have already answered that question.

Mr. WILLIS. By refusing to answer it.

Mr. LAWRENCE. By refusing to answer it before this body.

Mr. TAVENNER. Let us see if you didn't make an effort to use your union, which you say should not be interfered with: I am happy to say that you were not successful as far as the information that this committee has obtained.

Mr. LAWRENCE. I wish I were as successful in doing things for the union as you seem to be doing against it in these kind of hearings.

Mr. TAVENNER. I hope it will be helpful to your union. That is what this committee is doing, following the congressional mandate of investigating Communist Party activities of individuals as to whom it has information were engaged in such activities.

Mr. LAWRENCE. Toward some legislative purpose?

Mr. TAVENNER. Yes, as pointed out in the case I read today, there may be legislation to be introduced in the future, which involves these very important matters, and the Congress has the right and, as said also by Justice Frankfurter, that it may be irresponsible if it didn't take some action.

Mr. LAWRENCE. I notice you read a court decision here on the Basky case which was a 2 to 1 decision, and I think perhaps you ought to inform the press here about the dissenting opinion in that case, which was J. Edgerton, which is an opinion that I agree with very definitely.

MR. TAVENNER. You seem very familiar with it, and you probably also know then that a writ of certiorari to the United States Supreme Court was not granted, and—

MR. POPPER. Except in 1955 when it was granted and so we might as well let the record be clear on all of this.

MR. TAVENNER. It was not granted in the Barsky case.

MR. POPPER. In 1955 the Supreme Court granted certiorari as to whether or not under the first amendment this or any other congressional committee of its kind can investigate in the area. It is the first time in 8 years.

MR. TAVENNER. It was not granted in the Barsky case, and that stands on the statute.

MR. POPPER. Five years later it was granted.

MR. TAVENNER. It stands until it is overruled.

Now let us come to the question, then, of Communist Party activities that were engaged in by some individuals within your union. This letter is dated September 3, 1949.

DEAR EQUITY MEMBER: Last week some 25 members who were among the signers of the 7-point program petition to council met, at council's request, to select volunteers to serve on union committees.

Let me stop there a moment.

Were you selected or did you volunteer to serve on a union committee?

MR. LAWRENCE. I believe I answered here. The record will show that to my knowledge I have never served on a committee in this union.

MR. TAVENNER. Did you volunteer to serve on a union committee in regard to this matter?

MR. LAWRENCE. I have absolutely no recollection of that.

MR. TAVENNER. Does my reading that paragraph refresh your recollection?

MR. LAWRENCE. It does not.

MR. TAVENNER. Possibly it will be refreshed by the remainder of it.

Were you 1 of the 25 members that met?

MR. LAWRENCE. Where?

MR. TAVENNER. Pursuant to this letter, and pursuant to what is stated in this letter.

MR. LAWRENCE. I can't answer the question; I haven't heard the letter.

MR. TAVENNER. Very well, let me read the next paragraph:

During the course of this meeting a discussion took place and a decision reached that a question of vital, immediate importance to all union members, the trial of the 12 members of the national committee of the Communist Party, deserved serious examination and wider understanding.

Did you participate in the meeting referred to, which it is said took place last week, which means prior to September 3, 1949?

MR. LAWRENCE. It seems you are talking about a letter which I have already said that I declined to discuss with this committee, and I therefore decline to discuss anything that is in that letter.

MR. TAVENNER. Therefore you will not state whether you attended the meeting?

MR. LAWRENCE. That is correct. The reasons previously stated.

Mr. SCHERER. I think he should be directed to answer the question. I think he has waived his privilege.

Chairman WALTER. I direct you to answer the question.

Mr. LAWRENCE. I have refused to answer the question under the reasons that I have stated here earlier.

Mr. TAVENNER. In what way did you consider that the trial of the 12 members of the national committee of the Communist Party deserved consideration by your trade union?

Mr. LAWRENCE. First of all I have acknowledged no consideration of the question, and second, all my opinions about the matters to which you are referring are my own affairs, and I have no reason in the world to discuss them before this body because they are my private affairs.

Mr. SCHERER. I respectfully say they are not your own affairs when you get into a matter such as this.

Mr. LAWRENCE. I say they are, and I can have opinions on any matter about which I choose to hold opinions.

Mr. TAVENNER. Let me continue to read.

The Equity members gathered that evening began to see that they had failed to understand the direct significance—

and “direct significance” is underscored—

of this trial to their union. The question of the detention of President Derwent, for example, is linked with the trial.

Who was President Derwent?

(Witness consulted with counsel.)

Mr. LAWRENCE. If I am not mistaken, he was president of Actors Equity.

Mr. TAVENNER. He had been detained on Ellis Island for questioning on his return from Europe; isn't that true?

Mr. LAWRENCE. I don't know that story at all.

Mr. TAVENNER. You don't know anything about that?

Mr. LAWRENCE. Not that incident.

Mr. TAVENNER. Yet you would put in this letter that his detention had something to do with the Communist trial of the 12 Communists, which you knew was not true; isn't that so?

Mr. LAWRENCE. It is not a question.

Mr. TAVENNER. Yes, it is a question, and I am asking you if that is so.

Mr. LAWRENCE. I have refused to discuss any letter such as you have without my signature, and I will continue to refuse to discuss the contents of it, with or without my signature.

Mr. SCHERER. I ask you to direct the witness to answer Mr. Tavenner's last question.

Chairman WALTER. Answer the question.

Mr. LAWRENCE. The same answer.

Mr. SCHERER. He has clearly waived any privilege.

Mr. LAWRENCE. The same answer for the same reasons, the right to protect myself against being compelled to testify.

Mr. TAVENNER (continuing to read):

Equity's stand against discrimination is under examination at the trial.

By what stretch of the imagination could the trial of the 12 Communist leaders, those referred to here as the 12 members of the national

committee of the Communist Party, have to do with Equity's stand on any matter in which the union was interested?

Mr. LAWRENCE. I am not going to discuss any of these matters with this committee and especially and specifically around a letter which you are continuing to read and perhaps you will read it to the end and I say I will not discuss the content of this letter with you.

Chairman WALTER. Were any of those 12, Mr. Tavenner, members of this union?

Mr. TAVENNER. No, sir. That is just the point I am making, that there is no connection at all, except from the reading of this letter you can draw only one conclusion.

Mr. SCHERER. He was attempting to subvert the union.

Mr. TAVENNER. It was an effort to combine a number of Communist Party causes and to use this union in order to propagate them.

Mr. LAWRENCE. You are in a position to make all of the comments you choose to make and the press is duly making note of them, but they are your own opinions.

Mr. TAVENNER. I am giving you every opportunity to throw any light on this matter that you can, and you certainly are in a position to do it with your name signed to the letter, and your not having denied sending it.

(Witness consulted with counsel.)

Mr. SCHERER. He says that is none of our business.

Mr. LAWRENCE. That is correct. That is a question of the union affairs, it would seem to me. It is basically my position that these are affairs of the union and not the affairs of this committee, and the interference in the affairs of the union by this committee I think are complete violations.

Chairman WALTER. Your union was concerned with the trial of the people charged with attempting to overthrow the Government of the United States. It wasn't a union matter.

Mr. TAVENNER (continuing to read):

The attacks against the actors in *They Shall Not Die* and the singers at Peekskill cannot be separated from the basis of the trial in Foley Square.

What was the source of that propaganda?

Mr. LAWRENCE. The same answer, to the same question. I refuse to answer any questions of this nature before this committee on the grounds previously stated, and that these are union matters, I think, and in 7 years the union might have had an opportunity to debate them and undoubtedly did, and this is—

Mr. TAVENNER. Did you take part in the debate?

Mr. LAWRENCE. Which debate are you talking about?

Mr. TAVENNER. The one you are referring to.

Mr. LAWRENCE. I don't know whether there has been any such debate, and you are talking about these union matters.

Mr. TAVENNER. No, I am not talking about union matters, I am talking about Communist Party matters, which you endeavored to put over on the union.

Mr. LAWRENCE. The union. This is not a question—

Mr. TAVENNER (continuing to read):

In the belief that as many Equity members as possible should discuss this matter, ask questions and arrive at fuller understanding through such procedure, we have undertaken to call a meeting on Thursday night, September 8, at 11:30 p. m., at the Capitol Hotel, 51st Street and Eighth Avenue, to hear speakers on this subject.

Were you successful in having the meeting held?

Mr. LAWRENCE. I won't answer that question on the grounds previously stated but it seems to me to be a complete outrage, your talking about discussion of questions by adult members of a union and if they are not entitled to discuss it if they choose to, that is their choice and if they don't wish to discuss this question, again that is their choice, and I think the inference here that the union is having anything put over on them is again an insult to the union and these are questions which can be debated, and discussed, and if they were, this again is a union province, and if they are not interested, the members of the union can refuse to discuss it and they are perfectly capable of discussing unions if they so choose to discuss them, and if you are saying that they can't discuss questions, then it is subversion to discuss questions, and I think that this is something that should be examined.

Mr. TAVENNER. No, I am asking what your part was in the Communist Party plan to put this over on your union.

I continue to read:

In closing, we need not remind you of the historical importance of such a meeting as regards our union. In addition to making certain that you attend, will you please make arrangements now to bring at least two Equity members with you. Both Chorus and Actors Equity members should attend.

We cannot afford the luxury of an additional reminder, so we urge you to make a note now of the time, date and place.

Respectfully yours,

(Signed) PETER LAWRENCE.

As a result of the writing of that letter, were you accused of trying to throw Communist Party propaganda such as the temporary detention of President Derwent and the Peekskill incident, together with a labor union in order to use it as propaganda against the Smith Act trials?

Mr. LAWRENCE. I cannot answer that question and I won't answer the question for the grounds previously stated.

Mr. SCHERER. I think that you can answer it, you just won't.

Mr. TAVENNER. Will you tell the committee please how many persons within Actors Equity were members of the Communist Party at that time, September 3, 1949?

Mr. LAWRENCE. I refuse to answer any question of that nature, as I have outlined before. That is for the reasons previously stated.

Mr. TAVENNER. Have you endeavored to hold caucus meetings within Actors Equity or within the American Federation of Television and Radio Artists since September 3, 1949 composed principally of members of the Communist Party?

Mr. LAWRENCE. These questions regarding this issue I again decline to answer for the reasons previously stated.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. LAWRENCE. The same question, and I again give the same answer for the reasons previously stated.

Mr. TAVENNER. I have no further questions.

Chairman WALTER. Are there any questions?

The witness is excused.

Call your next witness, Mr. Tavenner.

Mr. TAVENNER. Mr. Joshua Shelley.

Chairman WALTER. Will you raise your right hand, please?

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

**TESTIMONY OF JOSHUA SHELLEY, ACCOMPANIED BY COUNSEL,
MARTIN POPPER**

Mr. SHELLEY. Mr. Chairman, I have a statement I would like to read.

Chairman WALTER. Let me have it, please.

(A document was handed to the chairman.)

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

Mr. SHELLEY. Joshua Shelley.

Mr. TAVENNER. It is noted that you are accompanied by the same counsel who accompanied the preceding witness.

When and where were you born, Mr. Shelley?

Mr. SHELLEY. I was born in Brooklyn, N. Y., in 1920.

Mr. TAVENNER. Where do you now reside?

Mr. SHELLEY. In Manhattan.

Mr. TAVENNER. How long have you lived continuously in the city of New York, prior to this date?

Mr. SHELLEY. About 10 or 11 years.

Mr. TAVENNER. Prior to that time, where did you reside?

Mr. SHELLEY. Glen Cove, Long Island.

Mr. TAVENNER. What is your occupation?

Mr. SHELLEY. I am an actor.

Mr. TAVENNER. Will you tell the committee please what your formal educational training has been?

Mr. SHELLEY. I went to public schools in Brooklyn, and I went to public school in Glen Cove. I graduated from Glen Cove High School, and I went to NYU for a while.

Mr. TAVENNER. When did you go to that institution?

Mr. SHELLEY. New York University, you mean?

Mr. TAVENNER. Yes.

Mr. SHELLEY. I believe about 1937 or 1938, I forget. I think it was 1937 or 1938, and I just went for 6 months.

Mr. TAVENNER. What has been your employment since that time?

Mr. SHELLEY. Well, I have been in many radio programs, free-lance radio acting.

Mr. TAVENNER. Did you start immediately in the profession of acting?

Mr. SHELLEY. Yes, even before that, and I have done other things. I have been a salesman, but I was a free-lance radio actor before I was in school. I had a comedy act that I did, not terribly successfully, and then I went to the legitimate theater and I worked in the theater, and I have been in a lot of plays, and done thousands of radio programs and hundreds of television programs. I can tell you some of them.

In television I was on Studio One; Danger; the Ed Sullivan Show; Suspense; The Man Behind the Badge; Big Story; Philco Television Playhouse; The Starlight Theater; We, The People, and I was on that on and off; the Faye Emerson Show, I was on that for 13 weeks; and the Don Ameche program, 18 weeks; and Schlitz Playhouse of Stars; Man Against Crime; Tales of Tomorrow; and there were hun-

dreds of them, and I can't remember them all, and thousands of radio programs, I am sure, and I can't remember them all.

The legitimate theater, *One Touch of Venus*, *Mary Martin*; *Tenting Tonight*; *On the Town*; *Tidbits*; *Barefoot Boy With Cheek*; *Make Mine Manhattan*; *The Liar*; *On Your Toes*; *Girl in the Pink Tights*; and I just closed last Sunday in Washington in *Phoenix 55* which had opened here.

I have done two movies, *City Across the River*, and *Yes, That's My Baby*.

Mr. SCHERER. Just a moment. Did this employment continue up to the present time?

Chairman WALTER. He said he closed Sunday night.

Mr. SHELLEY. My employment has been back and forth. I was employed quite regularly in television until I was blacklisted.

Mr. SCHERER. When were you blacklisted?

Mr. SHELLEY. About 3 years ago. There was something in a publication called *Counter-Attack*.

Mr. SCHERER. Did any of these thousands of radio programs that you have just told us about, take place within the last 3 years?

Mr. SHELLEY. I couldn't say precisely if any of them did. I may have done 1 or 2 radio programs, I don't know if it is a thousand, but it must be a thousand.

Mr. SCHERER. I am just using your words.

Mr. SHELLEY. I understand. No; I don't remember. I may have done a few radio programs.

Mr. SCHERER. Did some of these television programs take place within the last 3 years, the *Ed Sullivan Show*, and so on?

Mr. SHELLEY. The *Ed Sullivan Show* I did in 1949 or 1950, I believe, I am not sure.

Mr. SCHERER. Which one of these programs that you have mentioned took place in the last 3 years?

Mr. SHELLEY. In the last 3 years, I did a program called *Atom Squad*, in Philadelphia.

Mr. WILLIS. It looks like you remember those of the older vintage better than you do those of recent vintage.

Mr. SHELLEY. There were more in the older vintage than in the recent.

Chairman WALTER. How long did the show run that closed on Sunday in Washington?

Mr. SHELLEY. *Phoenix 55*, ran, I think, 13 weeks, or 11 weeks in New York, I am not sure, and we were supposed to do 12 performances in Washington, but we were rained out twice.

Chairman WALTER. What did you do before *Phoenix 55*? What was your employment before that time?

Mr. SHELLEY. I was in *On Your Toes* on Broadway.

Chairman WALTER. How long did that run?

Mr. SHELLEY. Not too long. I don't remember exactly, but it was about 6 weeks on Broadway, and it was a revival. It was a good show.

Chairman WALTER. What show were you in before that?

Mr. SHELLEY. Directly before that, on Broadway, I think I was in *The Girl in the Pink Tights*.

Chairman WALTER. How long did that run?

Mr. SHELLEY. A few months.

Mr. SCHERER. Has the *Faye Emerson Show* been recent?

Mr. SHELLEY. I think that was 13 weeks during the summer, in 1951, I think it was, or 1952, the latest. The one I was on, that is. It was called Wonderful Town.

Mr. TAVENNER. Have you contributed your talent to entertainment for the benefit, or for the purpose of raising money at the instance of the Communist Party?

Mr. SHELLEY. I am sorry; I didn't get the last part of that question.

Mr. TAVENNER. I say, have you contributed your talent in entertainments sponsored by the Communist Party for the purpose of raising funds?

Mr. SHELLEY. I think that question is an attempt at striking out at my personal liberties which the Congress, as I understand it has no right to inquire into, and I feel you have no right to ask me personal questions about where I have been, and what I have done, and with whom I have affiliated, and I think it is that kind of a question.

Mr. SCHERER. We are not authorized, you say, to inquire into the activities of anybody employed by the Communist Party?

(Witness consulted with counsel.)

Mr. SHELLEY. I said you cannot inquire.

Mr. SCHERER. Even an agent of the Communist Party?

Mr. SHELLEY. I don't know what you are talking about now. I say that the Congress has no right to inquire into a person's political, economic, social, or religious opinions or their associations and affiliations, and I think that is part of the first amendment.

Mr. WILLIS. Now that we have had the usual speech, will you ask him to answer the question, Mr. Chairman?

Chairman WALTER. Answer the question.

Mr. SHELLEY. As I said, I don't think this committee has a right to ask me that question, and I refuse to answer that question under my privilege in the fifth amendment, and the first amendment. It is the first and the fifth amendments.

Mr. WILLIS. Do you mean by that, that you would be afraid if you answered the question you might subject yourself to criminal prosecution?

Mr. SHELLEY. I have already answered that question.

Mr. TAVENNER. In what productions or plays were you engaged during the years 1946 and 1947?

Mr. SHELLEY. Did you say 1946? I think On the Town was in 1946, and I think Tidbits was in 1946, and it ran a week, and—

Mr. TAVENNER. During that period of time, 1946 and 1947, were you a member of Actors Equity?

Mr. SHELLEY. Yes; you have to be a member of Actors Equity in order to work in the theater, and I was a member.

Mr. TAVENNER. Were you a member of the Communist Party during that period of time, 1946 to 1947?

Mr. SHELLEY. I have already told you that according to the first amendment, asking questions like that is stepping on my rights, and my liberties, and I don't feel that this committee has a right to ask me that kind of a question.

Mr. TAVENNER. May I ask for a direction?

Chairman WALTER. I direct you to answer that question.

Mr. SHELLEY. I decline for the same reasons as previously stated, first and fifth.

MR. TAVENNER. Are you aware of the existence of a cell or group of the Communist Party in New York City, composed chiefly of members of the acting profession?

MR. SHELLEY. I feel this is the same kind of question, and I decline to answer it for the same reasons, the first and the fifth.

MR. TAVENNER. Did you ever attend a caucus within Actors Equity, composed of members of the Communist Party?

MR. SHELLEY. I feel this question is an attack on Actors Equity, and it attempts to bring a climate of fear in the union so that any caucus, if it meets to defeat such publications as *Aware*, will be frightened to meet, and I feel this a smear on my union.

MR. TAVENNER. No; it is not a smear on your union at all, you know that.

MR. SHELLEY. I feel that it is, sir. You are trying to bring fear into members of unions who have fought against blacklisting, who have fought for good things in the unions when you ask questions like that.

MR. TAVENNER. May I ask for a direction?

Chairman WALTER. I direct you to answer the question.

MR. SHELLEY. I refuse to answer on the same grounds.

Chairman WALTER. Are you now a member of the Communist Party?

MR. SHELLEY. I don't feel that you have the right to ask me that question, and I refuse to answer as I have before, on the same grounds.

MR. TAVENNER. I have no further questions, Mr. Chairman.

Chairman WALTER. Are there any questions?

MR. SCHERER. Do you know Peter Lawrence?

MR. SHELLEY. Yes; I know Mr. Lawrence, he is a friend of mine, and he is a producer in the theater, and he is a fine fellow.

MR. SCHERER. Do you know him to be a member of the Communist Party?

MR. SHELLEY. I do not feel that under the first—

MR. SCHERER. Isn't it a fact that both you and he were members of the Communist Party? Isn't that a fact?

MR. SHELLEY. That is a pretty tricky question.

MR. SCHERER. Is the trick question true or false; the implication?

MR. SHELLEY. It is tricky, and I refuse to answer it under my privilege in the fifth amendment and the first amendment.

MR. SCHERER. That is all.

Chairman WALTER. The witness is excused, and we will take a 5-minute recess.

(A short recess was taken by the committee.)

Chairman WALTER. The committee will come to order.

Call your next witness, Mr. Tavenner.

MR. TAVENNER. Mr. George Keane.

MR. KEANE. No pictures, please.

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

MR. KEANE. I do.

**TESTIMONY OF GEORGE KEANE, ACCOMPANIED BY COUNSEL,
LEONARD BOUDIN**

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

Mr. KEANE. My name is George Keane.

Mr. TAVENNER. Will counsel accompanying the witness identify himself for the record, please?

Mr. BOUDIN. Leonard Boudin, 25 Broad Street, New York.

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

Mr. BOUDIN. Just a moment. Will you please see that the pictures are not taken while the witness is testifying?

Chairman WALTER. These men know the rules, and apparently they are complying with them.

Mr. BOUDIN. I didn't hear your last statement.

Chairman WALTER. Go ahead, Mr. Tavenner.

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

Mr. KEANE. I was born in 1917, in Springfield, Mass.

Mr. TAVENNER. Where do you now reside?

Mr. KEANE. In New York City.

Mr. TAVENNER. How long have you been a resident of New York City?

Mr. KEANE. To the best of my recollection, between 28 and 30 years, with the exception of trips and vacations.

Mr. TAVENNER. Will you tell the committee please what your formal educational training has been?

Mr. KEANE. I attended elementary school, in Springfield, Mass., up until I was about—and this again is all to the best of my knowledge, and I want to assure you that I am not going to stall, but I would plead a fuzzy memory, so this is it.

Mr. TAVENNER. A year or so makes very little difference.

Mr. KEANE. Up to the time I was about 8 or 10 in Springfield, Mass., elementary school, and then the public school system in New York City, and I was graduated from City College in New York in the year 1937.

Mr. TAVENNER. What has been your profession or occupation since graduation?

Mr. KEANE. I am an actor.

Mr. TAVENNER. Have you been an actor virtually from the period of your graduation?

Mr. KEANE. Yes.

Mr. TAVENNER. Have you had any other occupation during that period of time?

Mr. KEANE. Well, an actor as a rule must have other occupations and yes, I have.

Mr. TAVENNER. What have they been?

Mr. KEANE. May I adjust that question to say not occupations, but other work, you know, because I consider that I have one occupation and that is as an actor. The other work I have done, again to the best of my knowledge—

Mr. TAVENNER. Let us simplify it, what other work have you engaged in since 1947, if any, besides your profession of acting?

Mr. KEANE. I am not being evasive. It is difficult here, as you must realize. Have you anything in mind, sir? I am not trying to escape any of your questions.

Mr. WILLIS. Have you been at these hearings today and yesterday?

Mr. KEANE. Since the very first day.

Mr. WILLIS. You have heard these same questions about occupation for the last 3 days of every witness, and are you trying to kid us by coming here and acting as though you have a blank mind? Don't you know what work you have done?

Mr. KEANE. I am not trying to kid you, sir.

Mr. WILLIS. You are not kidding me, sir. Don't affirmatively say that you are not trying to before I question you.

Mr. KEANE. Don't say I am trying to kid you. It is very difficult. I am defending my right to work, and my earning power, and my family, and the whole future of my life.

Chairman WALTER. You heard the question.

Mr. KEANE. And now I have forgotten it, quite frankly, because I have been rattled.

May I have the question again, please?

Mr. TAVENNER. Just tell us what work you have done besides that of acting, since 1947.

Mr. KEANE. I am not allowed to say that I have nothing to hide, and that I am not trying to avoid, is that right?

Chairman WALTER. You can see that.

Mr. TAVENNER. Go ahead before you forget the question.

Mr. KEANE. I have done some professional writing, and I have done some directing, and as far as I know, to the best of my recollection, that is a complete answer to your question.

Mr. TAVENNER. What was the nature of the directing in which you were engaged?

Mr. KEANE. I directed at a summer resort called, Green Mansions.

Mr. TAVENNER. What year did you direct at this resort?

Mr. KEANE. This year.

Mr. TAVENNER. What was the nature of the directing that you did? Was it directing of shows?

Mr. KEANE. Yes.

Mr. TAVENNER. What other directing have you done?

Mr. KEANE. Professionally as far as I can recall that is the only directing work I have done.

Mr. TAVENNER. Well, you draw a distinction between professionally and otherwise.

Mr. KEANE. That is right, sir. One usually does in the theater.

Mr. TAVENNER. What other directing have you done which may not be classified as professional directing?

Mr. KEANE. May I tell you I have written down here a list of my credits and so forth?

Mr. TAVENNER. I am coming to that question, and I will give you every opportunity to tell us how prominent you have been.

Mr. KEANE. I am not interested in telling you how prominent I am, sir. I am not. To the best of my knowledge and belief, unless you have something to refresh my memory, I have done no other directing that I can remember.

Mr. TAVENNER. What was the nature of the professional writing in which you were engaged?

Mr. KEANE. I wrote a radio serial which was called Marriage For Two.

Mr. TAVENNER. When was that?

Mr. KEANE. I plead my fuzzy memory again. Either 1952 or 1953, sir.

(Witness consulted with counsel.)

Mr. TAVENNER. Will you give us now the principal stage credits which you have received?

Mr. KEANE. I wrote these down to save your time and mine.

In 1938, Hamlet; in 1939, Henry IV; in 1940, Richard The Second; in 1950, The Moon is Down; and in 1941, Twelfth Night; and in 19—excuse me, I have a typographical error here. The Moon is Down was in 1942. This is to the best of my knowledge.

In 1942, also a play called Life Line, and then I was in the Army for 4 years. It was about three and a half years, a little under 4 years.

Mr. TAVENNER. What was the date you went in, and the date you came out of the Army?

Mr. KEANE. The date I went in was sometime in December of 1942, and I got out in April 1946.

My lowest efficiency and character rating ever received in the Army was "excellent," and there are four stars on my overseas ribbon, battle stars, and I volunteered to go overseas, where I stayed from February of 1944 until March 1945.

Mr. TAVENNER. In what branch of the service were you?

Mr. KEANE. I was in Special Services, and I was a limited-service officer because I finally got a commission. I received the Army Commendation Ribbon for outstanding service, and I received a scroll from the Army Service Forces, for distinguished and exceptional service and outstanding devotion to duty.

When I got out of the Army I was in a play called Park Avenue, in 1946, and in 1947 I was in a show called Brigadoon, and in 1949 I was in a show called Love Me Long, and in 1952 I was in a show called the Seven Year Itch.

Chairman WALTER. During that period of your military service, were you a member of the Communist Party?

Mr. KEANE. Sir, I have listened—

Chairman WALTER. I have asked you a question.

Mr. KEANE. For 3 days now to these hearings, and I am here. There are accusations that have been made against me.

Chairman WALTER. Nobody has made any accusations.

Mr. KEANE. Counsel is gagged, and I don't have an impartial judge, and I don't have an opportunity to answer and cross-examine for any charges that are made against me.

Chairman WALTER. No charge is being made.

Mr. KEANE. Yes, sir; and I want you to know that I have always been a patriotic American who loves his country, and I have fought for my country, and I would fight for my country again, and I hope as a result of these hearings that I could continue to be in the position of fighting for my country and I shall not answer that question for the following reason:

First of all, I consider that this hearing is an inquisitorial one and not an investigatory one.

Second of all, I challenge your right under the first amendment to the Constitution to ask me that question, and furthermore, I think that question involves my private thoughts and associations and that by your question you could lead me to introduce associations which,

however innocent in themselves, could tend to place me in danger, and in danger in this atmosphere of fear and hysteria which you have created. I therefore decline to answer the question, and I decline to answer the question on the basis of the first amendment which asserts my freedom of religion and speech and assembly and petition, and I decline also to answer your question on the grounds of the fourth amendment, which proclaims my right to be secure in my person, house, papers, and effects, and I decline also to answer your question by asserting the privilege of the fifth amendment which provides that no person shall be compelled to be a witness against himself, with no inference of guilt.

Chairman WALTER. That isn't what the amendment provides. You have been reading it.

Mr. KEANE. Do you object that I read it?

Chairman WALTER. No; but I want the record to show that what you said is not in the amendment.

Mr. KEANE. When a man is here to defend his life, and does not know the charges against him, and when his lawyer can't stand up and object, it is perfectly reasonable that he should have a paper with him to help him.

Chairman WALTER. You are not charged with anything, and we are asking you some questions.

The question I have asked you is whether you were a member of the Communist Party when you were in the Special Services Branch of the Armed Forces.

Mr. KEANE. I have answered your question, sir.

Chairman WALTER. Well, what is your answer?

(Witness consulted with counsel.)

Chairman WALTER. You decline to answer; isn't that it? You decline to answer for the reasons that you just gave?

Mr. KEANE. It is my impression that I did decline, and I do decline for the reasons that I just gave; yes, sir.

Mr. SCHERER. Mr. Keane, when did you say that your Army service began?

Mr. KEANE. To the best of my recollection, I was inducted into the Army as an enlisted man in December of 1942.

Mr. SCHERER. And you served then until 1946?

Mr. KEANE. Yes, sir; I was commissioned in October of 1943.

Mr. SCHERER. That was during the years that we were a co-belligerent with Russia; was it not?

Mr. KEANE. Well, I fail to see how my having been inducted into the Army and giving 3½ years of my life, what that has to do with that question, and you are talking about something that I had no control over, either the history or being inducted.

Mr. SCHERER. I didn't say you had control. Do you know that to be a fact?

(Witness consulted with counsel.)

Mr. KEANE. You are asking me a historical fact, and I know a little history, and so I will answer "Yes."

Mr. SCHERER. That is all, proceed.

Mr. TAVENNER. Did you receive a Reserve commission on your separation from the service?

Mr. KEANE. I really and honestly don't remember, sir.

Mr. TAVENNER. Are you the holder of a Reserve commission now?

Mr. KEANE. Well, I will tell you the reason why I hesitate. As I understand it, there are two kinds of Reserves, one is the Reserve in which you sign up to join the Organized Reserve, and the other one is a technicality in—it is very difficult when people are talking, sir.

The other is the kind of—Am I amusing you, sir?

Mr. TAVENNER. No.

Mr. KEANE. The other is the kind of commission which automatically is kept while the country is technically in a state of war, and I received such a letter from President Truman which reminded me of that, and so my recollection is to the best of my knowledge that I did not, in other words, apply for and ask for the first kind of Reserve commission in the Army.

Mr. TAVENNER. How long a period of time were you in the second type of Reserve?

Mr. KEANE. I don't know, sir, and I don't know the laws of the country as regarding that kind of Reserve.

Mr. TAVENNER. Are you a member of the Reserve now? That is a question I asked you earlier which you have answered only inferentially.

Mr. KEANE. I am not trying to avoid it.

Mr. TAVENNER. Are you a member of the Reserve now?

Mr. KEANE. Then I have to tell you in all good faith, I don't know, sir.

Mr. TAVENNER. You returned, you said, from the service in April of 1946, I believe?

Mr. KEANE. I returned to civilian life; yes, sir.

Mr. TAVENNER. How soon after your return did you engage in the profession of acting?

Mr. KEANE. That is 9 years ago, sir, and to the best of my knowledge I would think soon after.

Mr. TAVENNER. Were you a member of Actors Equity prior to your going into the service?

Mr. KEANE. My first job was in 1938, and I had to join Equity then, and so the answer is "Yes."

Mr. TAVENNER. Did you reaffiliate with the organization upon your return from the armed services or maintain your guild membership?

Mr. KEANE. Yes; to the last part of your question.

Mr. TAVENNER. You maintained it?

Mr. KEANE. Yes.

Mr. TAVENNER. Then you were a member of that organization in 1946, and in 1947.

Mr. KEANE. Certainly.

Mr. TAVENNER. During that period of time, 1946 and 1947, were you a member of a group of the Communist Party composed of actors in the city of New York?

Mr. KEANE. I have already answered that question, if I am not mistaken.

Mr. TAVENNER. No, that question has not been answered.

Mr. KEANE. Then I decline to answer that question on the grounds of the first and the fifth amendments.

(Witness consulted with counsel.)

Mr. TAVENNER. I am reminded of this point, that I have not given you an opportunity to tell the committee what television credits you have received.

Mr. KEANE. Well, since the time of the blacklisting, which is about 5 or 6 years ago, to my recollection, I have very few television credits, and I would be reluctant to discuss them with you for the following reason—

Mr. SCHERER. Let me interrupt. Why were you put on the blacklist?

Chairman WALTER. If he was.

Mr. SCHERER. He infers that he was put on a blacklist, and I want to know why he was put on the blacklist, and who put him on.

(Witness consulted with counsel.)

Mr. KEANE. The answer to the question is that I cannot answer as to the motivation of the people who put me on the blacklist, whether it was malevolence, envy, or psychosis, or what.

Chairman WALTER. What people put you on what blacklist?

(Witness consulted with counsel.)

Mr. KEANE. There is a blacklist called Red Channels, and there are blacklists which is something which would be good for this committee to investigate, sir, which are circulated among the agencies and the hiring, and the agents, and the sponsors, and this has been very well documented in the press.

Mr. SCHERER. When were you put on this, what you call a blacklist?

Mr. KEANE. Well, I don't put quotes around blacklist, sir. It is what I say is a blacklist.

Mr. SCHERER. All right.

Mr. KEANE. When was I put on the blacklist, you mean?

Mr. SCHERER. Yes.

Mr. KEANE. To the best of my recollection, Red Channels, which is run by blacklisters, or was run then by blacklisters who profit from blacklisting. There is a man called Vincent Hartnett, who gets paid for clearing names, that is his profession, to the best of my knowledge, Red Channels came out in 1949.

Mr. SCHERER. Were you named as early as 1949?

Mr. KEANE. Yes, sir.

Mr. SCHERER. Why were you named?

Mr. KEANE. I have already answered that.

Mr. SCHERER. Well, isn't it a fact, that you were so named because of your Communist Party activities?

Mr. KEANE. I decline to answer for the same reasons I gave before.

Mr. SCHERER. Why did they have such a blacklist that you are telling us about?

Mr. KEANE. Well, you see there are only a certain number of jobs in the theater, and some people think the way to get these jobs is to drive out those who are working, and also there are people who object—

(Witness consulted with counsel.)

Mr. SCHERER. They didn't put you on the blacklist because you were a bad actor, did they?

Mr. KEANE. The blacklist had nothing to do with talent, sir.

Mr. SCHERER. Well, what does it have to do with?

Mr. KEANE. Don't you know? Shall I tell you?

Chairman WALTER. Yes, you are the one who raised the question. (Witness consulted with counsel.)

Mr. SCHERER. Maybe I can help.

Mr. KEANE. Did that last remark go in the record?

The blacklist, and this blacklist was created for the censoring of people's beliefs.

Mr. SCHERER. The only reason people were put on this blacklist was because of their Communist Party activities, and for no other reason, isn't that right?

Mr. KEANE. Is that your statement or is that a question?

Mr. SCHERER. I asked you a question.

Mr. KEANE. You know that when we get on this area, I am up against the wall, and I have to face the possibility of going to jail, and that my lawyer here cannot stand up—

Mr. SCHERER. That is only if you commit perjury.

Mr. KEANE. And perjury is a very technical thing, and which is very hard for a poor actor to understand, and—

Mr. SCHERER. Everybody understands what telling the truth is, and what lying is.

Mr. KEANE. It is a very tricky thing, because if you would like to debate with me outside, I would be very, very happy to.

Mr. SCHERER. You wouldn't be under oath then, that is the reason you are willing to debate outside.

Mr. KEANE. Are you under oath?

Chairman WALTER. We are all under oath—

to support and defend the Constitution of the United States against all of its enemies, foreign and domestic.

That is the oath every Member of the Congress took.

Mr. KEANE. And everyone you disagree with, you try to smear, because you prejudge them.

Chairman WALTER. Now answer the question. You raised the question about this blacklist, so now, answer it.

Mr. KEANE. I don't think there is a question. What is the question, please? This may be funny to you, sir, but I am fighting for my life here.

Mr. SCHERER. I will repeat the question.

Isn't it a fact that the only reason people were put on this blacklist by their associates was because of their activities, known activity, in the Communist Party?

Mr. KEANE. I consider that sir, to be a trick question, which is attempting to get me to discuss questions which you know that I cannot discuss freely and openly without getting into trouble. You don't have to direct me, because on that question I will take the first and fifth amendments.

Chairman WALTER. All right, proceed, Mr. Tavenner.

Mr. TAVENNER. Haven't you made the statement in discussing this question of blacklisting that there were friends among the directors who would take these lists into account in the employment of the people, and therefore it was a list that would work both ways; there were some directors who would give preference to people who were on such a list?

Mr. SCHERER. Like Peter Lawrence.

Mr. KEANE. What is the question here? Is it this question or is it that question?

Mr. TAVENNER. The question I asked you.

Mr. BOUDIN. He is a member of the committee. Who is asking this last question, and could we have that?

Chairman WALTER. Ask the question again, Mr. Tavenner.

Mr. TAVENNER. Read the question.

(Whereupon the reporter read the pending question as above recorded.)

(Witness consulted with counsel.)

Mr. KEANE. Have I made such a statement, sir?

Mr. WILLIS. He is asking you whether you did or not, and that is a simple question.

Mr. KEANE. You mean in testimony here?

Mr. TAVENNER. No.

Mr. KEANE. To the best of my knowledge, no, unless you have something or some private information there, that will refresh my memory.

Mr. TAVENNER. Have you addressed any meetings on the subject of blacklisting?

Mr. KEANE. Well, you see now we are again on a question, in an area which is very dangerous, because I have been prejudged here, and because people cannot cross-examine you or your information, and you reluctantly require me, because of my fear of the association that you will make to this and other associations, to assert my privilege under the fifth amendment which states that a person may not be required to testify against himself, with no inference of guilt.

Mr. WILLIS. It looks like that pet subject has turned into an amendment.

Chairman WALTER. "Without any inference of guilt." That is a brand new amendment to the Constitution.

Now, since 1950, where have you been employed?

Mr. KEANE. In 1950 I was unemployed.

Chairman WALTER. In 1951 where were you employed?

Mr. KEANE. In 1951 I was unemployed.

Chairman WALTER. In 1952 where were you employed?

Mr. KEANE. Now excuse me sir, I just have to say that it may have been that that writing job that I was talking to you about, that radio writing job, might have been in 1951 or 1952, and so I hesitate to change it to make—

Mr. SCHERER. What was the writing job that you told us about, I don't recall?

Mr. KEANE. It was a radio writing job.

Mr. SCHERER. What was the subject?

Mr. KEANE. A radio serial.

Mr. SCHERER. For whom?

Mr. KEANE. Vulgarly known as a soap opera.

Mr. SCHERER. You gave us the name before and I have forgotten it.

Mr. KEANE. Marriage For Two.

I believe I was employed on this writing work in 1951, but it may be 1952.

Now, in 1952 I was employed in a play called The Seven Year Itch.

Chairman WALTER. Then after that, what employment did you have?

Mr. KEANE. Well, something happened to me which is a consummation, devoutly to be wished, I was in Seven Year Itch for 2 years and 3 months, up until March of this year.

Chairman WALTER. Since March of this year, what have you been doing?

Mr. KEANE. Since March of this year I have been unemployed, except for, I believe, the best of my knowledge, I appeared in one television show since that time, and directed these 2 plays up at Green Mansions.

Mr. TAVENNER. What television show was that?

Mr. KEANE. I believe it was called Studio One, and I am dreadful on names, but it was a half hour or 1-hour television show, on CBS.

(Witness consulted with counsel.)

Mr. TAVENNER. Did you attend any caucus within Actors Equity composed of members of the Communist Party?

Mr. KEANE. That is a question that no court in this land would allow, and I object to it and I protest it, and I decline to answer it because of the first and fifth amendments.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. KEANE. I decline to answer because of the first and fifth amendments, sir.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Chairman WALTER. Are there any further questions?

The witness is excused.

Call your next witness, Mr. Tavenner.

Mr. TAVENNER. Mr. Albert Ottenheimer.

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

Mr. OTTENHEIMER. I do.

TESTIMONY OF ALBERT M. OTTENHEIMER, ACCOMPANIED BY HIS COUNSEL, ROYAL W. FRANCE

Mr. OTTENHEIMER. I have a statement, Mr. Chairman, that I prefer to read.

Chairman WALTER. We don't provide for that.

Mr. TAVENNER. What is your name, sir?

Mr. OTTENHEIMER. Will you allow me just a second, please?

Mr. TAVENNER. Will you state your name, please, sir?

Mr. OTTENHEIMER. My name is Albert Ottenheimer.

Mr. TAVENNER. Will you spell your last name?

Mr. OTTENHEIMER. O-t-t-e-n-h-e-i-m-e-r.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. FRANCE. Royal W. France, 104 East 40th Street, New York City.

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

Mr. OTTENHEIMER. I was born in Tacoma, Wash., on September 6, 1904.

Mr. TAVENNER. Where do you now reside?

Mr. OTTENHEIMER. New York City.

Mr. TAVENNER. How long have you been a resident of New York City?

Mr. OTTENHEIMER. Approximately 4½ years.

Mr. TAVENNER. Prior to that time, where did you reside?

Mr. OTTENHEIMER. Well, as a child I lived in Tacoma, and then I went to college in Seattle and I remained there.

Mr. TAVENNER. What is your profession?

Mr. OTTENHEIMER. I am an actor.

Mr. TAVENNER. Will you tell the committee what your formal educational training has been?

Mr. OTTENHEIMER. Yes, I attended the public schools of the city of Tacoma, and then—Is the committee ready to hear me now?

Mr. TAVENNER. Proceed, please.

Mr. OTTENHEIMER. I went through the public schools of the city of Tacoma, and then I attended the University of Washington in Seattle, and I graduated.

Mr. TAVENNER. In what year did you graduate?

Mr. OTTENHEIMER. In 1927.

Mr. TAVENNER. Will you tell the committee, please, during what period of time you have been engaged professionally as an actor?

Mr. OTTENHEIMER. I stayed on and did a year of graduate work at the university, and approximately since the conclusion of that year.

Mr. TAVENNER. Will you tell the committee please what stage credits you have received, that is the major ones?

Mr. OTTENHEIMER. Well, you mean here in New York?

Mr. TAVENNER. Let us begin first back in Washington.

Didn't you hold a position in the State of Washington as an official of some theater group?

Mr. OTTENHEIMER. Yes, I helped found one of the finest professional community theaters in the United States.

Mr. TAVENNER. What was its name?

Mr. OTTENHEIMER. Its name was the Seattle Repertoire Playhouse.

Mr. TAVENNER. During what period of time were you officially connected with it?

Mr. OTTENHEIMER. Approximately 20 years.

Mr. TAVENNER. When did your connection with it cease?

Mr. OTTENHEIMER. About 1948.

Mr. TAVENNER. I interrupted you. Will you proceed now with your principal stage credits in the State of Washington?

Mr. OTTENHEIMER. Well, while I was at the Playhouse, I acted in exactly 150 plays by count, and I have a long list of them here.

Mr. TAVENNER. We do not want a list of 150. Just pick out 5 or 6 that you consider to have been your most successful or your major plays.

Mr. OTTENHEIMER. Well, I played in Twelfth Night; and I was the stage manager in Our Town; in The Man Who Came to Dinner; in Peer Gynt; and in Romeo and Juliet.

That doesn't exhaust the list in case you are interested.

Mr. TAVENNER. I wanted you to pick out 5 or 6 that you consider the major plays, and if you have any others that you desire to mention, why it will be satisfactory for you to do so.

Mr. OTTENHEIMER. That is all right.

Mr. TAVENNER. Will you tell us what your career has been in the city of New York?

Mr. OTTENHEIMER. Well, I was engaged in radio and television for about 2 years.

Mr. TAVENNER. Beginning when?

Mr. OTTENHEIMER. To the best of my recollection, in 1951, I engaged in radio and some television.

Mr. TAVENNER. Will you describe your work in radio and television?

Mr. OTTENHEIMER. Well, I worked on radio programs, principally soap operas, and I worked on some television shows, as an actor.

Mr. TAVENNER. What television shows did you work on?

Mr. OTTENHEIMER. I prefer not to mention the specific programs, because it would be just double insurance that I would never work for them again. Besides, it puts some very nice and altogether innocent people in a very unhappy light to have their names mentioned here.

Mr. TAVENNER. The fact that you worked for them?

Mr. OTTENHEIMER. Obviously, since I have been hailed before this committee, it certainly is not going to do them any good.

Mr. TAVENNER. I ask that he be directed to answer.

Chairman WALTER. I direct you to answer that question.

Mr. OTTENHEIMER. May I have the question?

Mr. TAVENNER. The question was, for whom did you work in television? You began to tell us of the television work that you had done here in the city of New York since 1951.

Mr. OTTENHEIMER. The majority of this work was done in 1951 and 1952, because at the end of that time my television and radio work dropped off very rapidly, very markedly.

Mr. TAVENNER. Tell us what shows you were in, please?

Mr. OTTENHEIMER. Well, yes, I will be glad to.

Mr. TAVENNER. And for whom you worked.

Mr. OTTENHEIMER. I worked on the Robert Montgomery Show; Man Against Crime; The Hunter; Lights Out; What's My Name; radio show of Mystery Theater; Counterspy; Under Arrest; Murder by Experts; Miss Myra's Travellers; Newstand Theater; Whispering Streets; Life Can Be Beautiful; Rose Marie; The Right to Happiness; Lorenzo Jones; and so on.

Mr. TAVENNER. Have you since 1945 engaged in any other occupation besides that connected with the theater as an actor, or in television or radio?

Mr. OTTENHEIMER. I don't know if I understand your question.

Mr. TAVENNER. Have you engaged in any other occupation or performed any other work?

Mr. OTTENHEIMER. In the theater, you mean?

Mr. TAVENNER. Any other work in addition to your work as an actor, or as a television or radio actor?

(Witness consulted with counsel.)

Mr. OTTENHEIMER. To the best of my recollection, the principal work that I have done has been connected either directly or indirectly with the theater.

Chairman WALTER. Not the principal work. Were you engaged in any work other than that connected with the theater?

Mr. OTTENHEIMER. I did some research work.

Chairman WALTER. For whom?

Mr. OTTENHEIMER. And writing, for a private economic consulting organization.

Mr. TAVENNER. Did you engage in teaching at any time?

Mr. OTTENHEIMER. Yes; I taught at the school, our theater, and I taught history of the theater, and I taught makeup.

Mr. TAVENNER. At what school?

Mr. OTTENHEIMER. At the school of the theater at the Seattle Repertoire Playhouse.

Mr. TAVENNER. Did you teach in any other school?

(Witness consulted with counsel.)

Mr. OTTENHEIMER. On that question, I must decline to answer. I must decline on the grounds first of all that I believe that this question relates to matters outside of the powers of this committee.

Secondly, I believe that that question violates any rights of freedom of speech, thought, and association guaranteed by the first amendment of the Constitution.

In the third place, as it is enshrined in our Constitution, as a bulwark against the arbitrary and unreasonable encroachment of the Government into personal beliefs and private affairs of the citizen, I proudly invoke my privilege under the fifth amendment.

Mr. SCHERER. If you feel that way about this particular question, why did you so freely answer when Mr. Tavenner asked you if you taught at the theater school? Doesn't that question invade your rights of association?

(Witness consulted with counsel.)

Mr. OTTENHEIMER. I think I have already given an answer to that.

Mr. SCHERER. Is there any difference? You told us about one school freely, and you told us about all of the plays, and radio shows that you participated in; that was done freely, and doesn't that violate your right of privacy?

Mr. OTTENHEIMER. Mr. Scherer, I think that I have answered that question.

Mr. SCHERER. That is all.

Mr. TAVENNER. Mr. Ottenheimer, I have before me an exhibit which was introduced in March of this year at our hearings in Seattle during the course of the testimony of Mr. Eugene Dennis. It is in the curriculum of the Pacific Northwest Labor School, for the spring term of 1947.

Mr. OTTENHEIMER. That was 8 years ago.

Mr. TAVENNER. In 1947. Will you examine the document, please, and state whether or not you taught course 204 in that school?

(A document was handed to the witness.)

(Witness consulted with counsel.)

Mr. OTTENHEIMER. I am forced to decline to answer that question for the reasons previously stated.

Chairman WALTER. Now just a moment. You are not forced.

Mr. OTTENHEIMER. Yes; I am, sir.

Chairman WALTER. You mean, "I decline to answer."

Mr. OTTENHEIMER. No; I am forced, and you know, I remembered you quoted in the paper, about the pressures.

Chairman WALTER. Never mind.

Mr. OTTENHEIMER. Please let me finish.

Chairman WALTER. No; I am not going to let you finish.

You say you decline to answer, and you are forced?

Mr. OTTENHEIMER. I am forced by the dictates of my conscience, which is the strongest possible force.

Chairman WALTER. Ask the next question, Mr. Tavenner.

Mr. TAVENNER. The Pacific Northwest Labor School was a Communist supported school in Seattle, was it not?

Mr. OTTENHEIMER. I am forced to decline to answer that question for the reasons given previously.

Mr. TAVENNER. Were you acquainted with Barbara Hartle, while living in Seattle?

Mr. OTTENHEIMER. Now you are asking me questions about my associations and for the reasons given, I must decline to answer that question, and further because it is not merely a privilege, it is a necessity. I believe that it is the duty of a citizen to resist these kinds of incursions into one's private beliefs, one's associations, and one's friendships, and one's acquaintances.

Mr. TAVENNER. Barbara Hartle was considered the No. 2 person in the Communist Party in the State of Washington, and was tried as one of the defendants in the Smith Act case which was tried there about 2 years ago. Barbara Hartle did not take the stand in the trial of that case, but after she and the rest were convicted, and after her sentence she testified for a period of 4 or 5 days before this committee. She stated that she desired to testify after being sentenced because she didn't want any persons who were in the Communist Party to feel that she was testifying in order to lighten, in any way, the sentence that may be imposed upon her. She gave one of the most complete explanations of the purpose of the Communist Party and the activities of the Communist Party for her particular area that this committee has heard from any witness.

In the course of her testimony, she identified you as a member of the Communist Party, with whom she had had conferences, in the Repertory Branch of North King County.

Were you a member of the Repertory Branch of the North King County section of the Communist Party?

Mr. OTTENHEIMER. You know, Mr. Tavenner, in asking that question, you are working hand-in-glove with these blacklisters who are trying to see to it that I never earn a livelihood at my profession again. Do you know that?

Mr. TAVENNER. Will you answer the question?

Mr. OTTENHEIMER. I must decline to answer that question.

Mr. TAVENNER. You came to New York in 1951; have you been a member of the Communist Party since arriving in New York in 1951?

Mr. OTTENHEIMER. I must decline to answer that question for the reasons previously stated.

Mr. TAVENNER. You have not just passively supported the Communist Party, you have done it in a very active way; haven't you?

Mr. OTTENHEIMER. Are you making a statement or asking me a question?

Mr. TAVENNER. Were you one of the group who defended the Soviet purges, the purges by Stalin in the Soviet Union, in 1938?

Mr. OTTENHEIMER. In 1938, that is 17 years ago.

(Witness consulted with counsel.)

Mr. OTTENHEIMER. I have no recollection of that at all, it is so long ago, but nevertheless, for the reasons stated, I must decline to answer the question.

Mr. TAVENNER. I want to be certain you are being done no injustice about that, sir.

Mr. OTTENHEIMER. I wish I could believe that.

Chairman WALTER. Just keep quiet and it will be proven to you.

Mr. TAVENNER. I have before me the statement signed by a number

of people, and I have just noticed that the middle initial is different from your name as I knew it. What is your middle initial?

Mr. OTTENHEIMER. M.

Mr. TAVENNER. The middle initial appearing in this list is L. Whether it is AL., as an abbreviation, or whether the initials are A. L. Ottenheimer, I am not certain.

Will you examine it please, and state whether or not it is your name?

(A document was handed to the witness.)

(Witness consulted with counsel.)

Mr. OTTENHEIMER. This looks like the initials, two capital letters, A. L., and I must answer as I did before. I have absolutely no recollection of this, but nevertheless I decline to answer on the basis of the reasons previously given.

Mr. TAVENNER. Did you sign such a letter?

(Witness consulted with counsel.)

Mr. OTTENHEIMER. It is the same answer.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. OTTENHEIMER. I think I have already answered that, Mr. Tavenner, but I want it to be clear what my answer is, that I have never committed espionage or sabotage, and I have never knowingly used or advocated the use of force and violence for the overthrow of my Government or for any other reason; but on the contrary, I have always been deeply and unswervingly loyal to the land of my birth.

Chairman WALTER. Let us get an answer to the question.

Mr. OTTENHEIMER. The answer is that I must decline to answer that question, first of all because I believe it relates to matters outside of the powers of this committee, and secondly, that it violates my rights of free speech and thought and association guaranteed by the first amendment of the Constitution, and thirdly, I proudly adopt the privilege of the fifth amendment

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Chairman WALTER. Are there any questions?

The witness is excused.

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

(The committee thereupon recessed at 4:30 p. m., to reconvene at 10 a. m., Thursday, August 18, 1955.)

**INVESTIGATION OF COMMUNIST ACTIVITIES,
NEW YORK AREA—PART VII
(Entertainment)**

THURSDAY, AUGUST 18, 1955

**UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
*New York, N. Y.***

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met at 10 a. m., pursuant to recess, in room 1703 of the Federal Building, Foley Square, New York, N. Y., Hon. Francis E. Walter (chairman) presiding.

Committee members present: Representatives Walter, Willis, and Scherer.

Staff members present: Frank S. Tavenner Jr., counsel; Donald T. Appell and Frank Bonora, investigators; and Thomas W. Beale, Sr., chief clerk.

Chairman WALTER. The committee will be in order.

Mr. TAVENNER, will you call your first witness?

Mr. TAVENNER. Mr. Alan Manson, will you come forward, please?

Chairman WALTER. Will you raise your right hand, please, Mr. Manson?

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

Mr. MANSON. I do, sir.

**TESTIMONY OF ALAN MANSON, ACCOMPANIED BY HIS COUNSEL,
ELEANOR JACKSON PIEL**

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

Mr. MANSON. Alan Manson.

Mr. TAVENNER. Will counsel accompanying the witness identify herself for the record, please?

Mrs. PIEL. Eleanor Jackson Piel.

Mr. TAVENNER. Of New York?

Mrs. PIEL. Yes, 3 Groveport, and California, I am a member of the bar in California.

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

Mr. MANSON. I was born February 6, 1919, in Brooklyn, N. Y.

Mr. TAVENNER. Where do you now reside?

Mr. MANSON. New York City.

Mr. TAVENNER. How long have you been a resident of New York, prior to this immediate time?

Mr. MANSON. I have been a resident all of my life, with the exception of the time I was in the Army, plus the time I have been on the road with shows.

Mr. TAVENNER. What is your profession?

Mr. MANSON. I am an actor.

Mr. TAVENNER. Will you tell the committee please what your formal educational training has been?

Mr. MANSON. I went to public school and I went to high school, and I didn't go to college, that is about it, sir.

Mr. TAVENNER. You stated that you were in the military service. During what period of time were you in the service?

Mr. MANSON. I was inducted on April 10, 1941, and the date of my discharge was on or about November 1, 1946. I don't know if it was the day before or the day after, but it was a long time.

Mr. TAVENNER. Were you engaged in the practice of your profession before entering the armed services?

Mr. MANSON. Yes, sir.

Mr. TAVENNER. For how long a period of time?

Mr. MANSON. From the time I left high school, or even before I left high school, I started acting when I was still in high school at the Cherry Lane Theater in Greenwich Village, and from there I went to my first summer of professional stock and worked as an actor on and off, mostly off at the time, up until the time I was drafted into the Army.

Mr. TAVENNER. On your return from the service in 1946, did you resume the practice of your profession?

Mr. MANSON. Yes, I did sir. Would you like a list of my credits?

Mr. TAVENNER. Yes, from 1946.

Mr. MANSON. I got out of the Army and I went into a play called Call Me Mister, which was a hit, and ran for about a year and a half or so on Broadway, and I then had a period of unemployment in which I did some television and some radio, and I went on the road for Rodgers and Hammerstein in Allegro for about 8 months, and I came back and I did radio and television, and then I did 2 more Broadway shows, Southern Exposure, with the late Margo Jones, and I did a play called Angels Kiss Me, on Broadway, and that was my last Broadway play, and since then I have worked mostly in summer stock, doing packages in the summer and occasionally on television.

Mr. TAVENNER. What television credits have you received?

Mr. MANSON. I haven't done much recently, but I have done mostly all of the big shows. I have been featured on the Philco Playhouse; the Armstrong Theater; Danger; and so on, right down the line. I did a lot of them up to a few years ago.

Mr. TAVENNER. Beginning with your employment in the play Call Me Mister, were you a member of Actors Equity?

Mr. MANSON. Yes, sir, I would have to be. You can't work unless you are.

Mr. TAVENNER. Were you also a member of the American Federation of Television and Radio Artists?

Mr. MANSON. I am a charter member of that union, and I helped form it.

Mr. TAVENNER. What was the date of its formation?

Mr. MANSON. It was about 1937, and that goes back quite a bit, but it was then called the American Federation of Radio Artists, and I hold a charter membership card in that union.

Mr. TAVENNER. How long were you with the play Call Me Mister?

Mr. MANSON. As I said, it ran a little over a year and a half on Broadway.

Mr. TAVENNER. That would then cover the period of 1946 to 1947?

Mr. MANSON. That is right, it closed the first week or it closed about New Years, that is right.

Mr. TAVENNER. Of what year?

Mr. MANSON. Of 1948, just about then.

Mr. TAVENNER. During that period of time, that is, between 1946 and including the year 1947, were you a member of the Communist Party?

Mr. MANSON. I must decline to answer that question on the following constitutional grounds:

Since my private affairs and my personal beliefs and my personal associations and my freedom to speak or not to speak lie in an area in which the Congress is forbidden to legislate, I do not feel that this inquiry into those matters is related to a valid legislative purpose, and that it is therefore an abridgment of my rights under the first amendment. I therefore stand on the first amendment.

Secondly, since the fifth article of the Bill of Rights says you cannot compel me to testify against myself, I stand on the fifth amendment.

Finally since the ninth amendment of the Constitution states that all those rights not enumerated in the Constitution are not meant to be denied or disparaged but reside in the people, I therefore stand on the ninth amendment of the Constitution.

Mr. TAVENNER. Were you aware of the existence of an organized group of the Communist Party composed of members of the acting profession?

Mr. MANSON. I must stand on my constitutional privilege, and I respectfully decline to answer.

Mr. TAVENNER. Did you at any time attend a caucus meeting within either Actors Equity or the American Federation of Television and Radio Artists, composed of members of the Communist Party?

Mr. MANSON. Again, sir, I decline to answer that question on the previous grounds.

Mr. TAVENNER. Are you a member of the Communist Party at this time?

Mr. MANSON. I have previously stated that I cannot answer this question on the constitutional grounds that I mentioned. However, I will tell you that this is not my—I am not telling you this, as I said, I stand on my privilege not to answer this question, but I will tell you—

Mr. TAVENNER. Then does that mean that you refuse to answer?

Mr. MANSON. I refuse to answer. However, two investigators of your committee, sir, have told me that they know I am not a Communist.

Mr. TAVENNER. At this time?

Mr. MANSON. They told me on two separate telephone conversations in which I tried to get this subpoena postponed in a very friendly way.

Mr. TAVENNER. Is it a fact that you are not a member of the Communist Party at this time?

Mr. MANSON. I stand, sir, on my right of political privacy, and not to answer your question on the grounds, constitutional grounds that I mentioned, but since you have this intelligence already from your investigators who told me on the phone that they know that I am not a Communist, I don't see particularly why you are asking me, since you know that I have a feeling of political privacy, and therefore I cannot tell you about these things. You have this intelligence already.

Chairman WALTER. Just a minute. You say, "I cannot," by that do you mean that you will not? You could?

Mr. MANSON. I cannot because I am devoted to the principles on which this country is founded, sir.

Mr. TAVENNER. Well, as a matter of fact, if you are not a member of the Communist Party, as some member of the staff indicated to you, why would you now refuse to tell this committee what you know of past Communist Party activities?

Mr. MANSON. I don't know how many times I must repeat this, but I don't like to be redundant, but I feel that these matters lie within a province that is hallowed, that I spent 5 years in the Army for, and I refuse, sir, respectfully, and I know that you are doing your job, and I am doing mine in defending my Constitution.

Mr. SCHERER. Were you a member of the Communist Party during the time that you say that you were in the Army?

Mr. MANSON. Sir, I previously stated—Did you ask me "in the Army"?

Mr. SCHERER. Yes.

Mr. MANSON. Sir, I was a fledgling youth when I went into the Army, and I didn't know anything about politics at that time.

Mr. SCHERER. Were you a member of the Communist Party at that time?

Mr. MANSON. No.

Mr. SCHERER. Were you a member of the Communist Party 1 year after you got out of the Army?

(Witness consulted with counsel.)

Mr. MANSON. I respectfully stand on my rights under the fifth amendment to decline to answer this question.

Mr. SCHERER. Were you a member one day after you got out of the Army?

Mr. MANSON. I am sorry, sir, but I must stand on the fifth amendment.

Mr. SCHERER. I have no further questions.

Mr. TAVENNER. I have no further questions.

Chairman WALTER. The witness is excused.

Mr. TAVENNER. Mr. Tony Kraber.

Chairman WALTER. Will you raise your right hand, please?

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

Mr. KRABER. I do.

**TESTIMONY OF TONY KRABER, ACCOMPANIED BY HIS COUNSEL,
LEONARD B. BOUDIN**

Mr. KRABER. Excuse me, sir, I would like to have no pictures taken while I am testifying.

Chairman WALTER. All right.

Mr. TAVENNER. Will you state your name please?

Mr. KRABER. Tony Kraber.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. BOUDIN. Leonard B. Boudin, 25 Broad Street, New York City.

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

Mr. KRABER. I was born in Pittsburgh, Pa., on Mount Washington—which is the place where George Washington stood when he surveyed the confluence of the Allegheny and Monongahela Rivers where they form the Ohio—on Flag Day, 1905.

Mr. TAVENNER. Where do you now reside?

Mr. KRABER. New York City.

Mr. TAVENNER. What is your profession?

Mr. KRABER. I am an actor, director, singer, former broadcasting executive.

Mr. TAVENNER. Will you tell the committee please what your formal educational training has been?

Mr. BOUDIN. Will the chairman kindly carry out the instructions he gave and tell the photographers not to take pictures while the witness is testifying?

Chairman WALTER. It is very disconcerting to me, and I will ask the photographers to comply with the rules.

Mr. BOUDIN. Would you like to repeat the question which was interrupted, Mr. Tavenner?

Mr. TAVENNER. My question was, Will you tell the committee please what your formal educational training has been?

Mr. KRABER. Yes, sir. I went through the public schools at Pittsburgh, Pa., graduated with high honor from South Hills High School, and went on to Penn State, that is Pennsylvania State College, and now Pennsylvania State University, and I took my degree of bachelor of arts at the Carnegie Institute of Technology, in Pittsburgh, Pa.

Mr. TAVENNER. When did you receive your degree?

Mr. KRABER. 1927.

Mr. TAVENNER. Will you tell the committee, please, when your professional career as an actor began?

Mr. KRABER. Well, sir, a traveling company of players came to Penn State while I was a sophomore there.

Mr. TAVENNER. Then it began during the period of time that you were a student?

Mr. KRABER. An actor in the company was sick and I took his part and ran away from college for about 2 weeks, as a member of the company, until my family found out that I was away, and sent me back to school, and later on I began, I suppose my formal beginning of my career was in Paris with Ben Greth, who later served in Shakespearian repertory and classical repertory, and I played juvenile leads in Shakespeare with Sir Philip during parts of the two seasons in Paris and later on a season of modern plays there.

Starting with *White Cargo*, and things of that sort, I was in the films.

Mr. TAVENNER. Let me interrupt you a moment. During part of your career, as a professional actor, were you located in Hollywood?

Mr. KRABER. I have played in Hollywood, and I was in *Journey's End*, on a nationwide tour of *Journey's End*, and I first went to Hollywood with that play in 1929, I guess, it was the year of the crash, and it was that season, either the beginning of 1930, and I believe it was the beginning of 1930.

Mr. TAVENNER. You were only there then in connection—

Mr. KRABER. No; I have been to Hollywood since. I tested for a part in the film with Bette Davis, and which was never done because the war intervened. I have never actually made a film in Hollywood except one educational film. I can't remember the name of it. This was in 1941.

Mr. TAVENNER. Will you give the committee please your principal stage credits?

Mr. KRABER. Well, during my stay in Europe, I was in a film with Alice Cary on the Riviera, which was directed by Rex Ingram.

Mr. TAVENNER. When was that?

Mr. KRABER. That was in 1926. I did a series of films for Gomo, also at Nice, and there were short subjects, and these, of course, were in the days of the silent films.

Upon my return I finished college, and then I was in a play, my first play on Broadway, with Walker Whitesides, in the *Magician*. This was in 1927. Then I was in the *Trial of Mary Dugan*, with Anne Harding.

Then I did a tour playing juvenile leads in Shakespeare with Fritz Liberry, and I played Bassanio and Laertes and all of the juveniles. I played in 12 different Shakespeare plays by the way, and I have been with the Lunts, and Theater Guild, and *Much Ado About Nothing*, and I played under Ben Iden Payne, who was formerly director of the Shakespeare Theater at Stratford on Avon, and I have been in some 30 plays and musicals on Broadway, and on the road, including such other plays as *Men in White*, *Having a Wonderful Time*.

Most recently I was in *See the Jaguar*. This past season I was in the *Traveling Lady*, which was produced by the Playwriters Co.

I am well known as an American folk singer. Some 20 or 25 years ago I was perhaps one of only a half-dozen folk singers known to the Library of Congress, people like Carl Sandburg, who was a good friend of mine, and who has taught me many songs, and whom I have taught songs, even, and other great folk singers of that sort, and I claim my small share in the renaissance of American folk music, which is nearly lost at this time.

Whereas there were very few people, or they were back in the hinterlands—

Mr. TAVENNER. I am sure this is of interest to the committee, but we cannot go into as much detail as that.

I want you to state for the benefit of the committee the major parts of your professional career, but not in such detail.

Mr. KRABER. Yes, sir. I should say, however—

(Witness consulted with counsel.)

Mr. KRABER. That my records of American folksongs, such as my authentic cowboy songs under the title of "*The Old Chisholm Trail*,"

under the Mercury label, are now what are called standards in the business, and even nowadays when other cowboy records are reviewed by the reviewers, they compare them with mine. I mention this because one of the reasons I am here, I am sure, is the fact that I have been called a guitar player.

Chairman WALTER. Let me disabuse your opinion. We are not interested in whether you are a guitar player or a piccolo player. We are interested—

Mr. KRABER. I think a piccolo player is a very fine thing if he is very good.

Chairman WALTER. Just answer the questions, and then you will find out why you are here.

Mr. TAVENNER. Will you go back to the subject we were discussing, and tell us what further stage credits you have?

Mr. KRABER. I have given concerts both of folk music and formal music, that is lieder, opera, and so forth. In fact, I nearly became an opera singer and I passed my audition.

Mr. TAVENNER. We are not interested in what you might have done.

Mr. KRABER. I thought you asked me for my career, sir.

Mr. TAVENNER. I said the major credits, and it shouldn't be difficult.

Mr. KRABER. I think it is a major credit that last year in 1954, at the Boston Arts Festival, I sang for 12,000 people in Boston. Also, that same season, I gave a concert here in New York at Cooper Union, and it was packed to the doors.

Chairman WALTER. When was that?

Mr. KRABER. I think it was the season of 1953-54.

Chairman WALTER. What have you done this year?

Mr. KRABER. This year, as I mentioned earlier, when Mr. Tavenner asked about recent things, I said this past season I was with the *Traveling Lady*, produced by the Playwrights Co.

Chairman WALTER. Are you still with that company?

Mr. KRABER. It was unfortunately a flop, a beautiful play, but it only ran 4 weeks.

Chairman WALTER. What else have you done this year?

Mr. KRABER. I have given concerts here and there.

Chairman WALTER. You must have been on the blacklist also.

Mr. KRABER. Some commercial films, and I made a film for the New York Fund in which I played the leading part.

Chairman WALTER. Was that this year?

Mr. KRABER. Yes, sir.

Along about the end of 1941 I was singing at the Coq Rouge, which is a relatively swanky night club on the East Side, and I had an opportunity to go with the pioneer television station, WEBW, which is now WCBS-TV, the Columbia Broadcasting System, working under the famous Gilbert Seldes, who was program director of the station. I was an MC, actor, director, producer, and newscaster.

Chairman WALTER. During what period?

Mr. KRABER. This was in 1942, until the station was shut down by the war.

Mr. SCHERER. Are we only to 1942, or are we going from 1942 to 1955?

Mr. KRABER. If you are pressed for time, sir, I can make this very brief.

Chairman WALTER. We have time, and now, let us get around to this.

Mr. SCHERER. I am afraid the detail won't be as profuse when we get into some of the questions we want to know about.

Mr. TAVENNER. What television credits do you have?

Mr. KRABER. I was about to go on, sir. We all have the New York stations closed down during the war, except for minimum programming, they needed to be on the air 2 hours a week, in order to keep their FCC time.

Mr. TAVENNER. We are interested in getting what information you have as to your major credits and we cannot go into a narrative of that detailed character.

Mr. KRABER. I don't intend to, sir.

Mr. TAVENNER. But you are doing it persistently, and so will you now confine yourself to a statement of what your major credits are?

Mr. KRABER. You want to know my major jobs? I went from there to the short-wave department, although there were lots of jobs on the stage at the time, and I felt it was my duty to go—

Mr. TAVENNER. Now, this is the fourth time, so I am going to ask you directly, what was your last television credit?

Mr. KRABER. Well, I was program director of Dumont's station and then I came back to CBS as executive producer for CBS television, and then I—

Mr. TAVENNER. What was your last television credit, please, sir?

Mr. KRABER. My last broadcasting credit, I was director of special events for the Columbia Broadcasting System network.

Mr. TAVENNER. When was that?

Mr. KRABER. That was in 1951.

Mr. TAVENNER. When did that job terminate?

Mr. KRABER. I was called into the president's office—

Mr. SCHERER. Just a moment, the question is, "when," and that is a date.

Mr. KRABER. In 1951.

Mr. BOUDIN. You addressed me as "professor" yesterday, and I know you didn't mean it as impertinent, and are you under the impression that I am a professor of law?

Chairman WALTER. Because you were a professor at the Jefferson School, the Communist school in New York City, that is why.

Mr. BOUDIN. Am I a witness here?

Chairman WALTER. No.

Mr. BOUDIN. Is it your custom to address counsel that way?

Chairman WALTER. I thought I was being—

Mr. BOUDIN. You thought you were being what, Mr. Chairman?

Mr. TAVENNER. Let us get down to the facts involved here, Mr. Kraber. During 1934 and 1935, were you acquainted with Mr. Clifford Odets?

Mr. KRABER. Mr. Clifford Odets, of course, is a well-known figure in the entertainment industry of this country.

Mr. TAVENNER. Will you answer the question, please?

Mr. KRABER. And I have been in the profession since 1927.

Mr. TAVENNER. Mr. Chairman, the answer is not responsive to the question, and may I ask for a direction?

Chairman WALTER. Yes; that isn't responsive, and I direct you to answer the question.

Mr. BOUDIN. Would you repeat the question?

Mr. TAVENNER. The question is, Were you acquainted with Clifford Odets during 1934 and 1935?

Mr. KRABER. And during Mr. Odets' recent history?

Chairman WALTER. I direct you to answer the question.

Mr. WILLIS. I think he should be warned he is in contempt.

Chairman WALTER. I direct you to answer the question.

Mr. KRABER. I assert and declare all of my rights and privileges under the Constitution and the Bill of Rights of the United States of America which I am very proud to be a citizen of, and I particularly assert my privileges under the first amendment and under the fifth amendment, and I decline to answer the question about Clifford Odets.

Mr. TAVENNER. Mr. Clifford Odets appeared as a witness before the Committee on Un-American Activities in May of 1952. He described at that time to the committee a group of the Communist Party of which he was a member during the years 1934 to 1935. He was speaking particularly of a group of Communist Party persons in the Group Theater. He told the committee that he was a member of that group of the Communist Party, and he advised the committee that Tony Kraber was also a member of that group.

Were you a member of a Communist Party organization within Group Theater in 1934 or 1935?

Mr. KRABER. Have you finished your question, sir?

Mr. TAVENNER. Yes, sir.

Mr. KRABER. I believe this question to be an invasion of my rights under the Constitution and the Bill of Rights, and I decline to answer that question on the ground of the first amendment which guarantees privacy of association and under the fifth amendment.

Mr. TAVENNER. Mr. Elia Kazan was a witness before the Committee on Un-American Activities, and I want to give you some factual information which he gave the committee as a basis for asking you several questions.

Mr. Kazan testified that he was a member of the Communist Party for about 19 months at a slightly later date than that testified to by Mr. Odets. He testified that he was recruited into a Communist Party organization formed within the Group Theater by Tony Kraber. Mr. Kazan testified that there were four major purposes of the Communist Party in the organization of that group or that cell of the Communist Party within Group Theater.

The first he said was to educate ourselves in Marxism and party doctrine.

The second purpose of the Communist Party was to help the party get a foothold in Actors Equity Association. By the way, he asserts during the course of his testimony that they were unsuccessful in obtaining any major foothold within that organization.

Three, to support various front organizations of the party.

And fourth was to try to capture the Group Theater, and make it a Communist mouthpiece.

In the course of his testimony, he described the tactics used by the Communist Party to help obtain a foothold in Actors Equity.

This is the way he described it:

The tactics and the sincere effort of many individuals was to raise a demand that actors receive pay during the weeks when they rehearsed for shows. The long-range plan was by leading a fight for a reasonable gain for the actors to

gain prestige for individual Communists, and sympathizers who the Party hoped would then run the union.

Mr. Kazan also described the purposes of the Communist Party in being active in front organizations. He said this:

Most of our time, however, went directly or indirectly into providing entertainment for the meetings and rallies of front organizations and unions. The entertainment was strictly propaganda.

Will you tell the committee, please, whether any part of the testimony by Mr. Kazan, which I have called to your attention, was erroneous, as far as you know?

MR. KRABER. Is this the Kazan that signed the contract for \$500,000 the day after he gave names to this committee?

MR. TAVENNER. I know nothing about that.

MR. SCHERER. I ask you direct the witness to answer the question.

MR. TAVENNER. Would it change the facts if he did?

MR. KRABER. Would you sell your brothers for \$500,000?

MR. SCHERER. Do you say that Mr. Kazan committed perjury before this committee; that is what you stated when you said, "Would you sell your brothers"?

MR. KRABER. Would you read that answer back please? Mr. Scherer has just said I have said something, and I believe the record will show that I did not say what he said I said.

CHAIRMAN WALTER. Was the testimony false?

MR. KRABER. Mr. Chairman, I will decline to answer this question on the same grounds as I stated for declining to answer the question about Clifford Odets.

MR. TAVENNER. Did you recruit Mr. Kazan into the Communist Party?

MR. KRABER. I decline to answer that question on the grounds of the first amendment and the fifth amendment.

MR. TAVENNER. Mr. Kazan told the committee the circumstances under which he ceased to be a member of this group of the Communist Party, and withdrew from the Communist Party activities. He described it in this way:

I was instructed by the Communist unit to demand that the group—now that is a "group" speaking of the Group Theater—that the group be run "democratically"—that is in quotations.

This was a characteristic Communist tactic. They were not interested in democracies, they wanted control. They had no chance of controlling the directors, but they thought if authority went to the actors, they would have a chance to dominate through the usual tricks of behind-the-scenes caucuses, bloc voting, and confusion of issues.

Did you observe that tactic of the Communist Party?

MR. KRABER. I decline sir, to answer that question on the grounds of the first amendment and the fifth amendment, as an unwarranted invasion of my privacies and rights.

MR. TAVENNER. Mr. Kazan further testified:

This was the specific issue on which I quit the party. I had enough regimentation, enough of being told what to think and say and do, enough of their habitual violation of the daily practices of democracy to which I was accustomed.

The last straw came when I was invited to go through a typical Communist scene of crawling and apologizing, and admitting the error of my ways. The

invitation came from a Communist functionary, brought in for the occasion. He was introduced as an organizer of the auto workers union from Detroit. I regret that I cannot remember his name. In any case, he probably did not use his own name. I had never seen him before nor he me.

He made a vituperative analysis of my conduct in refusing to fall in with the party line and plan for the Group Theater and he invited my repentance.

My fellow members looked at him as if he were an oracle. I have not seen him since.

Do you recall that incident described by Mr. Kazan?

Mr. KRABER. I decline to answer that question on the grounds of the first amendment and the fifth amendment.

Mr. TAVENNER. Is Mr. Kazan's description of the method used by the Communist Party among actors an accurate description?

Mr. KRABER. I decline to answer that question, sir, on the grounds previously stated.

(Witness consulted with counsel.)

Mr. TAVENNER. I assume in engaging in the profession in which you are engaged that you have been a member and still are, of Actors Equity?

Mr. KRABER. I don't see what this committee has to do about asking about membership in unions. You probably know that the entire theatrical field is covered by a union shop and that you cannot work in the field unless you are a member of the union. I am an early member, relatively early member of Actors Equity, and I joined it in 1927.

Mr. TAVENNER. Are you also a member of the American Federation of Television and Radio Artists?

Mr. KRABER. I am happy and proud to say that I helped to found that union, and I am one of the founding members of that union.

Mr. TAVENNER. Was there in existence within either or both of these unions an organized group of the Communist Party similar to that described by Mr. Kazan in the Group Theater?

Mr. KRABER. I believe, sir, that political associations are the private business of the citizen and I decline to answer that question on the grounds of the first and fifth amendments.

(Witness consulted with counsel.)

Mr. TAVENNER. Did you at any time hold an office or position of any character in either of the two unions mentioned?

Mr. KRABER. No, sir, beyond being teller or something of that sort, I was not.

Mr. TAVENNER. I called your attention to Mr. Kazan's statement, that one of the purposes of the Communist Party, the Group Theater, was to support various front organizations of the party. He testified that most of the time of the actors went directly or indirectly into providing entertainment for meetings and rallies.

We have heard testimony regarding that as late as 1946 and 1947 and also by Mr. George Hall, in which he stated that providing entertainment for the benefit of the Communist Party was expected of him as his contribution to the party, as a party member.

I find a news item in a photostatic copy of the Daily Worker of March 26, 1938, advertising a concert to be given by the American Music Alliance, which presented an emergency concert for Spain for the benefit of the Friends of the Abraham Lincoln Brigade. One of the persons recited as taking part was Tony Kraber. Was this is an

instance in which you were carrying out a Communist Party assignment, or what you considered a Communist Party responsibility?

Mr. KRABER. I decline to answer that, sir, on the grounds of the first amendment, and I assert my privilege under the fifth amendment.

Mr. SCHERER. Witness, have you entertained for Communist Party activities in the past year?

Mr. KRABER. I decline to answer that, sir, on the grounds I just stated.

Mr. TAVENNER. I see also from a photostatic copy of the Daily Worker issue of May 7, 1938, in a column entitled "What's On," that Tony Kraber was to entertain under the auspices of the Village Branch of the American League for Peace and Democracy. Was that a front activity engaged in by you at the instance of the Communist Party?

Mr. KRABER. I decline to answer that question, sir, under the first amendment and I assert my privilege under the fifth amendment.

Mr. TAVENNER. I have before me a photostatic copy of the January 26, 1934, issue of the Daily Worker, and I find there an article, the title of which is, "Rally for Defense of the U. S. S. R. at FSU Convention Night."

From the initials indicated it means Friends of the Soviet Union.

Your name, the name Tony Kraber, is mentioned as one of the entertainers. Was that a Communist Party assignment of yours?

Mr. KRABER. I decline to answer that on the grounds of the first amendment and I assert my privilege under the fifth.

Mr. TAVENNER. I have before me a photostatic copy of the December 21, 1943, issue of New Masses, where there is quarter-page advertisement of an all-star show to aid Spanish Republicans, entitled "Fund for Freedom," under the auspices of the Joint Anti-Facist Refugee Committee, in which the name of Tony Kraber is one of those expected to entertain. Was that a Communist Party assignment in a front organization?

Mr. KRABER. I decline to answer that, sir, on the grounds previously stated.

Mr. SCHERER. Did you ever receive any compensation from the Communist Party for any work done by you?

Mr. KRABER. I decline to answer that question, Representative, on the grounds of the first amendment and I assert my privilege under the fifth amendment.

Mr. TAVENNER. I have before me a letterhead of the Theater Arts Committee on which the name Tony Kraber appears as a member of the executive board. Were you a member of the executive board of that organization?

Mr. KRABER. I decline to answer that question, sir, under the first amendment and I assert my privilege under the fifth amendment.

Mr. TAVENNER. Was the Theater Arts Committee created for the purpose of carrying out the Communist Party line or acting as a propaganda agency for the Communist Party?

Mr. KRABER. I decline to answer, sir, on the same grounds.

Mr. SCHERER. Has that organization been cited, Mr. Tavenner?

Mr. TAVENNER. Yes, sir.

I have before me a photostatic copy of the April 30, 1954, issue of the Daily Worker and I see there an article entitled, "Third National Vet Arts Show Opens May Day." In the article appears this paragraph:

On Sunday night, May 2, there will be a forum at 9 on the political climate in America, and its effect on the arts. The speakers are Millard Lampell, Tony Kraber—

and then another individual.

Did you speak on that occasion?

Mr. KRABER. I decline to answer that question, sir, under the first amendment and I assert my privilege under the fifth.

Mr. TAVENNER. That was April 30, 1954. Are you acquainted with Millard Lampell?

Mr. KRABER. He is an author, and radio writer.

Mr. TAVENNER. Do you know whether or not he was a member of the Communist Party?

Mr. KRABER. I decline to answer that question, sir, under the grounds I have stated, the first amendment, and I assert my privilege under the fifth.

Mr. TAVENNER. Were you a member of the Communist Party, on April 30, 1954?

Mr. KRABER. I decline to answer that question, sir, under the grounds of the first amendment, and I assert my privilege under the fifth amendment.

Mr. TAVENNER. I have before me a photostatic copy of the June 23, 1954, issue of the Daily Worker where there appears an advertisement of an entertainment event entitled, "Cultural Event of 1954," which is an advertisement of the American Peace Crusade. It is noted that the entertainers include Tony Kraber, John Randolph, and Paul Robeson. Will you tell the committee please whether or not in engaging in that performance, or in agreeing to do so, you were carrying out a Communist Party assignment?

Mr. KRABER. If you would like me to bring my guitar and sing you some of my American songs, you can see whether they are subversive or not. I have sung for the Red Cross, I have sung for schools—

Chairman WALTER. Answer the question. I agree your songs are splendid, and I bought most of them, and I enjoy them very much.

Mr. TAVENNER. Have you sung for the Communist Party?

Mr. KRABER. I decline to answer the question, sir, on the grounds of the first amendment and I assert my privilege under the fifth amendment, and I do not have to answer these questions.

Mr. TAVENNER. Will you answer the question that I asked you, of whether or not in taking part in a program advertised by the American Peace Crusade, you were performing a Communist Party assignment or an obligation which you considered you owed as a member of the Communist Party?

Mr. KRABER. I decline to answer that question under the grounds of the first amendment, and I also assert my privilege under the fifth amendment to the Constitution.

Mr. SCHERER. Who were the other two mentioned in that news item, Mr. Tavenner?

Mr. TAVENNER. Paul Robeson was one, and John Randolph was the other.

Mr. SCHERER. Do you know Paul Robeson?

Mr. KRABER. I have been in the profession for more than 25 years, and I have hired hundreds and hundreds of actors and singers, and I have auditioned thousands of actors and singers, and I must have been in some 35 plays on Broadway, and so I know most of the people in the profession. I have met Mr. Robeson and I have met Mr. Randolph also. I have appeared at concerts with Mr. Robeson.

Mr. SCHERER. Did you know Mr. Robeson then to be a member of the Communist Party?

Mr. KRABER. I decline to answer that question, sir, under the grounds of the first amendment, and I assert my privilege under the fifth amendment.

Mr. SCHERER. Did you say you participated with him in programs?

Mr. KRABER. I played a benefit for the Red Cross during the war with him, and I don't know the date.

Mr. SCHERER. Did you participate with him in the program referred to in the article in the Daily Worker?

Mr. KRABER. I have already answered that question, when Mr. Tavenner asked it.

Chairman WALTER. What is your answer?

Mr. KRABER. I decline to answer the question.

Chairman WALTER. I direct you to answer that question.

Mr. SCHERER. I think he has waived his privilege.

Mr. BOUDIN. Could we have the question repeated, please?

Mr. SCHERER. Read the question.

(Whereupon the pending question was read by the reporter, as above recorded.)

Mr. BOUDIN. May I see the article referred to, please? This is in lieu of asking you to repeat the preliminary questions.

(A document was handed to Mr. Boudin.)

Chairman WALTER. I directed you to answer that question.

Mr. KRABER. I decline to answer, sir, on the grounds of the first amendment, and I assert my privilege under the fifth amendment to the Constitution.

Chairman WALTER. I feel it is my duty under the recent decision of the Supreme Court to warn you that having testified as to your activities in the entertainment field in one instance with Mr. Robeson, your failure to answer this question has probably placed you in contempt of the Congress of the United States.

Mr. WILLIS. May I ask a question?

You said that you entertained with Mr. Robeson before the Red Cross. Did you mean during World War II?

Mr. KRABER. Yes, sir.

Mr. WILLIS. Where was that?

Mr. KRABER. I can't remember, sir. I was very busy, as I have said before, and I was program manager of the shortwave department of Columbia Broadcasting System at that time, and this was not an 8-hour job. We were broadcasting around the clock, all over the world, carrying out the policies and directives of the United States Government in pursuit of the war. My job frequently kept me in the office for 2 or 3 days at a time, but I gave as much time as I could to helping to raise money for bond drives, for the Red Cross, for Bundles for Britain, and for all of the affairs that an entertainer is called upon to help with.

Mr. WILLIS. Did you or Mr. Robeson or both of you lend encouragement to our boys in the Korean conflict?

Mr. KRABER. Will you explain what you mean by that question, sir?

Mr. WILLIS. You know what I mean. There was an engagement in Korea, and did you or Robeson go to Korea to encourage our fighting boys there in that conflict—yes or no.

Mr. KRABER. I did not go to Korea; no, sir.

Mr. WILLIS. Did you entertain?

Mr. KRABER. I have frequently entertained at veterans' hospitals and have had many letters of appreciation and approbation.

Chairman WALTER. I am sure you have, but that isn't in response to this question. Did you entertain for the men serving in Korea?

Mr. KRABER. For the Korean war, I did not, sir, that I recall. I may have but I do not recall.

Mr. SCHERER. What was the name of the third man mentioned in the article from the Daily Worker?

Mr. TAVENNER. John Randolph.

Mr. SCHERER. Did you know John Randolph?

Mr. KRABER. I testified that I know him in the profession, and I don't believe I have ever been in a play with Mr. Randolph.

Mr. SCHERER. Did you appear with Mr. Randolph at the meeting described in the article in the Daily Worker?

Mr. KRABER. I decline to answer that question, sir, under the grounds of the first amendment, and I assert my privilege.

Mr. SCHERER. You knew Mr. Randolph to be a member of the Communist Party, did you not?

Mr. KRABER. I decline to answer that question, sir, under the grounds of the first amendment, and I assert my privilege under the fifth amendment.

Mr. TAVENNER. You have spoken of these various places at which you entertained. Did you also entertain at White Lake Lodge, at White Lake, N. Y., in 1954?

Mr. KRABER. I was engaged as director of the theater at White Lake Lodge during 1954.

Mr. TAVENNER. Did you secure the services there of Lionel Stander?

Mr. KRABER. I did not. We were codirectors.

Mr. TAVENNER. By whom were you hired as a codirector?

Mr. KRABER. By the manager of White Lake Lodge. His name is William Leffner, and I believe he is an executive of the Fur and Leather Workers Union, who owns this place.

Mr. TAVENNER. That is what I wanted to ask you, whether or not the camp was owned by the Fur and Leather Workers Union.

Mr. KRABER. I do not know of my own knowledge who owns the camp, but I understood it to be owned by the Fur and Leather Workers Union.

Mr. TAVENNER. And it was under the direction and operation of the Fur and Leather Workers Union, regardless of ownership?

Mr. KRABER. It was under the direction of the manager whom I just mentioned.

Mr. TAVENNER. How long were you a director of that camp?

Mr. KRABER. During the summer season.

Mr. TAVENNER. Of what year?

Mr. KRABER. Last year.

Mr. TAVENNER. Just 1954?

Mr. KRABER. Yes, sir.

Mr. TAVENNER. Was that a camp for adults and children?

Mr. KRABER. Yes, sir.

Mr. TAVENNER. Or was it just a camp for children?

Mr. KRABER. No, sir; they had a children's adjunct.

Mr. SCHERER. You knew Lionel Stander to be a member of the Communist Party, did you not?

Mr. KRABER. I decline to answer that question, sir, on the grounds of the first amendment and I assert my privilege under the fifth amendment also.

Mr. TAVENNER. Did I understand you to say that you were a director for CBS?

Mr. KRABER. Yes; I was executive producer at one time of all of CBS television, and I handled the budget of \$100,000 a week.

Mr. TAVENNER. That was over what period of time?

Mr. KRABER. I was with CBS all together about 10 years until in the Journal American one day an article came out about me after a tape of a program in which I was a guest star had been remade on WNYC, at the time when the McCarthy committee was investigating WNYC, which is the New York City station. This character on the Journal American wrote a front-page piece about a CBS executive being guest artist on WNYC, the city-owned station.

Mr. TAVENNER. And were you the guest?

Mr. KRABER. Excuse me sir, but I believe you gave orders to the cameramen to desist.

Chairman WALTER. I don't see anyone taking any pictures.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Tell us when your directorship terminated? Did you say 1951?

Mr. KRABER. In 1951 I was director of special events for the Columbia Broadcasting System radio network, and by this time the television and radio networks had separated into separate companies.

Mr. TAVENNER. How much money did you say that you handled for the company per week?

Mr. KRABER. That was during the period I was executive producer, and I naturally was the watchdog of the budget.

Mr. TAVENNER. That is what I am trying to get at. Over what period of time were you director?

Mr. KRABER. This would be 1949-50, I suppose.

Mr. SCHERER. During that time you were a member of the Communist Party, and an active member, were you not?

Mr. KRABER. I decline to answer that question under the grounds of the first amendment, and I assert my privilege under the fifth amendment.

Mr. TAVENNER. As executive producer was one of your duties that of employment of talent?

Mr. KRABER. Yes, sir.

Mr. SCHERER. You wouldn't blacklist at that time any talent who were members of the Communist Party, would you?

Mr. KRABER. I loathe the blacklist, and I think one of the reasons for the blacklist is, if I may say so, this committee. When I was called into the president's office, after the old smears had appeared in the Journal American, he opened the interview with me by saying

"You have one of the finest records of any young executive in the company," and then he proceeded to demand my resignation because he said they had reason to believe that I was about to receive a subpoena from the un-American committee. This was in 1951, and since 1951, and it is now 1955, I have been denied my income which I should be earning, and furthermore the public of the United States has been denied the use of my trained talents.

Chairman WALTER. Now here is a great opportunity for you to clarify the atmosphere for all time to come.

Are you now a member of the Communist Party?

Mr. KRABER. If you will read a small book by Dean Griswold—

Chairman WALTER. Will you answer that question? Are you?

Mr. KRABER. I decline to answer that under the grounds of the first amendment, and I assert my privilege under the fifth amendment, and I feel that I am upholding the Constitution of the United States by declining to answer that question.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Chairman WALTER. The witness is excused, and the committee will be in recess for 10 minutes.

(A short recess was thereupon taken by the committee.)

Chairman WALTER. The committee will come to order.

Will you call your next witness, Mr. Tavenner?

Mr. TAVENNER. Mr. Peter Seeger, will you come forward, please, sir?

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

Mr. SEEGER. I do, sir.

TESTIMONY OF PETER SEEGER, ACCOMPANIED BY HIS COUNSEL, PAUL L. ROSS

Mr. TAVENNER. You are Mr. Peter Seeger?

Mr. SEEGER. That is my name.

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

Mr. SEEGER. S-e-e-g-e-r.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. ROSS. Paul L. Ross, New York City.

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

Mr. SEEGER. I was born in New York in 1919.

Mr. TAVENNER. What is your profession or occupation?

Mr. SEEGER. Well, I have worked at many things, and my main profession is a student of American folklore, and I make my living as a banjo picker, sort of damning in some people's opinion.

Mr. TAVENNER. Has New York been your headquarters for a considerable period of time?

Mr. SEEGER. No, I lived here only rarely until I left school and after a year or two or a few years living here after World War II, I got back to the country where I always felt more at home.

Mr. TAVENNER. You say that you were in the Armed Forces of the United States?

Mr. SEEGER. About three and a half years.

Mr. TAVENNER. Will you tell us please the period of your service?

Mr. SEEGER. I went in in July 1942, and I was mustered out in December of 1945.

Mr. TAVENNER. Did you attain the rank of an officer?

Mr. SEEGER. No. After about a year I made Pfc, and just before I got out I got to be T-5, which is the equivalent of a corporal's rating, a long hard pull.

Mr. TAVENNER. Did you become a member of the Reserves?

Mr. SEEGER. No, I did not.

Mr. TAVENNER. Mr. Chairman, may I confer with you about another matter for a moment?

Chairman WALTER. All right.

(Whereupon a short recess was taken.)

Chairman WALTER. The Chair wishes to announce that the witnesses, Sam Jaffe and Jerome Chodorov are excused until further notice on the application of their attorney, Sidney Cohen, who has represented to the committee that he has an important engagement with the mayor of the city of New York.

We will proceed.

Mr. TAVENNER. Mr. Seeger, prior to your entry into the service in 1942, were you engaged in the practice of your profession in the area of New York?

Mr. SEEGER. It is hard to call it a profession. I kind of drifted into it and I never intended to be a musician, and I am glad I am one now, and it is a very honorable profession, but when I started out actually I wanted to be a newspaperman, and when I left school—

Chairman WALTER. Will you answer the question, please?

Mr. SEEGER. I have to explain that it really wasn't my profession. I picked up a little change in it.

Chairman WALTER. Is it your profession?

Mr. SEEGER. It is my profession.

Chairman WALTER. Did you practice your profession?

Mr. SEEGER. I sang for people, yes, before World War II, and I also did as early as 1925.

Mr. TAVENNER. And upon your return from the service in December of 1945, you continued in your profession?

Mr. SEEGER. I continued singing, and I expect I always will.

Mr. TAVENNER. The committee has information obtained in part from the Daily Worker indicating that over a period of time, especially since December of 1945, you took part in numerous entertainment features.

I have before me a photostatic copy of the June 20, 1947 issue of the Daily Worker. In a column entitled "What's On," appears this advertisement:

Tonight—Bronx, hear Peter Seeger and his guitar, at Allerton Section housewarming.

May I ask you whether or not the Allerton Section was a section of the Communist Party?

Mr. SEEGER. Sir, I refuse to answer that question whether it was a quote from the New York Times or the Vegetarian Journal.

Mr. TAVENNER. I don't believe there is any more authoritative document in regard to the Communist Party than its official organ, the Daily Worker.

Mr. SCHERER. He hasn't answered the question, and he merely said he wouldn't answer whether the article appeared in the New York Times or some other magazine.

I ask you to direct the witness to answer the question.

Chairman WALTER. I direct you to answer.

Mr. SEEGER. Sir, the whole line of questioning—

Chairman WALTER. You have only been asked one question, so far.

Mr. SEEGER. I am not going to answer any questions as to my associations, my philosophical or religious beliefs or my political beliefs, or how I voted in any election or any of these private affairs. I think these are very improper questions for any American to be asked, especially under such compulsion as this.

I would be very glad to tell you my life if you want to hear of it.

Mr. TAVENNER. Has the witness declined to answer this specific question?

Chairman WALTER. He said that he is not going to answer any questions, any names or things.

Mr. SCHERER. He was directed to answer the question.

Chairman WALTER. Yes.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Seeger Exhibit No. 1," for identification only.

Chairman WALTER. Mark it and let it be received.

Mr. TAVENNER. I have before me a photostatic copy of the April 30, 1948, issue of the Daily Worker which carries under the same title of "What's On," an advertisement of a "May Day Rally: For Peace, Security and Democracy." The advertisement states:

Are you in a fighting mood? Then attend the May Day rally.

Expert speakers are stated to be slated for the program, and then follows a statement, "Entertainment by Pete Seeger." At the bottom appears this: "Auspices Essex County Communist Party," and at the top, "Tonight, Newark, N. J."

Did you lend your talent to the Essex County Communist Party on the occasion indicated by this article from the Daily Worker?

Mr. SEEGER. Mr. Walter, I believe I have already answered this question, and the same answer.

Chairman WALTER. The same answer. In other words, you mean that you decline to answer because of the reasons stated before?

Mr. SEEGER. I gave my answer, sir.

Chairman WALTER. What is your answer?

Mr. SEEGER. You see, sir, I feel—

Chairman WALTER. What is your answer?

Mr. SEEGER. I will tell you what my answer is.

(Witness consulted with counsel.)

Mr. SEEGER. I feel that in my whole life I have never done anything of any conspiratorial nature and I resent very much and very deeply the implication of being called before this committee that in some way because my opinions may be different from yours, or yours, Mr. Willis; or yours, Mr. Scherer; that I am any less of an American than anybody else. I love my country very deeply, sir.

Chairman WALTER. Why don't you make a little contribution toward preserving its institutions?

Mr. SEEGER. I feel that my whole life is a contribution, that is why I would like to tell you about it.

Chairman WALTER. I don't want to hear about it.

Mr. SCHERER. I think that there must be a direction to answer.

Chairman WALTER. I direct you to answer that question.

Mr. SEEGER. I have already given you my answer, sir.

Mr. SCHERER. Let me understand. You are not relying on the fifth amendment, are you?

Mr. SEEGER. No, sir, although I do not want to in any way discredit or depreciate or depredate the witnesses that have used the fifth amendment, and I simply feel it is improper for this committee to ask such questions.

Mr. SCHERER. And then in answering the rest of the questions, or in refusing to answer the rest of the questions, I understand that you are not relying on the fifth amendment as a basis for your refusal to answer?

Mr. SEEGER. No, I am not, sir.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Seeger Exhibit No. 2," for identification only.

Chairman WALTER. Mark it and let it be received.

Mr. TAVENNER. I have before me a photostatic copy of the May 4, 1949, issue of the Daily Worker, which has an article entitled "May Day Smash Review Put on by Communist Cultural Division, On Stage," and the article was written by Bob Reed. This article emphasizes a production called Now Is the Time, and it says this:

Now is the Time was a hard hitting May Day show of songs and knife-edged satire. New songs and film strips walloped the enemies of the people in what the singers called "Aesopian language."

Then there is bracketed off in the article this paragraph:

Now Is the Time was a hard hitting May Day show of songs and knife-edged music section of the cultural division of the Communist Party. Script by Lee Hays.

And other persons, including Peter Seeger. Lee Hays is recited to be the MC, or master of ceremonies.

Did you take part in this May Day program under the auspices of the music section of the cultural division of the Communist Party?

Mr. SEEGER. Mr. Chairman, the answer is the same as before.

Mr. SCHERER. I think we have to have a direction.

Chairman WALTER. I direct you to answer the question.

Mr. SEEGER. I have given you my answer, sir.

Mr. TAVENNER. The article contains another paragraph as follows:

This performance of Now Is the Time was given in honor of the 12 indicted Communist Party leaders.

And then it continues with Bob Reed's account of the show:

This reviewer has never seen a show which stirred its audience more. Add up new material, fine personal and group performances, overwhelming audience response—the result was a significant advance in the people's cultural movement. Now is the Time is that rare phenomenon, a political show in which performers and audience had a lot of fun. It should be repeated for large audiences.

Mr. Lee Hays was asked the question while he was on the witness stand as to whether or not he wrote that play and he refused to answer. Do you know whether he was the originator of the script?

Mr. SEEGER. Do I know whether he was the originator of the script? Again my answer is the same. However, if you want to question me about any songs, I would be glad to tell you, sir.

Chairman WALTER. That is what you are being asked about now.

Mr. TAVENNER. All right, I will ask you, but I would like to introduce that document in evidence and ask it to be marked "Seeger Exhibit No. 3," for identification only and to be made a part of the committee files.

Chairman WALTER. Mark it and let it be received.

Mr. TAVENNER. You said that you would tell us about the songs. Did you participate in a program at Wingdale Lodge in the State of New York, which is a summer camp for adults and children, on the weekend of July Fourth of this year?

(Witness consulted with counsel.)

Mr. SEEGER. Again, I say I will be glad to tell what songs I have ever sung, because singing is my business.

Mr. TAVENNER. I am going to ask you.

Mr. SEEGER. But I decline to say who has ever listened to them, who has written them, or other people who have sung them.

Mr. TAVENNER. Did you sing this song, to which we have referred, "Now Is the Time," at Wingdale Lodge on the weekend of July Fourth?

Mr. SEEGER. I don't know any song by that name, and I know a song with a similar name. It is called Wasn't That a Time. Is that the song?

Chairman WALTER. Did you sing that song?

Mr. SEEGER. I can sing it, and I don't know how well I can do it without my banjo.

Chairman WALTER. I said, did you sing it on that occasion?

Mr. SEEGER. I have sung that song, and I am not going to go into where I have sung it. I have sung it many places.

Chairman WALTER. Did you sing it on this particular occasion? That is what you are being asked.

Mr. SEEGER. Again my answer is the same.

Chairman WALTER. You said that you would tell us about it.

Mr. SEEGER. I will tell you about the songs, but I am not going to tell you or try to explain—

Chairman WALTER. I direct you to answer the question. Did you sing this particular song on the Fourth of July at Wingdale Lodge in New York?

Mr. SEEGER. I have already given you my answer to that question, and all questions such as that. I feel that is improper to ask about my associations and opinions. I have said that I would be voluntarily glad to tell you any song, or what I have done in my life.

Chairman WALTER. I think it is my duty to inform you that we don't accept this answer and the others, and I give you an opportunity now to answer these questions, particularly the last one.

Mr. SEEGER. Sir, my answer is always the same.

Chairman WALTER. All right, go ahead, Mr. Tavenner.

Mr. TAVENNER. Were you chosen by Mr. Elliott Sullivan to take part in the program on the weekend of July Fourth at Wingdale Lodge?

Mr. SEEGER. The answer is the same, sir.

Mr. WILLIS. Was that the occasion of the satire on the Constitution and the Bill of Rights?

Mr. TAVENNER. The same occasion, yes, sir.

I have before me a photostatic copy of a page from the June 1, 1949 issue of the Daily Worker, and in a column entitled "Town Talk," there is found this statement:

The first performance of a new song If I Had a Hammer, on the theme of the Foley Square trial of the Communist leaders, will be given at the testimonial dinner for the 12 on Friday night at St. Nicholas Arena * * *. Among those on hand for the singing will be * * * Pete Seeger, and Lee Hays—

and others whose names are mentioned.

Did you take part in that performance?

Mr. SEEGER. I shall be glad to answer about the song, sir, and I am not interested in carrying on the line of questioning about where I have sung any songs.

Mr. TAVENNER. I ask a direction.

Chairman WALTER. You may not be interested, but we are, however. I direct you to answer. You can answer that question.

Mr. SEEGER. I feel these questions are improper, sir, and I feel they are immoral to ask any American this kind of question.

Mr. TAVENNER. Have you finished your answer?

Mr. SEEGER. Yes, sir.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Seeger Exhibit No. 4," for identification only and to be made a part of the committee files.

Mr. SEEGER. I am sorry you are not interested in the song. It is a good song.

Mr. TAVENNER. Were you present in the hearing room while the former witnesses testified?

Mr. SEEGER. I have been here all morning; yes, sir.

Mr. TAVENNER. I assume then that you heard me read the testimony of Mr. Kazan about the purpose of the Communist Party in having its actors entertain for the benefit of Communist fronts and the Communist Party. Did you hear that testimony?

Mr. SEEGER. Yes; I have heard all of the testimony today.

Mr. TAVENNER. Did you hear Mr. George Hall's testimony yesterday in which he stated that as an actor, the special contribution that he was expected to make to the Communist Party was to use his talents by entertaining at Communist Party functions? Did you hear that testimony?

Mr. SEEGER. I didn't hear it; no.

Mr. TAVENNER. It is a fact that he so testified. I want to know whether or not you were engaged in a similar type of service to the Communist Party in entertaining at these features.

(Witness consulted with counsel.)

Mr. SEEGER. I have sung for Americans of every political persuasion, and I am proud that I never refuse to sing to an audience, no matter what religion or color of their skin, or situation of life. I have sung in hobo jungles, and I have sung for the Rockefellers, and I am proud that I have never refused to sing for anybody. That is the only answer I can give along that line.

Chairman WALTER. Mr. Tavenner, are you getting around to that letter? There was a letter introduced yesterday that I think was of greater importance than any bit of evidence adduced at these hearings, concerning the attempt made to influence people in this professional performers guild and union to assist a purely Communist

cause which had no relation whatsoever to the arts and the theater. Is that what you are leading up to?

Mr. TAVENNER. Yes; it is. That was the letter of Peter Lawrence, which I questioned him about yesterday. That related to the trial of the Smith Act defendants here at Foley Square. I am trying to inquire now whether this witness was party to the same type of propaganda effort by the Communist Party.

Mr. SCHERER. There has been no answer to your last question.

Mr. TAVENNER. That is right; may I have a direction?

Mr. SEEGER. Would you repeat the question? I don't even know what the last question was, and I thought I have answered all of them up to now.

Mr. TAVENNER. What you stated was not in response to the question.

Chairman WALTER. Proceed with the questioning, Mr. Tavenner.

Mr. TAVENNER. I believe, Mr. Chairman with your permission, I will have the question read to him. I think it should be put in exactly the same form.

(Whereupon the reporter read the pending question as above recorded.)

Mr. SEEGER. "These features"; what do you mean? Except for the answer I have already given you, I have no answer. The answer I gave you, you have, don't you? That is that I am proud that I have sung for every American, Americans of every political persuasion, and I have never refused to sing for anybody because I disagreed with their political opinion, and I am proud of the fact that my songs seem to cut across and find perhaps a unifying thing, basic humanity, and that is why I would love to be able to tell you about these songs, because I feel that you would agree with me more, sir. I know many beautiful songs from your home county, Carbon, and Monroe, and I hitchhiked through there and stayed in the homes of miners.

Mr. TAVENNER. You are getting away from the question. My question was whether or not you sang at these functions of the Communist Party. You have answered it inferentially, and if I understand your answer, you are saying you did.

Mr. SEEGER. Except for that answer, I decline to answer further.

Mr. TAVENNER. Did you sing at functions of the Communist Party, at Communist Party requests?

Mr. SEEGER. I believe, sir, that a good 20 minutes ago, I gave my answer to this whole line of questioning.

Mr. TAVENNER. Yes; but you have now beclouded your answer by your statement, and I want to make certain what you mean. Did you sing at the Communist Party functions which I have asked you about, as a Communist Party duty?

Mr. SEEGER. I have already indicated that I am not interested, and I feel it is improper to say who has sung my songs or who I have sung them to, especially under such compulsion as this.

Mr. TAVENNER. Have you been a member of the Communist Party since 1947?

(Witness consulted with counsel.)

Mr. SEEGER. The same answer, sir.

Chairman WALTER. I direct you to answer that question.

Mr. SEEGER. I must give the same answer as before.

Mr. TAVENNER. I have a throwaway sheet entitled "Culture Fights Back, 1953," showing entertainment at the Capitol Hotel, Carnival Room, 51st Street at 8th Avenue, in 1953, sponsored by the Committee To Defend V. J. Jerome. It indicates that Pete Seeger was one of those furnishing the entertainment. Will you tell the committee, please, whether or not you were asked to perform on that occasion, and whether or not you did, either as a Communist Party directive, or as what you considered to be a duty to the Communist Party?

Mr. SEEGER. I believe I have answered this already.

Mr. TAVENNER. Are you acquainted with V. J. Jerome?

Mr. SEEGER. I have already told you sir, that I believe my associations, whatever they are, are my own private affairs.

Mr. TAVENNER. You did know, at that time, in 1953, that V. J. Jerome was a cultural head of the Communist Party and one of the Smith Act defendants in New York City?

Mr. SEEGER. Again the same answer, sir.

Mr. SCHERER. You refuse to answer that question?

Mr. SEEGER. Yes, sir.

Chairman WALTER. That is understood.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Seeger Exhibit No. 5" for identification only.

Chairman WALTER. It will be so marked and received.

Mr. TAVENNER. I hand you a photograph which was taken of the May Day parade in New York City in 1952, which shows the front rank of a group of individuals, and one is in a uniform with military cap and insignia, and carrying a placard entitled "Censored."

Will you examine it please and state whether or not that is a photograph of you?

(A document was handed to the witness.)

Mr. SEEGER. It is like Jesus Christ when asked by Pontius Pilate, "Are you king of the Jews?"

Chairman WALTER. Stop that.

Mr. SEEGER. Let someone else identify that picture.

Mr. SCHERER. I ask that he be directed to answer the question.

Chairman WALTER. I direct you to answer the question.

Mr. SEEGER. The question—"Do I identify this photograph"?

Chairman WALTER. Yes.

Mr. SEEGER. I say let someone else identify it.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Seeger Exhibit No. 6."¹

Chairman WALTER. Make it a part of the record.

(Witness consulted with counsel.)

Mr. TAVENNER. It is noted that the individual mentioned is wearing a military uniform. That was in May of 1952, and the statute of limitations would have run by now as to any offense for the improper wearing of the uniform, and will you tell the committee whether or not you took part in that May Day program wearing a uniform of an American soldier?

Mr. SEEGER. The same answer as before, sir.

Chairman WALTER. I direct you to answer that question.

(Witness consulted with counsel.)

¹ See Lee exhibit No. 1.

Mr. SCHERER. I think the record should show that the witness remains mute, following the direction by the chairman to answer that question.

Mr. SEEGER. The same answer, sir, as before.

Mr. SCHERER. Again I undersand that you are not invoking the fifth amendment?

Mr. SEEGER. That is correct.

Mr. SCHERER. We are not accepting the answers or the reasons you gave.

Mr. SEEGER. That is your prerogative, sir.

Mr. SCHERER. Do you understand it is the feeling of the committee that you are in contempt as a result of the position you take?

Mr. SEEGER. I can't say.

Mr. SCHERER. I am telling you that that is the position of the committee.

Mr. TAVENNER. The Daily Worker of April 21, 1948, at page 7, contains a notice that Pete Seeger was a participant in an affair for Ferdinand Smith. Will you tell the committee what the occasion was at which you took part?

Mr. SEEGER. I hate to waste the committee's time, but I think surely you must realize by now that my answer is the same.

Mr. TAVENNER. Do you know whether Ferdinand Smith was under deportation orders at that time?

Mr. SEEGER. My answer is the same as before, sir.

Mr. TAVENNER. I think that he was not under deportation orders until a little later than that.

Chairman WALTER. What is his name?

Mr. TAVENNER. Ferdinand Smith, a Communist Party member and former vice president of the maritime union.

My purpose in asking you these questions, Mr. Seeger, is to determine whether or not, in accordance with the plan of the Communist Party as outlined by Mr. Kazan and Mr. George Hall, you were performing a valuable service to the Communist Party, and if that was the way they attempted to use you.

Mr. SEEGER. Is that a question, sir?

Mr. TAVENNER. That is my explanation to you, with the hope that you will give the committee some light on that subject.

Mr. SEEGER. No, my answer is the same as before.

Mr. TAVENNER. Did you also perform and entertain at various functions held by front organizations such as the American Youth for Democracy? I have here photostatic copies of the Daily Worker indicating such programs were conducted in Detroit in 1952, at Greenwich Village, on May 10, 1947, and again at another place in March of 1948.

Did you entertain at functions under the auspices of the American Youth for Democracy?

(Witness consulted with counsel.)

Mr. SEEGER. The answer is the same, and I take it that you are not interested in all of the different places that I have sung, and why don't you ask me about the churches and schools and other places?

Mr. TAVENNER. That is very laudable, indeed, and I wish only that your activities had been confined to those areas.

If you were acting for the Communist Party at these functions, we want to know it. We want to determine just what the Communist Party plan was.

Mr. SCHERER. Witness, you have indicated that you are perfectly willing to tell us about all of these innumerable functions at which you entertained, but why do you refuse to tell us about the functions that Mr. Tavenner inquires about?

Mr. SEEGER. No, sir, I said that I should be glad to tell you about all of the songs that I have sung, because I feel that the songs are the clearest explanation of what I do believe in, as a musician, and as an American.

Mr. SCHERER. Didn't you just say that you sang before various religious groups, school groups?

Mr. SEEGER. I have said it and I will say it again, and I have sung for perhaps—

(Witness consulted with counsel.)

Mr. SCHERER. You are willing to tell us about those groups?

Mr. SEEGER. I am saying voluntarily that I have sung for almost every religious group in the country, from Jewish and Catholic, and Presbyterian and Holy Rollers and Revival Churches, and I do this voluntarily. I have sung for many, many different groups, and it is hard for perhaps one person to believe, I was looking back over the 20 years or so that I have sung around these 48 States, that I have sung in so many different places.

Mr. SCHERER. Did you sing before the groups that Mr. Tavenner asked you about?

Mr. SEEGER. I am saying that my answer is the same as before. I have told you that I sung for everybody.

Chairman WALTER. Wait a minute. You sung for everybody. Then are we to believe, or to take it that you sang at the places Mr. Tavenner mentioned?

Mr. SEEGER. My answer is the same as before.

Chairman WALTER. What is that?

Mr. SEEGER. It seems to me like the third time I have said it, if not the fourth.

Chairman WALTER. Maybe it is the fifth, but say it again, and I want to know what your answer is.

(Witness consulted with counsel.)

Mr. SEEGER. I decline to discuss, under compulsion, where I have sung, and who has sung my songs, that I have helped to write as well as to sing them, and who else has sung with me, and the people I have known. I love my country very dearly and I greatly resent this implication that because some of the places that I have sung and some of the people that I have known, and some of my opinions, whether they are religious or philosophical, or I might be a vegetarian, making me any less of an American. I will tell you about my songs, but I am not interested in telling you who wrote them and I will tell you about my songs, and I am not interested in who listened to them.

Mr. TAVENNER. According to the Daily Worker there was a conference program of the Civil Rights Congress on April 2, 1949, at which you were one of the performers.

On August 27, 1949, the People's Artists presented a summer musicale at Lakeland Acres picnic grounds, Peekskill, N. Y., for the benefit

of the Harlem chapter of the Civil Rights Congress, at which you were a participant.

At another meeting of the Civil Rights Congress of New York, around May 11, 1946, you were a participant.

Will you tell the committee, please, under what circumstances you performed, because you have said that you sang at all sorts of meetings, and now under what circumstances were your services acquired on those occasions?

Mr. SEEGER. My answer is the same as before, sir. I can only infer from your lack of interest in my songs that you are actually scared to know what these songs are like, because there is nothing wrong with my songs, sir. Do you know—

Mr. SCHERER. You said you want to talk about your songs, and I will give you an opportunity. Tell us what songs you sang at Communist Party meetings?

Mr. SEEGER. I will tell you about the songs that I have sung anyplace.

Mr. SCHERER. I want to know the ones that you sang at Communist Party meetings, because those are the songs about which we can inquire. Just tell us one song that you sang at a Communist Party meeting.

Mr. SEEGER. Mr. Scherer, it seems to me that you heard my testimony, and that is a ridiculous question, because you know what my answer is.

Mr. TAVENNER. Mr. George Hall testified that the entertainment that he engaged in at the instance of the Communist Party, and for the Communist Party were not songs of a political character. He did say, however, that he was expected by the Communist Party to perform in order to raise money for the Communist Party.

Now, did you, as Mr. Hall did, perform in order to raise money for Communist Party causes?

(Witness consulted with counsel.)

Mr. SEEGER. I don't care what Mr. Hall says, and my answer is the same as before, sir.

Mr. TAVENNER. That you refuse to answer?

Mr. SEEGER. I have given my answer.

Mr. SCHERER. Was Mr. Hall telling the truth when he told the committee about the entertainment he engaged in at the instance of the Communist Party?

Mr. SEEGER. I don't feel like discussing what Mr. Hall said.

Mr. TAVENNER. The American Committee for Yugoslav Relief has been designated as a front organization. According to the October 22, 1947, issue of the Daily People's World, in California, Pete Seeger headed the list of entertainers to appear at a picnic given by the southern California chapter of that organization.

Did you participate in that program?

Mr. SEEGER. If you have 100 more photostats there, it seems silly for me to give you the same answer 100 more times.

Mr. TAVENNER. What is your answer?

Mr. SEEGER. It is the same as before, sir.

Mr. TAVENNER. There are various peace groups in the country which have utilized your services, are there not?

Mr. SEEGER. I have sung for pacifists and I have sung for soldiers.

Mr. TAVENNER. According to the Daily Worker of September 6, 1940, you were scheduled as a singer at a mass meeting of American Peace Mobilization at Turner's Arena, in Washington, D. C.

What were the circumstances under which you were requested to take part in that performance?

Mr. SEEGER. My answer is the same as before, sir.

Mr. TAVENNER. You were a member of the American Peace Mobilization, were you not?

Mr. SEEGER. My answer is the same as before.

Mr. TAVENNER. Were you not a delegate to the Chicago convention of the American Peace Mobilization on September 5, 1940?

Mr. SEEGER. My answer is the same as before.

Chairman WALTER. Is that organization subversive?

Mr. TAVENNER. Yes.

Chairman WALTER. What is the name of it?

Mr. TAVENNER. American Peace Mobilization, and it was the beginning of these peace organizations, back in 1940.

Did you take part in the American Peace Crusade program in Chicago, in April of 1954?

Mr. SEEGER. My answer is the same as before.

Of course, I would be curious to know what you think of a song like this very great Negro spiritual, I'm Gonna Lay Down My Sword and Shield, Down By the Riverside.

Mr. TAVENNER. That is not at all responsive to my question.

Mr. SEEGER. I gave you my answer before I even said that.

Mr. TAVENNER. If you refuse to answer, I think that you should not make a speech.

(Witness consulted with counsel.)

Mr. TAVENNER. Did you also perform a service for the California Labor School in Los Angeles by putting on musical programs there?

Mr. SEEGER. My answer is the same as before, sir.

Mr. TAVENNER. Did you teach in the California Labor School?

Mr. SEEGER. My answer is the same as before, sir.

Mr. SCHERER. I think for the record you should state whether the California Labor School has been cited.

Mr. TAVENNER. It has.

Mr. SCHERER. As subversive and Communist dominated?

Mr. TAVENNER. Yes, it has been.

(Witness consulted with counsel.)

Mr. TAVENNER. Did you also teach at the Jefferson School of Social Science here in the city of New York?

Mr. SEEGER. My answer is the same as before, sir.

Mr. SCHERER. I ask that you direct him to answer.

Chairman WALTER. I direct you to answer. Did you teach at the Jefferson School here at New York?

Mr. SEEGER. I feel very silly having to repeat the same thing over and over again, but my answer is exactly the same as before, sir.

Chairman WALTER. Has the Jefferson School of Social Science been cited?

Mr. TAVENNER. Yes, and it has been required to register under the 1950 Internal Security Act.

Mr. SCHERER. There are a number of people here who taught at that school, Mr. Walter.

Mr. TAVENNER. I desire to offer in evidence a photostatic copy of an article from the September 21, 1946 issue of the Daily Worker which refers to music courses at Jefferson School, and I call attention to the last sentence in the article wherein the name, Peter Seeger is mentioned as a leader in one of the courses.

I ask that it be marked "Seeger Exhibit No. 7."

Chairman WALTER. It is received and so marked.

Why don't you insert it in the record at this point, because there can be no objection to inserting it.

Mr. TAVENNER. I insert it in the record at this point.

SEEGER EXHIBIT No. 7

[Daily Worker, New York, Saturday, September 21, 1946]

MUSIC COURSES AT JEFFERSON SCHOOL

Three new courses in music will be offered by the Jefferson School of Social Science, 575 Avenue of the Americas, for the fall term beginning Sept. 30.

The music of Beethoven, a series of 10 Tuesday evening forums, with records and discussions, of representative works of the great creative epochs of Beethoven's life, will be led by Irwin Freundlich. Mr. Freundlich is on the faculty of the Julliard School of Music.

Horace Grenell, president of Young People's Records, will lead a workshop course in Creating Music.

A People's Songs Workshop, under the supervision of Waldemar Hille, former professor of music at Elmhurst College, will offer practical sessions in writing new songs and in selecting and editing songs for publication. The workshop leaders will include Herbert Haufrecht, *Peter Seeger*, Lee Hayes, and others.

According to the March 18, 1948, issue of the Daily Worker, it is indicated that you would entertain at a musical presented by the Jefferson Workers Book Shop. According to the November 25, 1948 issue of the same paper you would perform also under the auspices of the Jefferson School of Social Science. Also you were a participant in a program advertised in the Daily Worker of June 1, 1950, put on by the Jefferson School of Social Science, and according to an issue of February 15, 1954, of the same paper, you were expected to play and lecture on songs and ballads in the Jefferson School.

Will you tell the committee, please, what were the circumstances under which you engaged in those programs, if you did?

Mr. SEEGER. My answer is the same as before, sir.

Mr. TAVENNER. Did you also engage in performances for the Labor Youth League in 1954?

Mr. SEEGER. My answer is the same as before. Do you think that I sing propaganda songs or something?

Mr. TAVENNER. In 1947, what was your connection with an organization known as People's Songs?

(Witness consulted with counsel.)

Mr. SEEGER. I take the same answer as before regarding any organization or any association I have.

Chairman WALTER. What was People's Songs, Mr. Tavenner?

Mr. TAVENNER. People's Songs was an organization which, according to its issue of February and March 1947, was composed of a number of persons on the board of directors who have been called before this committee or identified by this committee as members of the Communist Party, and the purpose of which, from information made available to the committee, was to extend services to the Communist Party in its entertainment projects.

Mr. Lee Hays was a member of the board of directors, was he not, along with you, in this organization?

(Witness consulted with counsel.)

Mr. SEEGER. My answer is the same as before, sir.

Mr. TAVENNER. Were you not the editor of People's Songs, and a member of the board of directors in 1947?

Mr. SEEGER. My answer is the same as before.

Mr. TAVENNER. You were actually the national director of this organization, were you not?

Mr. SEEGER. My answer is the same as before.

Mr. TAVENNER. Was the organization founded by Alan Lomax?

Mr. SEEGER. My answer is the same as before.

Mr. TAVENNER. Was the booking agent of People's Songs, an organization known as People's Artists?

Mr. SEEGER. My answer is the same.

Mr. TAVENNER. Will you tell the committee please whether or not during the weekend of July 4, 1955, you were a member of the Communist Party?

Mr. SEEGER. My answer is the same as before, sir.

Mr. TAVENNER. Were you a member of the Communist Party at any time during the various entertainment features in which you were alleged to have engaged?

Mr. SEEGER. My answer is the same.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. SEEGER. My answer is the same.

Mr. SCHERER. I ask for a direction on that question.

Chairman WALTER. I direct you to answer.

Mr. SEEGER. My answer is the same as before.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Chairman WALTER. The witness is excused.

The committee will stand in recess until 2 o'clock.

(The committee thereupon recessed at 12:40 p. m., to reconvene at 2 p. m., the same day.)

AFTERNOON SESSION—AUGUST 18, 1955

Chairman WALTER. The committee will be in order.

Call your witness, Mr. Tavenner.

Mr. TAVENNER. Mr. Ivan Black, will you come forward please?

Chairman WALTER. Mr. Black, will you raise your right hand?

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

Mr. BLACK. I do.

TESTIMONY OF IVAN BLACK, ACCOMPANIED BY COUNSEL, LEONARD B. BOUDIN

Mr. BLACK. Mr. Chairman, I have no objection to the gentlemen taking pictures. As a public relations man, however, I would like to have them let me know when they are going to take them because I hate to have a picture taken of me looking down-hearted to get into the press, because I am not.

Chairman WALTER. I know how you feel, they have done that to me frequently.

MR. BLACK. You have more to worry about.

MR. TAVENNER. Will you state your name, please?

MR. BLACK. Ivan Black.

MR. TAVENNER. Have you been known by any other name than Ivan Black, or has there been a different spelling of your last name?

MR. BLACK. No different spelling of my last name since I was born that I know of.

(Witness consulted with counsel.)

MR. BLACK. Oh yes, I was born under the name of Israel Black. I discovered that was on my birth certificate many years ago, and I have been known as Ivan Black for the last 30 years.

MR. TAVENNER. Have you been known by a spelling of B-l-o-c-k in the last name?

MR. BLACK. No, sir, never.

MR. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

MR. BOUDIN. Leonard B. Boudin, 25 Broad Street, New York.

MR. TAVENNER. When and where were you born, Mr. Black?

MR. BLACK. I wonder if they would put that shade around, because I can't see you, or I can't see anything. Would you pull that shade around so that the light is not in my eyes?

MR. TAVENNER. That will be done.

MR. BLACK. Thank you very much.

MR. TAVENNER. When and where were you born, Mr. Black?

MR. BLACK. I was born in Philadelphia, May 14, 1903.

MR. TAVENNER. Where do you now reside?

MR. BLACK. I reside in New York City.

MR. TAVENNER. How long have you resided in New York City?

MR. BLACK. Off and on sir, since 1928, and full time in New York since 1931, the last 24 years.

MR. TAVENNER. What is your profession?

MR. BLACK. I am a public relations counsel and publicity consultant.

MR. TAVENNER. Will you tell the committee please what your formal educational training has been?

MR. BLACK. I went to grammar school in Philadelphia and Trenton, N. J., and I went to Trenton High School, class of 1920. I won the Trenton Times scholarship, first prize scholarship, and went to Harvard 4 years and recommended for the bachelor of arts degree cum laude in fine arts, and scholarship in fine arts, that is, the history and development of painting, sculpture, and architecture, and practiced architecture in Florida for 3 years, almost 3 years, and my eyes went bad.

MR. TAVENNER. About what date was that?

MR. BLACK. 1925, 1926, and 1927. My eyes went bad, and I don't like to say that when I couldn't see right, I became a newspaperman, but I did. I became a newspaperman, and my eyes got back to normal during that time, but there was a depression on and the most unemployed profession in America I believe were the architects, since there was no construction, and so I stayed in the newspaper and writing end of activities, and got into publicity first in 1928.

Then I went back to the newspaper business.

MR. TAVENNER. When did you come back to the newspaper business?

MR. BLACK. In 1929. I was on the Boston Transcript as a feature writer with a byline; and Boston Post as a reporter; Philadelphia

Record, feature writer with a byline, art critic for a time while the regular art critic was out ill some months; and Philadelphia Ledger; Theater Guild magazine; and I have been full time in the publicity and public relations since 1936.

I was director of information which is really publicity director for Federal Theater, Radio Division, and when that was wiped out, when the Federal Theater and arts project was wiped out on July 1, 1939, I went into what is humorously called private industry, and I have been in it ever since, my own firm. Ivan Black Associates is the name, and that is now 16 years. I forgot one thing. I was chosen the number one star-maker in the United States a few years ago by 600 editors throughout the United States and Canada. I thought I might throw that in.

Mr. TAVENNER. Did you engage in newspaper work on the west coast?

Mr. BLACK. Only in my publicity work. In other words, I never engaged in newspaper work on the west coast as a newspaperman, if that is what you are asking. Is that what you are asking?

Mr. TAVENNER. Yes.

Mr. BLACK. No.

Mr. TAVENNER. What was the nature of your newspaper work on the west coast then? I didn't quite understand your reply.

Mr. BLACK. I didn't do what I would call newspaper work on the west coast. I was a visitor to the west coast.

Mr. TAVENNER. In connection with newspapers?

Mr. BLACK. No, in connection with the idea of opening a branch publicity office on the coast. That was in 1944 or 1945, and I was out there some 6 or 8 weeks carrying on my business in New York from there, and doing some publicity with the press out there on the same clients, and then after investigating the situation in Hollywood about opening an office there and having a staff out there, it was during the war, and it was difficult to get phones and what not, the late George Evans—may he rest in peace—who did the job on Sinatra, among others, advised me against opening up, because he had been through an experience, a very bad one, that no one could do a job while he was away. I didn't open an office there, and I came back to New York City and that is the only time I have been on the west coast. But I didn't indulge in newspaper work as such, as a newspaperman.

Mr. TAVENNER. If you were not doing newspaper work as such, were you acting in a representative capacity for newspapers at that period?

Mr. BLACK. How do you mean, "representative capacity"?

Mr. TAVENNER. In any way.

Mr. BLACK. For newspapers; no. I never have represented newspapers, sir, except as an employee of the ones I mentioned.

Mr. TAVENNER. Did you at any time engage in teaching?

Mr. BLACK. Teaching?

Mr. TAVENNER. Yes. Have you taught courses in any school?

Mr. BLACK. The only teaching I have done to my recollection was to tutor some of the boys at Harvard in fine arts for their examinations, some of whom became museum directors later, and officials of museums. I tutored boys in fine arts who were not stupid, but who did not do any work, and needed to be briefed for their exams.

I have given a lecture or two at universities on public relations, and at one time, I was offered, many years ago, jobs at Dartmouth, Harvard, and Princeton, I believe as an instructor in fine arts. I didn't care to be an instructor, or to have a career as a teacher, so I turned them down.

Mr. TAVENNER. I hand you a photostatic copy of the announcement of courses for the fall term, 1938, of the Philadelphia Workers School. I notice there are two courses appearing in this curriculum under which appears the name "Ivan Black." Will you examine the document please and state whether or not it refreshes your recollection about having taught at that school?

(A document was handed to the witness.)

(Witness consulted with counsel.)

Mr. BLACK. I don't recall ever teaching at this place, and in 1938 I was in New York City, living and working here.

Mr. TAVENNER. Did you teach in that school?

Mr. BLACK. I don't recall teaching there at that time?

Mr. SCHERER. Did you teach there at any time?

Mr. BLACK. I said I don't recall teaching there at any time, and I don't have any recollection whatsoever of this school or this course.

Mr. SCHERER. Then you don't deny that you taught at the school?

Mr. BLACK. Sir, I don't say I don't deny it. I have no recollection of teaching there, and I am trying to be straight with you, when I was living here New York, and working here in New York at that time.

Mr. SCHERER. In what business were you working at that time in New York?

Mr. BLACK. In 1938 I was the national publicity director, or rather director of information, as they called it. The Government doesn't seem to have publicity directors, but they are directors of information.

Mr. SCHERER. Is that Federal Employment?

Mr. BLACK. Federal Theater Radio Division. It was the National Radio Division of the Federal Theater, which was given time by the various networks to produce shows with the actors on the project as directors and so on, and it was a prize-winning project which restored more people to private industry than any other project in the country, and it was highly praised by Time magazine and papers all over the country, and so on. But that is the job I was doing.

Mr. TAVENNER. Shortly prior to 1938, had you acted as a press agent for Cafe Society?

(Witness consulted with counsel.)

Mr. BLACK. I have attended these sessions the past couple of days, and I have heard you ask witnesses if some of the skits they wrote were done at Cafe Society, and if they ever worked at Cafe Society, and apparently there is some stigma or some snare connected with Cafe Society.

I feel that this is a question on which I will have to, since I don't know what you are getting at, and don't care in the present situation to get tied up in any kind of unnecessary knots, and have privileges as an American citizen, which I value, and would fight for, and I will decline to answer that, and embrace the first amendment, and the fifth amendment, and the privilege of the fifth amendment.

Mr. SCHERER. I ask you to direct the witness to answer.

Chairman WALTER. I direct you to answer that question, Mr. Black.

Mr. BLACK. I am afraid, sir, I will have to answer it as I have, because I think the question is not calculated to do me any good, and it is calculated to do me and my family and the people I hold dear harm, and I don't think you have a right to inquire into an area that can jeopardize me. It is a kind of situation where an official of the law is putting a citizen deliberately into a spot where he could be held for committing a crime.

Mr. SCHERER. Are you refusing to answer the question by invoking the fifth amendment, feeling that to answer the question might tend to incriminate you?

Mr. BLACK. Sir, I answered it as I answered it, and I am invoking the privilege of the first amendment, and the fifth amendment, and the sixth amendment, and I could name a few more that would fit in here.

Mr. SCHERER. I ask you to direct the witness.

Chairman WALTER. I have directed him, and this is the answer to the direction.

Mr. SCHERER. There should be another direction to answer my question as to whether he is invoking the fifth amendment because he feels that to answer this question might tend to incriminate him. He says he is invoking it for entirely different reasons, because it might embarrass him with his family, and if he is invoking the fifth amendment for that reason, then he is not invoking it in good faith.

Mr. BLACK. You are misstating what I said, and I brought the Constitution here with me. I could read that part of the fifth that I am taking.

Chairman WALTER. All right.

Mr. BLACK. Do you want me to read it?

Chairman WALTER. No; I have read the Constitution.

Mr. BLACK. You understand, sir, I am referring to the constitutional privilege of the fifth amendment?

Chairman WALTER. Yes.

Mr. TAVENNER. Cafe Society was located downtown in the city of New York, and it was owned by Leon Josephson; was it not?

Mr. BLACK. Sir, I will have to give you the same answer.

Mr. TAVENNER. Were you press agent for Leon Josephson?

Mr. BLACK. I will again have to give you the same reply.

Mr. TAVENNER. Were you a member of the Patrick Henry Club of the Communist Party in New York City about 1936 or shortly prior thereto?

Mr. BLACK. Sir, on that question I will assert the privilege of the first amendment, freedom of association and beliefs and thoughts. Until it is legal to have thought police in the United States, I don't think that is a proper question. I will assert and assume and embrace the privilege of the fifth amendment, and sixth amendment, and the tenth amendment, and for the benefit of the committee, the fourteenth amendment.

Mr. TAVENNER. According to the bulletin which was the official publication of the League of American Writers, the issue of June 1939, the names of the members of the National Board of the League of American Writers appears. I will read this statement:

The new board includes the officers listed in the masthead on page 6, and the following:

And there in the course of giving certain names, the name Ivan Black is mentioned.

Were you a member of the board of that organization?

Mr. BLACK. What is the name of the organization, sir?

Mr. TAVENNER. The League of American Writers.

Mr. BLACK. Again I will have to assert the privilege of the first amendment, which concerns my associations, and the privilege of the fifth amendment.

Mr. TAVENNER. Mr. Chairman, I desire to offer this document in evidence, and ask that it be marked "Black Exhibit No. 1," for identification only and to be made a part of the committee files.

Chairman WALTER. It is so ordered.

Mr. TAVENNER. The organization, the League of American Writers, was cited as subversive and Communist by Attorney General Tom Clark on June 1, 1948. It was also cited by Attorney General Francis Biddle on September 24, 1942.

In the citation by Attorney General Biddle, it is stated that:

The League of American Writers, founded under Communist auspices in 1935 * * * in 1939 * * * began openly to follow the Communist Party line as dictated by the foreign policy of the Soviet Union. The overt activities of the League of American Writers in the last 2 years leave little doubt of its Communist control.

It was also cited on April 25, 1941 by the State Department, at which time it quoted a letter from Harold L. Ickes, then Secretary of the Interior, to Robert M. Lovett, dated April 25, 1941, in which it is stated that:

The League of American Writers is generally regarded as a Communist subsidiary. Its policies, of course, always parallel those of the Communist Party.

May I ask you whether in June of 1939 you were a member of the Communist Party?

Mr. BLACK. Sir, I decline to answer under my rights under the first amendment and my privilege under the fifth amendment, and my rights under the sixth amendment, and the tenth, and again, the fourteenth.

Mr. TAVENNER. I have before me a photostatic copy of the Third American Writers' Congress. Under date of June 1939, on the second page, appears this statement:

Chairman of the arrangements committee, Ivan Black.

Did you serve as chairman of the arrangements committee of the Third American Writers' Congress?

Mr. BLACK. I decline to answer that question for the reasons given before.

Mr. TAVENNER. I desire to introduce the document in evidence and ask that it be marked "Black Exhibit No. 2," for identification only and to be made a part of the committee files.

Chairman WALTER. It is so ordered.

Mr. TAVENNER. I have before me a photostatic copy of the April 22, 1941, issue of the New Masses, which carries an article entitled "In Defense of Culture," and then under it appears the following in parentheses:

The following is the call to the Fourth Congress of the League of American Writers, June 6-8, in New York City.

The list of signers of the call appears, and among those appears the name of Ivan Black.

Did you participate in the call for the Fourth Congress of the League of American Writers?

Mr. BLACK. I decline to answer that question for the reasons given before, the same reasons.

Mr. TAVENNER. Were you a member of the National Federation for Constitutional Liberties?

Mr. BLACK. I have to decline to answer that, sir, for the same reasons.

Mr. TAVENNER. The National Federation for Constitutional Liberties interested itself in attempting to get the President of the United States to cause the Attorney General, Mr. Biddle, to rescind a certain decision that he made in the Harry Bridges case wherein he had certain statements to make regarding the Communist Party of the United States.

I have before me a pamphlet which is an open letter sponsored and published by the National Federation for Constitutional Liberties, directed to the President under date of July 11, 1942, in which it characterizes the action of the Attorney General as ill-advised, arbitrary, and unwarranted in its findings relative to the Communist Party, and requests that it be rescinded.

Among the list of those persons signing the letters appears the name of Ivan Black, publicist, New York City.

Did you sign such a letter to the President?

Mr. BLACK. Sir, I must decline to answer that for the reasons given before.

Mr. TAVENNER. Will you tell the committee what the circumstances were regarding the preparation of this open letter directed to the President of the United States?

(Witness consulted with counsel.)

Mr. BLACK. Sir, I am forced to decline to answer that for the reasons previously given.

Mr. TAVENNER. Do you know whether or not the National Federation for Constitutional Liberties has been cited by the Attorney General as a Communist organization?

Mr. BLACK. I decline to answer for the same reasons.

Mr. TAVENNER. Did you participate in activity of that organization in January of 1943, in the drawing up of the message to the House of Representatives, attacking the Special Committee on Un-American Activities, and asking that it be abolished?

Mr. BLACK. I must decline to answer, sir, on the grounds given previously.

Mr. TAVENNER. In asking that question, I do not want to leave an inference that opposition to this committee is beyond the rights of any individual, but what I am interested in is the source of the activity of the National Federation for Constitutional Liberties, in taking this organized effort.

Mr. BLACK. I might say, sir, that this committee over the years, despite the appearance of Bernard Baruch here the other day, this committee has been denounced by some of the best people, including F. D. R., the late Cardinal Mundelein, and a few others, and the late Albert Einstein. Be that as it may, as for my reply to your question, I decline to answer.

Mr. TAVENNER. Were you a member of the Communist Party at the time that you joined in this program with the National Federation for Constitutional Liberties to organize opposition in the House of Representatives to the Special Committee on Un-American Activities?

Mr. BLACK. Sir, any citizen has the right to participate in that kind of activity, and as you have mentioned—

Mr. TAVENNER. I wanted to know whether or not you were in the Communist Party at the time.

Mr. BLACK. My answer is that I refuse to answer for the same reasons.

Mr. TAVENNER. The National Federation for Constitutional Liberties was listed by Attorney General Francis Biddle on September 24, 1942, in the following manner:

Part of what Lenin called the solar system of organizations, ostensibly having no connection with the Communist Party, by which Communists attempt to create sympathizers and supporters of their program. * * *

[It] was established as a result of a conference on constitutional liberties held in Washington, D. C., June 7-9, 1940.

The defense of Communist leaders such as Sam Darcy, and Robert Wood, party secretaries for Pennsylvania and Oklahoma, have been major efforts of the federation.

It was also cited as subversive and Communist by Attorney General Tom Clark, on December 4, 1947.

Mr. Martin Berkeley, testified before this committee that he was a member of the Patrick Henry Club of the Communist Party, and that you were a member of this same group with him. That was some time just prior to 1936. He was speaking of that period.

(Witness consulted with counsel.)

Mr. TAVENNER. Were you a member of any group of the Communist Party of which Mr. Martin Berkeley was a member?

Mr. BLACK. Sir, I am forced to decline to answer that under the rights of the first amendment and the privileges under the fifth amendment and the sixth, and so on.

Mr. TAVENNER. You say you have won the title of "The maker of stars." Over what period of time was your work involved in the making of stars, and during what years, principally?

(Witness consulted with counsel.)

Mr. BLACK. Well, will you repeat the question, and I will answer.

Mr. TAVENNER. Will you read the question, please?

(Whereupon the reporter read the pending question as above recorded.)

Mr. BLACK. Well now, let us get it straight. The title I won was "No. 1 starmaker," and Billboard magazine poll, chosen by 600 editors throughout the United States and Canada. Now, that was for a year, and that particular year.

Mr. TAVENNER. What year was that?

Mr. BLACK. That was the year 1943 or 1944, or it might have been 1945. But it was in the middle forties, but they had awards year after year, Billboard did then, for the most efficient public-relations office in the entertainment field, and second most efficient, and the one that served the press best with stories, photographs, and really serviced the press intelligently and best. One year I got second award for the best office in the entertainment field, but they created a title which I believe was never given before nor since, for me, during that middle 1940 period, as "No. 1 starmaker."

The independent public-relations division, that was differentiated from the public-relations men at networks who were not in the same category.

Mr. TAVENNER. Did you say the name of your firm was the Ivan Black Associates?

Mr. BLACK. That is right.

Mr. TAVENNER. Is the development of talent the type of business that your firm is engaged in?

Mr. BLACK. For many years, I was in the theatrical, movie, radio, and TV end of publicity and public relations. The last 8 years—and that is a very precarious way of making a living, as you know, since shows open and close the same week. If you depend on a show, you are unemployed. So, some 8 years ago I got married, and I could no longer indulge myself in this precarious way of making a living, and so I spread out to handling products, corporations, and in other words, getting clients by the year, so I knew I was going to eat regularly whether the show opened or closed.

During the years when I was building up people and handling shows, and handling personalities, I won that award.

For the last 7 years I have been out of that end of it, so that—

Mr. TAVENNER. What is the nature of the business at this time of Ivan Black Associates?

Mr. BLACK. Public relations and publicity for corporations, products, and people, when necessary. I used to specialize. I am trying to be a little less professionally technical than I would ordinarily be in explaining this. I used to specialize in developing talented people who were unknown. I felt they had talent, and they were completely unknown and it was kind of a creative thing to make them famous because they deserved to be made famous and they had a lot on the ball.

I must say, they were lucky to have me find them, because the greatest talents go undiscovered and live and die and nobody knows about it.

As I say, sometimes you become very successful and if you had a percentage of their earnings, you did pretty well, providing they were employed regularly, because their life is precarious too, even if they get to be big names.

As I say, I was in that for a number of years, and based on the work I did in general, on a number of people, I got this award. I was serving these editors all over the United States and Canada on these people.

Now, my business, and my concept of public relations was based on never giving an editor a bum steer, and if I didn't think you were a good singer, I wouldn't tell the chap next to you, an editor, that you were a good singer, because he would hear you, and he would hear you were lousy, and the next time he wouldn't believe me.

Mr. TAVENNER. It would be a very shortsighted policy.

Mr. BLACK. "Honesty is the best policy," was said by a very fine newspaperman, Benjamin Franklin.

Mr. SCHERER. It is true when testifying before a congressional committee.

Mr. BLACK. It is true when one has a principle so deeply ingrained that he feels this committee itself, under the 14th amendment, this committee which has taken an oath to uphold the Constitution, is helping to tear the Constitution apart.

Chairman WALTER. Uphold, support, and defend. There were three.

Mr. BLACK. Yes, and I think the 14th amendment is being violated, and it is my opinion, I could be wrong, but I am a citizen and I am entitled to it.

Mr. SCHERER. All Communists have that opinion about the committee.

Mr. BLACK. I may point out that was Hitler's technique, if you were against me, you were a Communist, but I am not saying, Congressman Scherer, that you are a Hitlerite, but I want to show you how ridiculous your statement is, and mine is too.

Mr. TAVENNER. You were attempting to tell us the character of the work performed by Ivan Black Associates, but I didn't understand. You went back to a period that you had already described, but I do not understand what type of work you have been doing in recent years. You said personnel, or publicity, but I don't know what type.

Mr. BLACK. First of all, I don't have to answer this, but I am going to answer it, you see. I don't see what legislation will be derived from my telling you the nature of handling public-relations clients when all you would have to do is pick up Edward L. Bernays' recent book called Public Relations, and you could learn in 2 hours.

Mr. TAVENNER. I want to know the field in which you are engaged?

Mr. BLACK. You want to know who my clients are?

Mr. TAVENNER. I want to know the field in which you conduct public relations.

Mr. BLACK. Industry, in which there are products and in which there are corporate personalities, and not stars of stage and screen, but executives of corporations, of private industry, and so on. They also require public relations of a different kind, and they are not interested in the Broadway columns. They are interested in Time and Fortune and so on.

Mr. TAVENNER. Then the business has been changed from that which it had been accustomed to being?

Mr. BLACK. Sir, I pride myself on being one of the few public relations men who had this wide experience so he could handle practically anything in the public relations and publicity field, whether it is a corporation, or a personality, or a Hollywood show, or a campaign for a politician. If you wanted to run for the Senate, you might hire me, and I might accept you, but you might hire somebody else. But nowadays, everybody needs public relations, and ask Jim Hagerty, if you don't believe so. I was going to say from the top down. It has become a very important profession in the world.

Mr. TAVENNER. During the period you have been operating this business, have you been affiliated with the Communist Party?

Mr. BLACK. Sir, I think that is an area in which I must again decline to answer.

Mr. TAVENNER. Are you a member of the Communist Party at this time?

Mr. BLACK. Again I must decline to answer on the same grounds as previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Chairman WALTER. When you say "I must decline," by that do you mean "I do decline," because you are not compelled to.

Mr. BLACK. I do decline.

Chairman WALTER. If there are no further questions, the witness is excused.

The committee will be in recess for 5 minutes.

(A brief recess was taken by the committee.)

Chairman WALTER. We will proceed.

Call your next witness, Mr. Tavenner.

Mr. TAVENNER. Mr. Harold Salemsen, please.

Chairman WALTER. Will you raise your right hand?

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

Mr. SALEMSON. I do.

TESTIMONY OF HAROLD J. SALEMSON, ACCOMPANIED BY HIS COUNSEL, VICTOR RABINOWITZ

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

Mr. SALEMSON. Harold J. Salemsen, S-a-l-e-m-s-o-n.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. RABINOWITZ. Victor Rabinowitz, 25 Broad Street, New York City.

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

Mr. SALEMSON. Chicago, Ill., September 30, 1910.

Mr. TAVENNER. Where do you now reside?

Mr. SALEMSON. Glen Cove, N. Y.

Mr. TAVENNER. What is your occupation or profession?

Mr. SALEMSON. I am employed in the motion-picture industry as a general administrative and contractual employee.

Mr. TAVENNER. Will you give us more of a description of your employment?

Mr. SALEMSON. I am employed by a company that imports foreign films and I handle general problems, straightening out of contracts, translations of the contracts from Italian into English, French into English, and general administrative and executive work of that kind.

Mr. TAVENNER. What is the name of the firm by which you are employed?

Mr. SALEMSON. Italian Films Export.

Mr. TAVENNER. How long have you been so employed?

Mr. SALEMSON. Two years.

Mr. TAVENNER. Prior to that time what was the nature of your employment or occupation?

Mr. SALEMSON. Immediately prior, or do you want the history of my employment? Immediately prior to that I had my own producer representation office for motion pictures.

Mr. TAVENNER. In the city of New York?

Mr. SALEMSON. Yes, sir.

Mr. TAVENNER. Did it have a name?

Mr. SALEMSON. Harold J. Salemsen.

Mr. TAVENNER. How long were you so engaged?

Mr. SALEMSON. Approximately a year and a half.

Mr. TAVENNER. That takes us back to about 1951, does it not?

Mr. SALEMSON. That should take us back to about, I think, Thanksgiving of 1951; yes, sir.

Mr. TAVENNER. Prior to 1951, what was your employment?

Mr. SALEMSON. Immediately prior to having my own office, I was engaged by United Artists Corp. to handle exploitation on a picture called *Cyrano de Bergerac*, which I handled in its general release in the United States and then in its first release in England and France.

Mr. TAVENNER. How long were you so employed?

Mr. SALEMSON. Approximately, I think, from July to Thanksgiving of 1951.

Mr. TAVENNER. What was your employment prior to that?

Mr. SALEMSON. It would be a lot easier if we started at the beginning.

Mr. TAVENNER. If you prefer it the other way, that is all right.

Mr. SALEMSON. We can work back. Prior to that for approximately something under a year, I believe, about 8 months, from late in 1950 until July of 1951, I was a producer's publicity representative working for Robert Stillman Productions, releasing through United Artists.

Prior to that for a period of some 6 or 8 months I was outside of the motion picture industry, doing a public relations campaign for the leather industry.

Mr. TAVENNER. What do you mean "for the leather industry"?

Mr. SALEMSON. For the leather industry of the United States as a whole, for a trade organization; representing them.

Mr. TAVENNER. What was that trade organization?

Mr. SALEMSON. It was called in those days, the Tanners Council of America.

Prior to that, I worked for a short time for Paramount on the exploitation of a picture called *Samson and Delilah*.

Mr. TAVENNER. Was that in New York?

Mr. SALEMSON. Out of New York, and I was engaged in New York, but I traveled throughout the United States.

Immediately prior to *Samson and Delilah*, I had worked—and this goes back now to about Thanksgiving of 1949, for virtually all of 1949—I worked again for United Artists Corp. on a picture produced by Stanley Kramer called *Home of the Brave*, on which for about 7 or 8 months I traveled throughout the United States in various territories handling the exploitation from its first opening in Chicago, and in the South and elsewhere.

Immediately prior to that, early in 1949, I guess, I worked briefly for a few weeks on a promotion campaign for the United Jewish Appeal. This takes us back to approximately the 1st of January, 1949.

In December 1949 I terminated a job which had begun earlier that year in California, and for which I had come to New York on the 1st of July, 1948, for a company which was unsuccessful, called Creative Films, Inc., which intended to release several French films which I had subtitled for them and which I unsuccessfully tried to sell for them. I ceased my connection with the company on the 31st of December, 1948.

Prior to that I lived in Hollywood, and, if you wish to go back into the previous 17 or 18 years of employment, I think that at this point you might grant me the courtesy of starting from the beginning, because it is very difficult to go backward.

Mr. TAVENNER. How long were you employed in Hollywood?

Mr. SALEMSON. I lived in Hollywood, sir, from I think 1930. My memory is hazy as to whether it was 1930 or 1931. I believe it was 1930, until July 1, 1948, when I permanently moved to New York.

Mr. TAVENNER. What was the general nature of your work during that period of time, 1930 to 1948?

Mr. SALEMSON. That work generally broke down into 3 periods or 4 periods.

From 1930 or 1931 whenever it started, until the fall of France, in 1940, I guess it was, my principal work was as a correspondent for French newspapers covering Hollywood. I was correspondent for about 8 years for *L'Attention*, the leading evening paper in Paris, and it was bought out I think in January 1, 1938, if my memory is good, by a rival paper called *Paliceway*. As it was reported to me, since I wasn't in Paris at the time, 3 properties were taken over by the new paper from the old paper, and 1 was a radio station, 1 was a weekly movie magazine for which I wrote, and 1 was a Hollywood correspondent who was myself, and I was transferred to *Paliceway*, and I worked for them until some time in May or June of 1940, if my memory of history is right, when Hitler marched into Paris, and I received an unsigned cable saying that my services were no longer needed.

During the next period, from then until Pearl Harbor, I free-lanced and I worked for various publications out of Hollywood.

I had a small photonews syndicate, called *Photo Report Age*, and I was employed for a period of months by a magazine called *Friday* magazine, as west coast editor, and from the time that *Friday* folded which was in the middle of 1941, in July or August of 1941, until Pearl Harbor, I essentially free-lanced.

I was correspondent for the *Sydney, Australia, Sunday Telegraph* which didn't pay very much money.

Four days after Pearl Harbor, being III-A, I enlisted in the Army. I was inducted 3 days later, on the 14th day of December 1941, and I stayed in the Army, if I remember what my discharge paper says, 3 years, 9 months, and 20 days, and I think I was discharged on the 4th of October 1945.

I think that I had quite a creditable Army service, both in the Field Artillery and in Psychological Warfare, and I refer you to the *Saturday Evening Post* of April 1, 1945, where my role in the psychological warfare in the Mediterranean was fairly extensively covered.

Mr. TAVENNER. Are you a member of the Reserves?

Mr. SALEMSON. No, sir, I was not requested to become a member of the Reserves.

I was discharged as I say, in October of 1945, and I returned to Hollywood and resumed by old professional contacts, and in December of 1945 or January of 1946 I assumed three different jobs. It was not necessarily in order of monetary value, but they were correspondent for the successor to the paper I worked for before the war, and correspondent to a fan magazine, and this was a weekly fan magazine run by the same people who had run the fan magazine that I worked for before the war, and thirdly I think effective the 1st of January 1946, I became director of public relations for the Screen Writers Guild, the union of the screen writers in Hollywood.

I stayed with them not quite a year, and resigning in November or December of 1946 over different sets of policy, and in 1947, early 1947.

mid-1947, I was free-lancing, I think, for most of that year, and I don't think that I had any major individual earnings from anywhere during 1947.

Toward the end of 1946, I met with the people who were going to create or found Creative Films, and they engaged me to subtitle a couple of pictures for them, and early in 1948 we decided to found a company, and we founded the company, and I came to New York, I believe in May of 1948, to see whether the company should be in New York or Hollywood, and decided it should be here, and went back for the month of June, and came back here on the first of July 1948, to stay here permanently.

I think that covers all of my employment.

Mr. TAVENNER. Were you a member of the Newspaper Guild in Los Angeles, during this period of time, and at any time between 1930 and 1948?

Mr. SALEMSON. I would like to make a statement at this point in relation to the answer to this question.

I feel, sir, that no question that you are going to ask me will relate to anything except my personal opinions and my personal activities. Therefore, I feel it is irrelevant to any legislation which may be coming up. I therefore wish to cite the Constitution of the United States, not the amendments. Article 1, section 9, paragraph 3. Of course, all you gentlemen are familiar with this, and I needn't cite it to you. I feel that under that article any questions that are put to me of this character are improper.

However, and in addition, I would like to say that from observing what has gone on here today and what I read in the papers, there seems to be a feeling that this committee has been given open season on all of history. I feel that there has not been any question stated or put to anyone which took into any consideration changes in atmosphere, changes in context, and changes in world outlook in the 1920's, or 1930's, or 1940's. I would therefore like to state to you that I feel that while under article 1 of the Constitution, the paragraph and section which I quoted, I do not feel that you are entitled to ask me these questions. I nevertheless have great respect for this committee and for the House of Representatives, and I will cooperate. But I will not enter into memory contests which go back into a period which had an entirely different connotation than the period of today.

I will therefore tell you that any questions you wish to put to me concerning anything that has happened since July 1, 1948, when I came to New York, including membership in the Communist Party, which I hereby deny, I will be very happy to answer. As for anything which happened before July 1, 1948, I feel that no purpose can be served if I had done anything which was not legal, and I am not talking about anything improper, in your views. But if I had done anything which was not legal I would not be here, and I would be elsewhere, because there would be a chance of prosecuting me.

I think that any question which is put to me about my activities before that period, before that date of July 1, 1948, can serve only one purpose, which to me I must say, and this is my personal opinion, as an independent thinker, is the way this committee has been operating, namely, to entrap a witness by getting him today to deny something which someone with a very convenient memory has sworn hasn't happened in what I call prehistory.

I think a 7-year period is a very reasonable period, and I think to ask me things which happened more than 7 years ago when it is quite clear, gentlemen, that while you may very honestly feel that you are conducting an inquiry I think that even those people who are recanting so-called before your committee all feel that they are recanting, and I think that the history of recanting heretics proves to all of us that their word is not dependable, and that they do testify about all kinds of people and all kinds of things in order to clear themselves.

I therefore in this connection, invoke the first amendment to the Constitution, and in addition, the fifth amendment to the Constitution, and the fifth amendment on two scores:

First of all, because I have a privilege not to testify against myself, and I will object if you say self-incrimination, and the Constitution does not say that.

On the second score, by the publication of my name in the papers last week, and by the statement by the chairman, Mr. Walter, that 99 percent of these people called, you had very good reason to think were Communists, you have taken away from me something, sir, which nothing that I say here and nothing that you ever say, will ever succeed in catching up with, and I feel that I have been deprived of some of my property, namely, my good name, and my reputation, without due process of law.

Therefore, I feel that it is my right as an American citizen to state to you that I will reasonably cooperate with you for a period of the 7 years, which I think is quite adequate, and beyond that I stand on the fifth amendment.

Mr. TAVENNER. I have given you a great deal of time, and the chairman has, and will you now answer my question as to whether you were a member of the Newspaper Guild, sir?

Mr. SALEMSON. Since, July 1, 1948, I have not been a member of the Newspaper Guild. I repeat to you, sir, that I will not answer questions concerned with before that period. I repeat that in all of these connections, I will stand on my privilege under the first amendment, under the fifth amendment, and I also would like to say that if I am directed to answer these questions, I will ask the chairman to direct you or to request you respectfully not to continue to ask me questions about a period which I have clearly stated. You might disagree with me, but I have clearly stated to you that I do not feel it is a proper field of inquiry, and I feel it is ancient history and I do not wish to discuss it, without any relationship, sir, to any reflection on any other witness who has appeared here or any other stand he has taken on any activities of mine during that time.

Chairman WALTER. What date did you state?

Mr. SALEMSON. July 1, 1948, the date at which I moved to New York, and I feel, sir, that the world situation has changed, and I feel that I have changed my field of endeavor, and I feel that my relationships have changed, and I do not feel that I have to go into everything that I ever thought.

I was once 17 years old, and I went to college, and I have had views at that time, and I see no reason why they should be brought up today, and I feel that a 7-year-period for reasonable men should be a reasonable period during which you are satisfied that I have not been a Communist, and I do not think that you should ask me to testify about what went on before that.

Mr. TAVENNER. May I have a direction, Mr. Chairman, that the witness be required to answer the question?

Chairman WALTER. I would like to sit down with the witness alone somewhere, but I suppose that is impossible. Answer the question. You are directed to answer the question.

(Witness consulted with counsel.)

Mr. SALEMSON. Sir, if I understand that I am directed, that it is not reasonable to take only 7 years as a proper period of inquiry, I stand on my rights under the fifth amendment to the Constitution not to answer.

Mr. TAVENNER. Did you hold an official position at any time in the Newspaper Guild at Los Angeles?

Mr. SALEMSON. After July 1, 1948, sir, I have not been in Los Angeles except to visit my mother on one occasion.

Mr. SCHERER. I ask that the witness be directed to answer.

Chairman WALTER. That is not responsive. I direct you to answer the question.

Mr. SALEMSON. Gentlemen, under the fifth amendment, I decline to answer about anything which took place before July 1, 1948.

Mr. TAVENNER. Will you tell the committee, please, whether there was an organized group of the Communist Party in Los Angeles, limited to members of the Newspapers Guild, prior to 1948?

Mr. SALEMSON. Gentlemen, I decline under the fifth amendment to answer that question.

Mr. TAVENNER. The committee has been investigating for some period of time the extent of the operations of the Communist Party within the Newspaper Guild in Los Angeles. Some 7 or 8 witnesses have been heard on the subject. There are persons connected with the operation as to whom the committee has no identification. If you were a member of a group of the Communist Party within the Newspaper Guild, you may be the one to be able to tell us. It may be very important to the Government of the United States to know the full history of persons otherwise engaged at this time that may have been part of that group.

Will you tell the committee, please, whether you were acquainted with any persons within the Newspaper Guild in Los Angeles, who were members of the Communist Party?

Mr. SALEMSON. Gentlemen, I have had nothing to do with the Los Angeles Newspaper Guild since before July 1, 1948, and under the fifth amendment I decline to answer this question.

Chairman WALTER. You say you have had nothing to do with it since that date?

Mr. SALEMSON. That's right.

Mr. SCHERER. Did you have something to do with them before that date?

Mr. SALEMSON. Sir, I have already stated voluntarily, and frankly, my position, that I will answer any and all questions you wish to put to me that are after that date, and I have also said that I will ask the chairman to ask Mr. Tavenner to cease and desist from continuing to ask me questions which he knows I will not answer because I do not have to answer them under the fifth amendment, and I have given you 7 years which I think the chairman's hesitancy about his first direction to me makes me feel he feels is a reasonable period, and I feel it is a reasonable period.

Chairman WALTER. No, I don't.

Go ahead, Mr. Tavenner.

Mr. TAVENNER. Were you acquainted with Sol Shor while you were in California?

Mr. SALEMSON. Sir, the time that I lived in California was before July 1, 1948, and I repeat that under my privilege under the fifth amendment of the Constitution, I will decline to discuss anything that happened before that time.

Mr. SCHERER. When was the last time that you saw Sol Shor?

(Witness consulted with counsel.)

Mr. SALEMSON. I have not seen him, sir, since well before, I should say before, July 1, 1948.

Mr. SCHERER. Then you were acquainted with Sol Shor?

(Witness consulted with counsel.)

Mr. SALEMSON. On advice of counsel, I will continue to stand on the fifth amendment.

Mr. SCHERER. I ask you to direct the witness to answer. He has certainly waived his privilege.

Chairman WALTER. I direct you to answer the question. In our opinion, you have waived the privilege. What is your answer?

Mr. SALEMSON. Gentlemen, inasmuch as the question relates to activities of mine before July 1, 1948, I decline again under my privilege under the fifth amendment to answer the question.

Mr. TAVENNER. Mr. Shor testified before this committee that he was a member of two groups of the Communist Party, one following the other, from California, and that Harold Salemson, a representative of magazines, was a member of both of those groups with him.

Were you a member of the Communist Party while living in California?

Mr. SALEMSON. Sir, if you are directing this question to the period before July 1, 1948, I repeat once more that I will stand on my right under the fifth amendment to decline to answer. I would like again to repeat that I am offering you 7 years of my life which I think is as far back as anybody should be expected to remember anything relevant, and if you want to ask me any questions, ask me.

Mr. TAVENNER. Prior to 1948, had you been connected in any way with the People's Educational Center in Hollywood?

Mr. SALEMSON. Sir, I asked you respectfully before that you request counsel not to continue with questions all of which relate exclusively to the period before July 1, 1948.

Mr. SCHERER. Mr. Chairman, Mr. Tavenner has explained, I think, very well the reason for asking these questions. We feel that you have information for that period prior to 1948, and it may help us materially in our investigations of present conditions.

Mr. WILLIS. And I think that feeling is supported by evidence in our files.

Mr. SALEMSON. Inasmuch as the question relates to before July 1, 1948, I once more invoke my privilege under the fifth amendment not to answer.

Mr. WILLIS. That sounds like a pretty good story you are making, and to the extent that you say that you are not a Communist now, and have not been for quite a while, it is very noble, and we appreciate it. But all of you want us to play the game according to your rules.

Someone might come here and say, "I will answer all questions except those beginning 3 days ago, or half an hour ago."

Mr. SALEMSON. If I were today a member of the Newspaper Guild, I would probably take the period of 6 months, which is the period that they have set for their members as to whether Communist activity is relevant. I am not a member of the Newspaper Guild and therefore this does not affect me. I think that 6 months is a very intelligent and interesting period. I am perfectly willing to take as the reasonable point, the time when I came to New York, and started to engage in the type of business that I am in today, and I think that all of this is relevant and I think the rest as far as I am concerned is ancient history, and I think that you are putting an unfair demand on me if you expect me to try to enter into contests with other people.

Mr. SCHERER. This committee's actions are based upon the law, and not what your opinion is, as to a reasonable time, nor what the chairman's opinion nor my opinion is. We ask these questions in conformity with the law. That is what we are all controlled by.

Mr. SALEMSON. Gentlemen, I understand that, and I appreciate that. Unfortunately, and I regret to say—

Mr. SCHERER. Whether the Newspaper Guild fixes a 6-month period as a reasonable period for some position it takes is immaterial.

Mr. SALEMSON. I regret to say this, I might have come in with quite a different attitude insofar as the committee is concerned, if the chairman had not associated himself on Monday night with elements which I feel require investigation. I feel that if this committee is not to be an impartial committee, but a committee which is headed by a man who takes a public stand of that kind, that I certainly must protect myself from such persecution, and as such, I invoke the only amendment to the Constitution which gives me this protection, namely the fifth, and I continue to stand on it.

Mr. SCHERER. As a minority Member of the Congress, I support the chairman in the position he took the other night.

Mr. SALEMSON. That, sir, is your right. I don't.

Chairman WALTER. Now, I said, and this is what you are objecting to, that 99 percent of the witnesses who testified before this committee were Communists, or I said we had evidence. I repeat it. I challenge you to tell me, or give me the name of one of the witnesses who testified before this committee this week who has never been a Communist.

Mr. SALEMSON. Sir, most of the witnesses who testified here, I may or may not know, most of them I don't know actually, but this is completely irrelevant. I have no—

Chairman WALTER. It is not as irrelevant as your statement that you challenge the position I took, when I said 99 percent of the witnesses were Communists. In that connection, let me tell you this. That before this committee embarks on any investigation, it makes a very careful examination of every witness who is called before it, in order to protect people from having their names mentioned in something that might prove embarrassing or even unpleasant. We are very careful in doing that with every single person who comes before this committee. Before you were called as a witness, the same tests were applied to you as were to other people.

Mr. SALEMSON. Yes, sir.

Chairman WALTER. Because of those tests, you are here. And because we believe that you could throw some light on the duties im-

posed upon us by the Congress of the United States, you are being asked these questions.

Mr. SALEMSON. And because of the duties imposed upon me by the Constitution as a citizen, and the privileges given to me by the Constitution, sir, I do not choose to cooperate in bearing witness against myself which I do not have to do under the fifth amendment.

I have told you that I will cooperate with your committee for what I consider a reasonable extent in a man's life.

Chairman WALTER. You are not the judge of that, of course.

Mr. SALEMSON. In my professional life, 7 years I think is reasonable.

Mr. SCHERER. It is obvious that in the last 7 years you have no information to give this committee. That is the reason you are willing to cooperate.

Mr. SALEMSON. Sir, if you wish to draw this inference, this is your right. But I will stand on my right.

Mr. SCHERER. You don't have any information, and you don't want to help this committee?

Mr. SALEMSON. I have explained to you, in my statement, that the information which is being given about the 1930's, is never related to the connotation of the 1930's, and the information given to the war period is never related to the connotation of the war period, and the information given about the postwar period is never related to it. I am sorry, sir.

I must protect myself against a committee whose chairman appears at a biased political meeting in New York, while these hearings are going on, who is obviously here not to investigate but to convict, sir. Otherwise, I would be before an impartial committee, and I am not before an impartial committee, and I am before a man who associates himself with un-American elements and I stand on my rights under the Constitution.

Chairman WALTER. One more demonstration like that, and I will clear the courtroom.

I am very proud of the fact that I was at this meeting on Monday night, and I assure you that there wasn't a person there who ever has or ever will invoke the privileges of the fifth amendment of the Constitution.

Proceed Mr. Tavenner.

Mr. SALEMSON. I assure you that in different context, those friends of yours might invoke the fifth amendment. Times change.

Mr. TAVENNER. I have before me a pamphlet of the fall term, 1946, of the People's Educational Center in Los Angeles, and there is advertised in this pamphlet the course to be conducted on the forms of political organization. The names of several persons are mentioned who were to take part in the giving of this course on forms of political organization. One of those names is Harold Salemsen.

Did you participate in the conduct of the fall term of the People's Educational Center?

Mr. SALEMSON. Since I have already told you I will not testify concerning that period, my answer must be that I stand on the fifth amendment. Insofar as most of my activities are concerned, they are matters of public record.

Mr. TAVENNER. I have before me a photostatic copy of a document entitled "Thought Control in U. S. A.: No. 1, the Conference." On

the inside of the first page appears this: "Edited by Harold J. Salemsen."

What part did you play in the holding of this Conference on Thought Control?

Mr. SALEMSON. May I see the document, sir?

Mr. TAVENNER. Yes, sir.

(The document was handed to the witness.)

(Witness consulted with counsel.)

Mr. TAVENNER. It is a reproduction of the cover page and the beginning of the second page. It is on your left.

(Witness consulted with counsel.)

Mr. SALEMSON. Inasmuch as this particular item, sir, relates to the free-lance literary activities which I carried out in 1947 and 1948, or I should say as I testified earlier, early 1947, and mid-1947, prior to joining Creative Films, I will be very happy to answer yes to that. I think this is already covered by the curriculum of work which I previously gave you.

Mr. TAVENNER. Did you, in that Thought Control Conference, consider the type of thought control exercised by the Communist Party in the city of Los Angeles?

Mr. SALEMSON. I had nothing to do, sir, with that conference. I am testifying to the fact that I was employed by the organization which published that, and I don't even know whether it is the same organization that held the conference. I had nothing to do with the conference, to the best of my recollection, at any time, and I was employed professionally to edit that series of booklets, and I did so edit that series of booklets.

Mr. TAVENNER. By whom were you employed?

Mr. SALEMSON. Whatever the name of the committee is there, the Hollywood Independent Citizens Committee.

Mr. TAVENNER. Who was the individual who sought you out for employment?

Mr. SALEMSON. I have no recollection of whom I was employed by, or who signed the checks. I met at that time professionally with a number of people whom I otherwise knew, with Howard Koch, who wrote the introduction, and I would say probably Howard Koch was the person who hired me. With various other people who contributed to that, I could not pinpoint the person that hired me.

Mr. TAVENNER. Did you meet with the people who contributed to this publication?

Mr. SALEMSON. To the best of my recollection, I must have met with most of them because I did certain editing on their copy, and made certain changes and had to get their approval.

Mr. TAVENNER. Did you meet with John Howard Lawson?

Mr. SALEMSON. In this connection, I think so; yes, sir.

Mr. TAVENNER. Do you know John Howard Lawson to be the leader of the Communist Party in Hollywood?

Mr. SALEMSON. Sir, this does not relate to my professional relationship with Mr. Lawson, and I therefore plead the privilege under the fifth amendment.

Chairman WALTER. I direct you to answer that question.

Mr. SALEMSON. I repeat, sir, that I stand on the fifth amendment.

Mr. TAVENNER. Did you take part in the issuance of a call for the Fourth Congress of the League of American Writers?

(Witness consulted with counsel.)

Mr. SALEMSON. I beg pardon, sir?

Mr. TAVENNER. Read him the question, please.

(Whereupon the pending question as above recorded was read by the reporter.)

Mr. SALEMSON. You left your voice up in the air, and I thought you were going to give me a date or something.

Mr. TAVENNER. I beg your pardon, I will repeat it.

Were you one of those who signed a call for the Fourth Congress of the League of American Writers?

Mr. SALEMSON. Sir, would you tell me when the Fourth Congress of American Writers was?

Chairman WALTER. Did you at any time issue this call?

Mr. SALEMSON. Sir, I have not been active as a writer in such connections since July 1, 1948, and I decline under the fifth amendment to discuss the many activities that I of course may have had earlier, but I can't discuss them.

Mr. TAVENNER. The call was published in New Masses, on April 22, 1941, if that date helps you any.

Mr. SALEMSON. Fifth amendment, sir.

Mr. TAVENNER. In listing your employment a few moments ago, you made no mention of work with the Federated Press.

Were you ever connected with the Federated Press?

Mr. SALEMSON. Yes, sir, over quite a period from time to time I was, and I never received any appreciable income, and I think the most that I may have received from them was in the neighborhood of \$500 a year during the first 2 or 3 years I was in New York furnishing motion picture news, and show business news to them.

Mr. TAVENNER. Was that after you returned from Hollywood?

Mr. SALEMSON. Yes, sir.

Mr. TAVENNER. Who employed you to work with the Federated Press?

Mr. SALEMSON. Whoever was the news editor at the moment, I believe that at that time a Miss Miriam Kolkin was the news editor.

Mr. TAVENNER. For how long a period of time did you write for the Federated Press?

Mr. SALEMSON. I think that I first sent some material to the Federated Press about 1935 or 1936, and furnished such material off and on until the war started, and then resumed. I don't remember whether I resumed immediately after the war or later when I came to New York, but until about 3 or 4 years ago, I don't remember exactly when.

Mr. TAVENNER. But you worked for the Federated Press prior to your coming to New York, on July 1, 1948?

Mr. SALEMSON. Yes, that is part of my professional record.

Mr. TAVENNER. Were you influenced in any way by membership in the Communist Party in accepting a position with the Federated Press?

(Witness consulted with counsel.)

Mr. SALEMSON. Sir, inasmuch as this is—excuse me—

(Witness consulted with counsel.)

Mr. SALEMSON. Sir, as far as I am concerned in my work for Federated Press, to the best of my recollection there was never any mention

one way or the other of the Communist Party, nor was I aware of any relationship which might or might not have existed, and I was not influenced, sir. This was a professional job, which I was interested in doing because I was an independent thinker then, as I am now. I have all of my life been an independent thinker, and I think that this largely contributes to the position which I have taken.

Mr. SCHERER. Did the party who employed you for the job know that you were a member of the Communist Party at the time?

Mr. SALEMSON. Sir, insofar as this question relates to whether or not I was a member of the Communist Party at that time, I stand under the fifth amendment.

Mr. SCHERER. Did you know him to be a member of the Communist Party? That doesn't relate to you, and you can only use the fifth amendment in avoiding self-incrimination.

Mr. SALEMSON. Sir, insofar as my professional relationship with the Federated Press is concerned, the answer to that question is "no." Insofar as it relates to anything political, I stand on the fifth amendment.

Mr. SCHERER. You say you don't know whether he was a member of the Communist Party?

Mr. SALEMSON. Sir, as I think I stated before, nothing of this sort entered into my relationship with the Federated Press, and therefore I would have no way of so knowing.

Mr. SCHERER. I didn't ask you that question. I asked whether or not you knew at the time, that the person who employed you was a member of the Communist Party. That is the question.

(Witness consulted with counsel.)

Mr. SALEMSON. Sir, I think this is a question on which I really must stand on the fifth amendment because it is much too vague, and you are not talking about an individual, or a particular time.

Mr. SCHERER. Who did employ you? We just mentioned his name. Who was the man who wrote the forward?

Mr. SALEMSON. I beg your pardon.

Mr. TAVENNER. I don't think the name has been mentioned.

Mr. SALEMSON. No name has been mentioned at all. In about 1935 under circumstances which I recall no longer, someone told me about Federated Press, and the existence of which I did not know before, and told me that they might be interested in items from Hollywood, and I started sporadically to send them items from Hollywood. I think by checking Federated Press you would find from 1935 on, who their news editors were, and these were the people that I dealt with, until later when I came to New York I did not know most of them personally, and most of those news editors unless they happened to come out to Hollywood. This was the kind of minor free-lance work that a writer does who is generally interested in trade unions as I was, and generally interested in the labor movement, and it happened to bring in a little money from time to time which was fine.

Mr. SCHERER. Then your answer is that you have no recollection as to who employed you?

Mr. SALEMSON. No, sir, as to who employed me, or got me together with Federated Press I have no recollection whatsoever.

Mr. TAVENNER. Were you aware that many of the articles written by you for the Federated Press were reprinted or recopied in Daily People's World, and if so, do you know what arrangements were made for their use?

Mr. SALEMSON. Approximately 260 papers, or up to 260 papers I think at the height of Federated Press' activity from time to time carried my column. I was certainly aware that it was carried at times, during the 1930's, in the Daily Worker and the People's World.

Mr. TAVENNER. Were you in any way a party to the carrying of it in the Daily People's World, in the sense that you were consulted, or any arrangements were made with you for carrying it?

Mr. SALEMSON. No, sir.

Mr. TAVENNER. I don't know whether you meant to indicate that it was just back in the 1930's that the Daily People's World carried your articles, and in the Worker. It was actually right up to 1947, was it not?

Mr. SALEMSON. So far as I know they may have carried it later, I have not kept a record of that particularly, and the columns appeared there, and appeared in many other labor and progressive papers.

Mr. TAVENNER. Yes. Now with reference to these various papers, particularly labor papers carrying articles from the Federated Press, are you aware of what President William Green of the American Federation of Labor said on that subject?

Mr. SALEMSON. Excuse me, sir, when did he say it?

Mr. TAVENNER. He said it in March of 1947, and this is what he said:

In March of 1947, President William Green of the American Federation of Labor noted that the Federated Press offered Communist Party line material, and expressed astonishment that labor papers in the Nation would use such material as the Federated Press issued.

Mr. SALEMSON. Sir, I am not familiar with it, but I think if you were to—

Mr. TAVENNER. The Federated Press was denounced at the October 1947 convention of the American Federation of Labor.

Mr. SALEMSON. I am not familiar with it but I think if you were to check back, personally, I was a CIO man and not an A. F. of L. man, and I think if you would check back you would find that this was a line of publicity being used for the founding of something called Labor Press Associates, which the A. F. of L. founded to try to put Federated Press out of business because Federated Press favored the CIO.

Mr. TAVENNER. You think President William Green was incorrect when he said that the Federated Press offered the Communist Party line in material to the public?

Mr. SALEMSON. Sir, I am afraid that I have no opinion on that.

Mr. TAVENNER. Then why would you accuse Mr. Green of using ulterior purposes instead of the one he designated?

Mr. SALEMSON. As I understand it, Labor Press Associates was an A. F. of L. news service, which they were trying to put over, and I think that in the context of the time and here again, is why I think it is so important that we do not look back forever but we look at when these things took place, and when people said things, which is something which, believe me, as a public relations man I am very critical of your committee about—when you realize that this was said at a time when Mr. Green had his own news service to sell, and it doesn't hold water. Some publicity man wrote it for him in all likelihood, sir.

Mr. TAVENNER. You would say that in spite of the fact that you now contend that you had no knowledge about the Federated Press carrying the Communist Party line?

Mr. SALEMSON. Sir, the question of Federated Press carrying the Communist Party line was of no relevance to me professionally, and I wrote labor news for them.

Mr. SCHERER. Were you a member of the party at that time?

Mr. SALEMSON. Sir, if you are referring to the period before July 1, 1948, my memory for an hour is quite good and I am still not answering questions under the fifth amendment on any activities other than my purely professional activities which are a matter of public record on any period prior or to July 1, 1948, and I would like to repeat again for the record that I think that I am being very reasonable with you.

Mr. SCHERER. And you say that you are willing to cooperate since 1948 with this committee, and give them all of the information that you have?

Mr. SALEMSON. Sir, I am willing to—

Mr. SCHERER. The fact is that you have no information since 1948 concerning any Communist Party activities, and that is the reason you are willing to cooperate.

Mr. SALEMSON. Sir, if you are making a statement, I would like to make a statement.

Mr. SCHERER. I am asking, isn't it a fact that you have no information since 1948 about any Communist activities?

Mr. SALEMSON. I have no information.

Mr. SCHERER. That is the reason then that you told the committee and tried to put a halo around your head, that you are willing to cooperate with this committee and tell them everything you know since 1948. The fact is you don't know anything about Communist Party activities since 1948 that would be helpful to this committee.

Mr. SALEMSON. That is correct.

Mr. SCHERER. Isn't that a fact?

Mr. SALEMSON. That is correct.

Mr. SCHERER. All right. But you do know about Communist Party activities before 1948 and you are refusing to tell us about those.

Mr. SALEMSON. I have already stated earlier in my testimony that I will not testify about that and what implication was that could or could not be drawn and what my reason was. I will not allow myself to be entrapped by people who are willing to come in here and testify in order to clear themselves as former heretics, in order to come back into the fold and testify about anything that they wish, and then go into court to have their testimony which may or may not be dependable put up against mine.

I therefore stand on the fifth amendment insofar as any activities, opinions, or beliefs of mine other than my purely professional ones before July 1, 1948.

Mr. SCHERER. You tell us the name of any person who has come before this committee who has lied to this committee or told us something that was untrue.

(Witness consulted with counsel.)

Mr. SCHERER. Tell us the name of any witness.

Mr. SALEMSON. Would you repeat that question?

Mr. SCHERER. You tell us the name of any witness who has been before this committee, take even this week, who has told us an untruth. (Witness consulted with counsel.)

Mr. SALEMSON. Sir, I am not, I have been here only today, and I have not been following these hearings or other hearings so closely as to know all about this, and I am entitled to my opinion of what recanting heretics throughout the ages have been. If you people will not learn from history and will not learn even from not too old American history of the type of testimony that is sometimes given, in the case of people who are trying now to clear themselves, then, sir, I must decline under the fifth amendment to put myself in the same class with people like that and to have my word which I have no question about, put up against their's under purely technical circumstances where I have no assurance—

Mr. SCHERER. What recanting heretic told this committee anything that was untrue that makes you use the fifth amendment?

(Witness consulted with counsel.)

Mr. SALEMSON. As far as I know you have only had one and I never heard of the man before yesterday, and so I can't discuss him at all.

Chairman WALTER. What part of his testimony was false?

Mr. SALEMSON. I don't know anything about his testimony.

Chairman WALTER. You charge him with testifying falsely without knowing what he testified to?

Mr. SALEMSON. I am not charging him.

Chairman WALTER. Of course you have, you just said that "you have only had one."

Mr. SALEMSON. This committee has gone on for a long time.

Chairman WALTER. Yes; I know.

Mr. SALEMSON. This committee has gone on for a long time.

Chairman WALTER. By unanimous vote of the Congress.

Mr. SALEMSON. Yes, sir.

Chairman WALTER. All right, go ahead, Mr. Tavenner.

Mr. TAVENNER. Mr. Salemson, as a result of testimony which the committee had received in its investigation, it was thought that you were in a position by which you could give the facts regarding important matters that the committee has been investigating. You say that you are not going to give us the benefit of any information which you have up until July 1, 1948? If I understand you correctly, you have indicated that you have no information since July 1, 1948. Is that the substance of what you have stated?

Mr. SALEMSON. I have stated to you sir that I am not a member of the Communist Party, and I know nothing about any Communist activities since that time, and if you have any direct questions I will be happy to answer them.

Mr. TAVENNER. And because you say that you have not been a member since July 1948, therefore you are unable to give this committee any facts?

Mr. SALEMSON. Yes.

Mr. TAVENNER. Prior to July 1, 1948, you could give this committee facts if you would; couldn't you?

Mr. SALEMSON. Sir, I stand on my privilege under the fifth amendment and I have explained to you, and it seems to me I need not explain it again, I think that I am a reasonable man, that I will not

allow myself to be maneuvered into a position of making yes or no statements about things that took place over 7 years ago to have this put against the word of somebody else whoever that person may be. I think that 7 years is a reasonable period and therefore, sir, I will continue to stand on the fifth amendment.

Mr. TAVENNER. Let me ask you this question.

Since July 1, 1948, have you conferred with any persons that you knew prior to that time was a member of the Communist Party?

Mr. SALEMSON. What do you mean by "conferred," sir?

Mr. TAVENNER. Talked with, corresponded with, have conferences with.

Mr. SALEMSON. Sir, I think that this is a loaded question, on which I must stand under the fifth amendment, since obviously you are asking me whether I knew them before July 1, 1948, and I think it is kind of clear, but I think it is an attempt to evade or get exactly the same way that this committee generally evades due process of law by trying to trap people where there is no due process by which you can repress in this country today still fortunately, independent thinking. You are trying to inhibit independent thinking. All of my life, sir, I have been an independent thinker.

Chairman WALTER. We don't care about that. I am directing you to answer that question.

Mr. SALEMSON. Sir, I stand on my privilege under the fifth amendment not to answer this question which relates again to the period that I have said I would not talk about.

Chairman WALTER. No; you misunderstood.

Mr. TAVENNER. It could have been even yesterday, and that is well within the 7-year period that you have been talking about.

I have no further questions, Mr. Chairman.

Chairman WALTER. Have you any questions, Mr. Scherer?

The witness is excused.

Mr. TAVENNER. Mr. David Kanter.

Chairman WALTER. Will you raise your right hand please?

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

Mr. KANTER. I do.

TESTIMONY OF DAVID KANTER, ACCOMPANIED BY HIS COUNSEL, HARRY SCHWIMMER

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

Mr. KANTER. David Kanter.

Mr. TAVENNER. Will you please spell your name, please?

Mr. KANTER. K-a-n-t-e-r.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. SCHWIMMER. Harry Schwimmer, 111 East 56th Street, New York City.

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

Mr. KANTER. Philadelphia, July 12, 1909.

Mr. TAVENNER. Where do you now reside?

Mr. KANTER. New York City.

Mr. TAVENNER. How long have you been a resident of New York City?

Mr. KANTER. I would say about 12 or 13 years.

Mr. TAVENNER. What is your profession or occupation?

Mr. KANTER. I am a production stage manager in a theater.

Mr. TAVENNER. How long have you been engaged in that type of enterprise?

Mr. KANTER. About 18 years roughly.

Mr. TAVENNER. Will you tell the committee please some of the principal stage productions which you have directed?

Mr. KANTER. Well, currently, I will go back from now to the Boy Friend, which is currently running on Broadway; Take a Giant Step; Lend an Ear, Alive and Kicking; and 2 or 3 other productions, and Call Me Mister. I did 2 or 3 others, the Searching Wind; the Rugged Path, and—

Mr. TAVENNER. Call Me Mister was produced in 1946 and 1947; was it not?

Mr. KANTER. I think that is correct, sir.

Mr. TAVENNER. Will you tell the committee please what your formal educational training has been?

Mr. KANTER. I had grammar-school education, and a year of high school, and that was the extent of my education.

Mr. TAVENNER. Mr. Kanter, were you subpoenaed at an executive session of the committee on August 1, 1955, in Washington at which Representatives Doyle, of California, and Scherer, of Ohio, were sitting as the subcommittee?

Mr. KANTER. That is correct, sir.

Mr. TAVENNER. I want to read to the subcommittee a part of the testimony as a basis for asking this witness a question.

Mr. APPELL. Mr. Kanter, the committee is currently making an investigation of the extent to which the Communist Party and its members figure in the entertainment media in New York. The committee has certain information that you possess knowledge in this field and we have called you before us to help the committee and the Congress with the knowledge that you possess. Do you possess any knowledge with respect to the Communist Party?

Mr. KANTER. I am sorry, sir.

Counsel—

not the present counsel, Mr. Ross, stated:

May I advise the witness?

Mr. DOYLE. The witness conferred with his counsel.)

(The witness conferred with his counsel.)

Mr. SCHWIMMER. Before you read further, Mr. Tavenner, as I understand it, Mr. Ross asked for a copy of the transcript, so he told me, and he was advised that it would be sent to him, and I am saying what he told me. He never did receive a copy of that transcript, and we don't have a copy of it.

Mr. TAVENNER. I would be happy if you would sit by me while I read it so that you may see what it is. Come right over here.

Mr. SCHWIMMER. Thank you, sir.

Mr. TAVENNER (reading):

Mr. KANTER. I am sorry, sir, I don't want to appear disrespectful to you gentlemen and your committee, and your work, but I am afraid that I must decline to answer these questions, and I cannot testify in connection with this matter on the grounds of the fifth amendment.

I read further from the testimony:

Mr. SCHERER. Might I interrupt? Were you ever a member of the Communist Party?

Mr. KANTER. I refuse to answer on the grounds of the fifth amendment, sir.

Mr. SCHERER. Are you a member of the Communist Party today?

Mr. KANTER. It is the same answer, sir, I refuse to answer on the grounds of the fifth amendment.

Now, following those questions and answers, you were asked other questions to which you declined to answer, and finally Mr. Scherer made this statement to you:

Perhaps it has not been clear. Let us go over it again.

In other words, he is repeating what he had already said. Let us go over it again.

Now, you have been asked certain questions with reference to your knowledge of communism and your associations with the Communist movement. You have told this committee that you are not going to answer those questions. Now, the reason you give for not answering them, and in our opinion the only reason that you can give us is the fact that you say that to answer those questions might result in a criminal prosecution, and that you might in some way by answering our questions subject yourself to some criminal prosecution. Now, if you honestly believe that, and I think that you do believe that, you certainly have the right to invoke the fifth amendment and refuse to answer our questions.

We feel that you have some valuable information that would help this committee and help your country, or at least I feel that way, and I think that Mr. Doyle does. We could use that information very well. What I am saying is this:

If this committee would invoke the law which was passed just last year which gives us the right to grant you immunity and to free you from any possible prosecution for the answers that you might give us, would you then tell us what you know?

Mr. KANTER. May I just say a word to my counsel?

Mr. SCHERER. Surely.

(The witness conferred with his counsel.)

Mr. KANTER. Sir, counsel advises me that this whole law is a highly debatable law, and it is before the Supreme Court. He advises me not to make any statement in relation to that at this time.

Mr. SCHERER. Now, will you do this, then. When you leave here today, will you give some consideration to the proposal that I have made, and I do not think in my opinion, and I may be wrong, and your counsel may be right, that it is as debatable as he thinks it is. I am thoroughly convinced in my own mind that no persecution would result if we would grant you immunity. Whether the law was eventually interpreted to be constitutional or not, certainly no government would prosecute you after a committee granted you immunity. We just don't do things in that way in this country.

I wish after you get away from here, and you think this over, if you might not want to cooperate with this committee. Certainly I think that I am speaking for Mr. Doyle and myself that we are not interested in prosecuting you, but we do think that you have some valuable information that would help us in uncovering some Communist activities in this country that might be helpful.

I have nothing further.

Now, Mr. Kanter, from what I understand, that offer of the committee stands good today, and I want to ask you this question:

If proper application is made to the Federal court to secure immunity against prosecution, will you testify as to the facts within your knowledge?

(Witness consulted with counsel.)

Mr. KANTER. Sir, I must tell you that I must take the same position today as I took when I was first called before the subcommittee in Washington, because I am advised again by counsel that this law is in a highly debatable state.

Mr. TAVENNER. You were subpoenaed for the first day of this hearing, or the beginning of this hearing, and we have postponed your appearance from day to day at your request through members of your family, to see if you would think differently about the matter. If that is your final decision, I have no further questions.

Chairman WALTER. Do you have any questions Mr. Scherer?

Mr. SCHERER. I was the one of course who asked you to further consider the matter, because I felt that you actually wanted to tell us what you knew. There were certain influences and certain pressures on you that prevented you from so doing, and that is the reason I spent so much time at that hearing explaining to you the law, and the willingness of this committee to do what Mr. Tavenner indicated we would do.

Now, as I said then, I don't think that the law is as debatable as you have been informed it is, but let us assume that this issue is finally settled and the law is held to be constitutional and that there is no question that we have the power to grant you the immunity which I think we have today, would you then answer the questions?

Mr. KANTER. May I consult with counsel?

(Witness consulted with counsel.)

Mr. SCHWIMMER. May I make this statement?

Mr. SCHERER. I would rather have him make the statement, counsel.

Mr. KANTER. Sir, I must say again that I am sorry, that I am taking my counsel's advice in this matter, and the same answer that I have given you before must stand.

Mr. SCHERER. You mean then, Witness, that if there was no question about it—you base your refusal now to answer on the grounds that this law is debatable.

Now, my question was, if that question was resolved, and it was no longer debatable, and we granted you immunity, would you then answer the questions?

(Witness consulted with counsel.)

Mr. KANTER. I don't recall saying that I would have changed my opinion if the decision was changed or if the Supreme Court issued a new decision on it.

Mr. TAVENNER. In other words the debatability of the act has nothing to do with your decision. In any event you are just not going to testify?

Mr. SCHERER. That now becomes obvious. And I was in error in my judgment of this witness.

Mr. KANTER. That is about right.

Mr. TAVENNER. I have no further questions.

Chairman WALTER. The witness is excused.

I want to take this opportunity to thank the members of the press for the objective reporting of the hearings of this unpleasant job that the Congress of the United States has imposed upon this committee. With the exception of course of that segment of the press which has been so apologetic, the reporting has been very fair, and I am sure that the people in this country now have an appreciation of the manner in which innocent people and others are enlisted into this conspiracy.

I want also to thank the United States marshals for their splendid job in preserving order, and the custodian of the building for providing these quarters, and last but not least, the members of the staff of this committee and members who have worked so long and so hard during a period we all ought to be having a rest.

The committee is adjourned.

(Whereupon, at 4:30 p. m., the committee adjourned, subject to the call of the Chair.)

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